

**ABILENE CITY COMMISSION - STUDY SESSION AGENDA**  
**DWIGHT D. EISENHOWER MUNICIPAL BUILDING - 419 N. BROADWAY STREET**  
**August 18, 2015 - 7:00 pm**

**NOTE:** Please note the City Commission has changed the venue for future study sessions to the City Manager's Conference Room in the Dwight D. Eisenhower Municipal Building located at 419 N. Broadway Street. Please call the City Manager's office at (785) 263-2550 for more information or for accommodations.

1. **PUBLIC COMMENTS.** Persons who wish to address the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three minutes. Any presentation is for informational purposes only. No action will be taken.
  
2. **ITEMS TO BE PLACED ON THE REGULAR AGENDA**
  - a. **Consideration of an Ordinance approving the 2016 Budget and attesting to an increase in tax revenues for said Budget for the City of Abilene, Kansas.**
  
  - b. **Consideration of an Ordinance approving a Lease Purchase Agreement with Astra Bank concerning the acquisition of a baler for the Recycling Center. (Note: This item was not ready for inclusion in the study session, but will be included in its entirety in the City Commission's August 24, 2015 regular meeting agenda packet.)**
  
  - c. **Consideration of Resolution approving a Contract with APAC-Kansas Inc. Shears Division concerning the implementation of the 2015 Local Street Improvement Program.**
  
3. **ITEMS PROPOSED FOR THE CONSENT AGENDA**
  - a. **Meeting Minutes: August 10, 2015 regular meeting**
  
4. **ITEMS FOR PRESENTATION AND DISCUSSION**
  - a. **Citizens' Request for Comprehensive Audit of the Convention and Visitors Bureau**
  
  - b. **Transload Facilities 101 Presentation (The presentation will also be provided at a public information meeting scheduled for 7:00 pm on August 20th at the Eisenhower Visitors Center Auditorium.)**
  
5. **REPORTS**
  - a. **City Manager's Report**
  
6. **ANNOUNCEMENTS** *(Meetings at Abilene Public Library unless otherwise provided)*
  - a. **Heritage Commission, August 20 at 4 pm**
  - b. **City Commission meeting, August 24 at 4:00 pm**
  - c. **Convention & Visitor's Board, August 25 at 2:00 pm (CVB)**
  - d. **Commission Study Session, Sept 1st at 7:00 pm (City Hall)**

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE APPROVING THE 2016 BUDGET AND ATTESTING TO AN INCREASE IN TAX REVENUES FOR SAID BUDGET FOR THE CITY OF ABILENE, KANSAS; AUTHORIZING THE CITY'S FINANCIAL STATEMENTS FOR FISCAL YEAR 2016 BE PREPARED IN COMPLIANCE WITH APPLICABLE KANSAS LAW**

**WHEREAS**, the City of Abilene must continue to provide services to protect the health, safety, and welfare of the citizens of this community;

**WHEREAS**, the cost of providing essential services to the citizens of Abilene continues to increase;

**WHEREAS**, the City requires an increase to the mill levy, in part, to fulfill its legal obligations associated with debt service issued to finance public improvements for the Highlands development; and

**WHEREAS**, in accordance with Kansas law, the City conducted a public hearing at its July 27, 2015 regular meeting to provide interested citizens with an opportunity to be heard concerning the proposed budget;

**WHEREAS**, after careful deliberation, the Governing Body has determined that in order to maintain the public services that are essential for the citizens of this City, it will be necessary to budget property tax revenues in an amount exceeding the mill levy from the 2016 budget; and

**WHEREAS**, the City has determined that the financial statements and reports for year-ended December 31, 2016, are to be prepared in conformity with the requirements of the cash basis and budgetary laws of the State of Kansas.

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

**SECTION ONE.** Municipal Budget, Approved. That the Governing Body hereby approves the 2016 Budget for the City of Abilene, as prepared on forms prescribed by the State of Kansas and attached hereto as **Exhibit A**.

**SECTION TWO.** Transfers. That all interfund transactions identified in the Schedule of Transfers as contained in said 2016 Budget filing with the State of Kansas are adopted by reference.

**SECTION THREE.** Implementation. That the City Manager is authorized and directed to implement and to administer, within the budgetary funding limits and within adopted City policy and relevant State and City laws and regulations, said approved 2016 Budget.

**SECTION FOUR.** Appropriation of Funds. That the 2016 Budget of the City of Abilene shall constitute an appropriation of the money so budgeted, and the City Manager shall be authorized to adjust all

salaries, including exempt positions, to pay payrolls and claims, and to make interfund transfers as provided in said Budget of the City of Abilene; provided that all such payments and transfers made shall be deducted from the accounts so appropriated, and that total of payments made by Fund shall not exceed the amount appropriated by Fund.

**SECTION FIVE. Accounts Payable.** That the Administration Department shall establish regulations as to the manner of payment of the periodic dates on which payrolls and claims shall be paid, provided, that all employees of the City of Abilene shall be paid bi-weekly and no payroll or claim shall be paid until it has been approved by the City Manager, or his designee, and by the Finance Director.

**SECTION SIX. Records.** The Finance Director shall cause a record to be maintained of all payments of any nature to be maintained.

**SECTION SEVEN. Certified Budget to County Clerk.** The Finance Director shall be directed to submit a certified copy of the 2016 Budget for the City to the County Clerk in order for the tax rates to be certified on the tax rolls for the 2016 calendar year.

**SECTION EIGHT. Generally Accepted Accounting Principles: Waiver.** That the City hereby waives the requirements of K.S.A. 75-1120a(a) as they apply to the City for the year-ended December 31, 2016.

**SECTION NINE. Financial Statements.** That the City Manager shall be directed to have the Financial Statements of the City of Abilene, Kansas, prepared on the basis of cash receipts and disbursements, as adjusted, to show compliance with the cash basis and budget laws of the State of Kansas.

**SECTION TEN. 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** this 24<sup>th</sup> day of August, 2015.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dennis P. Weishaar, Mayor

ATTEST:

\_\_\_\_\_  
Penny Soukup, CMC  
City Clerk

**EXHIBIT A**

**2016 Budget**

**for the**

**City of Abilene, Kansas**

**August 24, 2015**



City of Abilene

2016

**Computation to Determine Limit for 2016**

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

**2015 Valuation Information for Valuation Adjustments**

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

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.











**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 <u>2015</u>	Proposed Year <u>2016</u>
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
<b>TOTAL TAXES</b>	<b>\$369,105</b>	<b>\$392,068</b>
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

Adopted Budget General Fund - Detail Page 1	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
<b>Expenditures:</b>			
<b>General Government</b>			
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
<b>Total</b>	<b>428,830</b>	<b>489,418</b>	<b>363,737</b>
<b>Police</b>			
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
<b>Total</b>	<b>1,109,608</b>	<b>1,266,787</b>	<b>1,326,217</b>
<b>Fire</b>			
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
<b>Total</b>	<b>681,816</b>	<b>742,246</b>	<b>781,320</b>
<b>Streets</b>			
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
<b>Total</b>	<b>721,022</b>	<b>657,332</b>	<b>729,017</b>
<b>Flood Control</b>			
Salaries	61,644	74,168	99,122
Contractual	0	0	0
Commodities	40,705	41,030	42,500
Capital Outlay			
<b>Total</b>	<b>102,349</b>	<b>115,198</b>	<b>141,622</b>
<b>Parks</b>			
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
<b>Total</b>	<b>251,350</b>	<b>273,157</b>	<b>288,085</b>
<b>Swimming Pool</b>			
Salaries	0	0	0
Contractual	0	0	0
Commodities	21,249	18,470	21,550
Capital Outlay	0	0	0
<b>Total</b>	<b>21,249</b>	<b>18,470</b>	<b>21,550</b>
<b>Community Development</b>			
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
<b>Total</b>	<b>269,074</b>	<b>359,014</b>	<b>311,846</b>
<b>Page 1 - Total</b>	<b>3,585,298</b>	<b>3,921,622</b>	<b>3,963,394</b>

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

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



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	XXXXXXXXXXXXXXXXXXXX
Delinquent Tax	0	0	0
Motor Vehicle Tax	35,499	39,897	31,980
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 miscellaneous exceed 10% Total Exp			
Total Expenditures	358,125	369,105	405,775
Unencumbered Cash Balance Dec 31	0	0	XXXXXXXXXXXXXXXXXXXX
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%
		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	XXXXXXXXXXXXXXXXXXXX
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	XXXXXXXXXXXXXXXXXXXX
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%
		Amount of 2015 Ad Valorem Tax	0

City of Abilene

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FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
<b>Airport</b>			
Unencumbered Cash Balance Jan 1	90,132	228,537	249,101
Receipts			
Ad Valorem Tax	73,324	59,304	XXXXXXXXXXXXXXXXXXXX
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	31,000
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	XXXXXXXXXXXXXXXXXXXX
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%
		Amount of 2015 Ad Valorem Tax	70,076

Adopted Budget	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
<b>Fire Apparatus</b>			
Unencumbered Cash Balance Jan 1	45,270	47,786	54,409
Receipts			
Ad Valorem Tax	49,563	50,524	XXXXXXXXXXXXXXXXXXXX
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	61,332
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	XXXXXXXXXXXXXXXXXXXX
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%
		Amount of 2015 Ad Valorem Tax	51,241

City of Abilene

2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Capital Improvement			
Unencumbered Cash Balance Jan 1	508,930	506,419	506,569
Receipts			
Ad Valorem Tax	3,409	0	XXXXXXXXXXXXXXXXXXXX
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	XXXXXXXXXXXXXXXXXXXX
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%
		Amount of 2015 Ad Valorem Tax	0

Adopted Budget	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
0			
Unencumbered Cash Balance Jan 1		0	0
Receipts			
Ad Valorem Tax		0	XXXXXXXXXXXXXXXXXXXX
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	XXXXXXXXXXXXXXXXXXXX
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%
		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			
<b>Total Receipts</b>	<b>174,855</b>	<b>441,790</b>	<b>442,030</b>
<b>Resources Available:</b>	<b>567,741</b>	<b>680,565</b>	<b>709,095</b>
Expenditures			
Service & Supplies	22,227	26,500	36,500
Capital Outlay	306,739	387,000	387,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>328,966</b>	<b>413,500</b>	<b>413,500</b>
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			
<b>Total Receipts</b>	<b>81,626</b>	<b>84,001</b>	<b>84,240</b>
<b>Resources Available:</b>	<b>365,814</b>	<b>333,471</b>	<b>259,842</b>
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			
<b>Total Expenditures</b>	<b>116,344</b>	<b>157,869</b>	<b>115,570</b>
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	Prior Year	Current Year	Proposed Budget
Special Parks & Recreation	Actual for 2014	Estimate for 2015	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			
<b>Total Receipts</b>	<b>10,658</b>	<b>16,737</b>	<b>16,737</b>
<b>Resources Available:</b>	<b>61,135</b>	<b>55,153</b>	<b>41,890</b>
Expenditures			
Capital Outlay/Special Projects	22,719	30,000	40,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>22,719</b>	<b>30,000</b>	<b>40,000</b>
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	Prior Year	Current Year	Proposed Budget
Special Alcohol & Drug	Actual for 2014	Estimate for 2015	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			
<b>Total Receipts</b>	<b>6,105</b>	<b>16,722</b>	<b>16,010</b>
<b>Resources Available:</b>	<b>65,845</b>	<b>75,067</b>	<b>73,077</b>
Expenditures			
Service & Supplies	7,500	13,000	7,500
Capital Outlay	0	5,000	5,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>7,500</b>	<b>18,000</b>	<b>12,500</b>
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
<b>Receipts</b>			
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			
<b>Total Receipts</b>	<b>176,198</b>	<b>110,476</b>	<b>123,270</b>
<b>Resources Available:</b>	<b>324,057</b>	<b>274,055</b>	<b>326,858</b>
<b>Expenditures</b>			
Capital Outlay	160,478	70,467	123,200
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>160,478</b>	<b>70,467</b>	<b>123,200</b>
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
<b>Receipts</b>			
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			
<b>Total Receipts</b>	<b>69,760</b>	<b>68,100</b>	<b>68,100</b>
<b>Resources Available:</b>	<b>362,026</b>	<b>430,126</b>	<b>449,826</b>
<b>Expenditures</b>			
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			
<b>Total Expenditures</b>	<b>0</b>	<b>48,400</b>	<b>203,400</b>
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
<b>Receipts</b>			
Transfer from Water Fund	0	0	35,000
Interest on Idle Funds	46	100	100
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>46</b>	<b>100</b>	<b>35,100</b>
<b>Resources Available:</b>	<b>164,017</b>	<b>162,636</b>	<b>197,736</b>
<b>Expenditures</b>			
Capital Outlay	1,481	0	35,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>1,481</b>	<b>0</b>	<b>35,000</b>
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
<b>Receipts:</b>			
Transfer from Sewer Fund	0	70,025	71,426
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>0</b>	<b>70,025</b>	<b>71,426</b>
<b>Resources Available:</b>	<b>630,781</b>	<b>700,806</b>	<b>772,232</b>
<b>Expenditures</b>			
Capital Outlay			19,400
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>19,400</b>
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	Prior Year	Current Year	Proposed Budget
Special Revenue - Community Center	Actual for 2014	Estimate for 2015	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			
<b>Total Receipts</b>	<b>0</b>	<b>60</b>	<b>60</b>
<b>Resources Available:</b>	<b>153,847</b>	<b>153,907</b>	<b>153,967</b>
Expenditures			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>0</b>
Unencumbered Cash Balance Dec 31	153,847	153,907	153,967
2014/2015/2016 Budget Authority Amount	5,000	0	0

Adopted Budget	Prior Year	Current Year	Proposed Budget
Special Revenue - Lib/Pool Project	Actual for 2014	Estimate for 2015	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			
<b>Total Receipts</b>	<b>458,609</b>	<b>445,100</b>	<b>473,410</b>
<b>Resources Available:</b>	<b>757,340</b>	<b>759,815</b>	<b>778,900</b>
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			
<b>Total Expenditures</b>	<b>442,625</b>	<b>454,325</b>	<b>454,325</b>
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	Prior Year	Current Year	Proposed Budget
Special Revenue - Streets	Actual for 2014	Estimate for 2015	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			
<b>Total Receipts</b>	<b>327,629</b>	<b>325,070</b>	<b>325,070</b>
<b>Resources Available:</b>	<b>517,337</b>	<b>471,765</b>	<b>510,247</b>
Expenditures			
Capital Outlay	370,642	286,588	325,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>370,642</b>	<b>286,588</b>	<b>325,000</b>
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	Prior Year	Current Year	Proposed Budget
0	Actual for 2014	Estimate for 2015	Year for 2016
Unencumbered Cash Balance Jan 1		0	0
Receipts:			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
<b>Total Receipts</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Resources Available:</b>	<b>0</b>	<b>0</b>	<b>0</b>
Expenditures			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
<b>Total Expenditures</b>	<b>0</b>	<b>0</b>	<b>0</b>
Unencumbered Cash Balance Dec 31	0	0	0
2014/2015/2016 Budget Authority Amount	0	0	0









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.

FUND	Prior Year Actual for 2014		Current Year Estimate for 2015		Proposed Budget for 2016		
	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				306,369		
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		XXXXXXXXXXXXXXXXXXXX		
Assessed Valuation	51,266,549		51,914,222		52,676,645		

Outstanding Indebtedness,

	2013	2014	2015
January 1,			
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

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING AN AGREEMENT WITH APAC-KANSAS INC. SHEARS DIVISION CONCERNING THE IMPLEMENTATION OF THE 2015 LOCAL STREET IMPROVEMENT PROGRAM**

WHEREAS, the City of Abilene accepted a bid of \$286,588.40 from APAC-Kansas Inc. Shears Division ("Contractor") on July 13, 2015 for the 2015 Local Street Improvement Program;

WHEREAS, the City desires to enter into an Agreement with Contractor as attached hereto as **Exhibit A**, outlining the terms and conditions of the implementation of the 2015 Local Street Improvement Program.

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

**SECTION ONE. Agreement.** That an Agreement with Contractor 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 24<sup>th</sup> day of August, 2015.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dennis P. Weishaar, Mayor

**ATTEST:**

\_\_\_\_\_  
Penny Soukup, CMC  
City Clerk

**EXHIBIT A**

**Agreement for Construction**

**2015 Local Street Improvement Program**

**APAC-Kansas Inc. Shears Division**

**August 24, 2015**

# AGREEMENT

## BETWEEN OWNER AND CONTRACTOR FOR CONSTRUCTION CONTRACTS

THIS AGREEMENT is by and between City of Abilene

(Owner) and APAC-Kansas Inc. Shears Division (Contractor)

Owner and Contractor, in consideration of the mutual covenants set forth herein, agree as follows:

### ARTICLE 1 - WORK

1.01 Contractor shall complete all Work as shown or specified or indicated in the Contract Documents. The Work is generally described as follows: A 2" mill and inlay project of 18,948 square yards (SY) for a portion of Cottage Avenue, NW 4<sup>th</sup>, NE 11<sup>th</sup>, 12<sup>th</sup>, 15<sup>th</sup>, 16<sup>th</sup>, N. Olive and Hickok Dr. with additional concrete repairs.

### ARTICLE 2 - THE PROJECT

2.01 The Project for which the Work under the Owner Provided Documents may be the whole or only a part is generally described as follows:

Project No. 15-ISR, Abilene Street Rehabilitation

### ARTICLE 3 - ENGINEER

3.01 The Project has been designed by the City of Abilene, Public Works Dept. who may act as Owner's representative, assume all duties and responsibilities, and have the rights and authority as assigned by Owner in connection with the completion of the Work.

### ARTICLE 4 - CONTRACT TIMES

4.01 Days to Achieve Substantial Completion and Final Payment

A. Bidder agrees that the Work will be substantially complete no later than 45 days after the Notice to Proceed.

4.02 Liquidated Damages

A. Contractor and Owner recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the Work is not completed within the times specified in Paragraph 4.01 above, plus any extensions thereof allowed. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner \$500.00 for each day that expires after the time specified in Paragraph 4.01 for Substantial Completion and the Interim Substantial Completion Time until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall pay Owner \$500.00 for each day that expires after the time specified in Paragraph 4.01 for completion and readiness for final payment until the Work is completed and ready for final payment.

### ARTICLE 5 - CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Owner Provided Documents an amount in current funds equal to the sum of the amounts determined pursuant to Paragraph 5.01.A. below:

A. Work shall consist of attached copy of bid package listing bid items, unit prices with totals and all other incidental work.

**Total Contract Amount:**

Two Hundred and eighty-six thousand, five hundred and eighty-eight dollars and forty cents, \$286,588.40

Contractor and Owner acknowledge that estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all Work will be based on a Lump Sum amount, or in the case of Unit Prices; the Unit Price bid multiplied by the actual quantities completed, determined as provided in the Contract Documents.

**ARTICLE 6 - PAYMENT PROCEDURE**

**6.01 Submittal and Processing of Payment**

- A. Upon completion, contractor shall submit Application for Payment. Owner shall review and approve Application for Payment Payment is due within 21 days after approval of contractor's application for payment

**ARTICLE 7- INTEREST**

7.01 All moneys not paid when due shall bear interest at the maximum legal rate.

**ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS**

8.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:

- A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

- B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

- C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

- D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site which has been identified.

- E. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

- H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

- I. Contractor has given Owner written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Owner is acceptable to Contractor.

- J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

- K. Contractor shall procure and maintain at his own expense such insurance as set forth below covering claims for injuries to persons or damages to property which may arise out of execution of the project. Certificates of insurance will be provided to the Owner and contain a provision that coverages will not be cancelled prior to a fifteen (15) day written notice given to the Owner.

1. **Commercial General Liability**, Insurance shall have a limit of liability not less than \$1,000,000 each occurrence and 2,000,000 Annual Aggregate.
2. **Automobile Liability**, Insurance shall have limits of \$1,000,000 each accident.

3. **Workmen's Compensation and Employers Liability**, Insurance shall have limits of \$500,000 each accident, \$500,000 for bodily injury by accident, and \$500,000 each employee for injury by disease.

## ARTICLE 9 – CONTRACT DOCUMENTS

### 9.01 Contents

A. The Contract Documents consist of the following:

1. This Agreement (1 to 4, inclusive).
2. Performance Bond (if required).
3. Payment Bond (if required).
4. Certificate of Insurance
5. Specifications (if provided)
6. Drawings (Shts. 1-8)
7. Addenda (if needed)
8. Exhibits to this Agreement (enumerated as follows):
  - a. Contractor's Bid
  - b. Documentation submitted by Contractor prior to Signing of this Agreement
9. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
  - a. Notice to Proceed.
  - b. Work Change Directives.
  - c. Change Order(s).

B. There are no Contract Documents other than those listed above in this Article 9.

D. The Contract Documents may only be amended, modified, or supplemented as agreed upon by both parties.

## ARTICLE 10 - MISCELLANEOUS

### 10.01 Terms

A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions of the 2007 Edition of the KDOT Standard Specifications.

### 10.02 Assignment of Contract

A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

### 10.03 Successors and Assigns

A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

### 10.04 Severability

A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract

Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement in quadruplicate. Two counterparts each has been delivered to Contractor and one counterpart each has been delivered to the Owner and Engineer. All portions of the Contract Documents have been signed or identified by Owner and Contractor or on their behalf.

This Agreement will be effective on August 25, 2015.

OWNER:

City of Abilene, KS

By: \_\_\_\_\_

Title: Mayor

Attest: \_\_\_\_\_

Title: \_\_\_\_\_

Address for giving notices:

P.O. Box 519, Abilene, KS 67410

CONTRACTOR:

APAC-Kansas Inc. Shears Division

By: \_\_\_\_\_

Title: \_\_\_\_\_

[CORPORATE SEAL]

Attest: \_\_\_\_\_

Title: \_\_\_\_\_

Address for giving notices:

P.O. Box 1095, Salina, KS 67402-1095

**Abilene City Commission Minutes**  
**Abilene Public Library**  
**August 10, 2015 @ 4:00 p.m.**  
**Abilene, Kansas**

1. **Call to Order**

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

Staff Present: City Manager Dillner, Human Resources Director/City Clerk Soukup, Finance Director Rothchild, Convention & Visitors Bureau Director Purkis, Police Chief Heimer and Community Development Director Shea.

Others Present: Bruce Dale, Tony Geiger, Noah Kaufman and Ann Manning.

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

**Consent Agenda**

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.

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

**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.

Commissioner Shafer declared he has a conflict with items #12 and #13 and will abstain from the vote on these items.

**Proclamations and Recognition**

9. There were no proclamations or recognitions.

## 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 2015 Budget of the City of Abilene, Kansas.**

City Manager Dillner presented information regarding the proposed 2016 Budget. We are proposing a total mill levy of 46.268 mills which is 0.83 more than 2015's budget. That includes 27.783 mills for the General Fund with the total budget authority of \$5,881,171.00, 9.491 mills for the Debt Service fund with a total budget authority of \$1,089,989.00, 6.691 mills for the Library Fund with a total budget authority of \$405,775.00, 1.330 mills for the Airport Fund with a total budget authority of \$344,450.00 and a mill levy of 0.973 for the Fire Apparatus fund with a total budget authority of \$112,473.00 and the Capital Improvement Fund will have a 0 mill levy with total budget authority of \$506,569.00. Again we will have a mill levy of 46.268 with a total budget authority of \$14,382,202.00.

Mayor Weishaar opened the public hearing at 4:05 p.m.

There were no comments during the public hearing.

Mayor Weishaar closed the public hearing at 4:06 p.m.

City Manager Dillner said the City Commission will consider the final ordinance for the budget at the August 24<sup>th</sup> meeting. The results of that will be certified to the county on August 25<sup>th</sup>.

## Old Business

11. There was no old business.

## 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."**

Community Development Director Shea presented information regarding the text amendment which would add movie cinema/live production theater to Article 15, Section 15-201, table 15-1 as a conditional use in the "I-1, Light Industrial District" in the City of Abilene, Kansas. The Planning Commission approves this text amendment change.

Motion by Commissioner Payne, seconded by Commissioner Marshall to adopt 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"**. Motion carried 4-1, Commissioner Shafer abstaining.

**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.**

Community Development Director Shea presented information regarding the conditional use permit for 401 Cottage concerning the use of a movie cinema/live production theater in the "I-1, Light Industrial District". The Planning Commissioner voted 6-0 to approve the Conditional Use Permit with the following findings:

- 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 Code 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 thereto.
- 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.

Motion by Commissioner Marshall, seconded by Commissioner Payne to adopt Ordinance No. 3279 AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT AT 401 COTTAGE AVENUE, AT THE REQUEST OF TSB ENTERPRISES, LLC CONCERNING THE TEMPORARY USE OF A MOVING CINEMA AND LIVE PRODUCTION THEATER IN AN "I-1, LIGHT INDUSTRIAL DISTRICT" OF THE CITY OF ABILENE, KANSAS. Motion carried 4-1, Commissioner Shafer abstaining.

**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. 15-2 U-0279-01.**

City Manager Dillner explained this resolution will approve an agreement with KDOT concerning the 2015 KLINK Resurfacing Project. The scope of the project will extend from 15<sup>th</sup> Street north to 21<sup>st</sup> Street. This is the KLINK resurfacing program so 75% of the project will come from KDOT and 25% will come from the City. The City's estimated cost of the project is \$97,152.00. The preliminary total cost of the project estimate is \$297,152.00 and we are planning to pay for the City's portion out of the Special Highway Fund out of the

proceeds we receive from the Kansas Gas Tax. You may have noticed we will be skipping the 14<sup>th</sup> Street intersection. The primary reason for that is we have put in an application for a Geometric Improvement Project at the 14<sup>th</sup> Street intersection so we don't want to pave it and then have to tear it up and redo it.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve 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. 15-2 U-0279-01.** Motion carried unanimously 5-0.

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

City Manager Dillner explained that as a result of the school districts construction of Eisenhower Elementary School at the intersection of Vine and NW 11<sup>th</sup> Street, NW 11<sup>th</sup> Street needs to be improved as it is presently a gravel road which is not very conducive to larger volumes of traffic that result from the school being constructed. The agreement before you will set forth in motion the preliminary engineering services that will be necessary to design that street and prepare everything for construction. The total cost of engineering for this street is \$68,415.00 and we planning to pay that from the special highway fund as well. That fund has the authority of \$413,500.00 in 2015 and we don't expect any issues with that. This is a local project so it is not eligible for any state or federal dollars although, we may use the Federal Exchange Program to swap out state funds that we may have coming to us for dollars that we can use for this project. We hope to have everything in place to begin construction in May of 2016.

Motion by Commissioner Marshall, seconded by Commissioner Ray to approve Resolution No. 081015-2 A **RESOLUTION APPROVING MASTER AGREEMENT WORK ORDER NO. 1-15 WITH OLSSON ASSOCIATES CONCERNING NW 11<sup>TH</sup> STREET IMPROVEMENTS.** Motion carried unanimously 5-0.

**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 Manger and City Attorney.**

Motion by Commissioner Payne, seconded by Commissioner Marshall to recess into executive session at 4:24 p.m. for fifteen minutes to included the City Manger and City Attorney. Motion carried unanimously 5-0.

**17. Consideration of motion to return from executive session with only those items in the previous motion mentioned and not action being taken.**

Motion by Commissioner Marshall, seconded by Commissioner Ray to return from executive session at 4:39 p.m. Motion carried unanimously 5-0.

There was no action taken in executive session.

## Reports

### **18. City Manager Reports**

City Manager Dillner introduced Aaron Martin from Clark, Mize and Linville Chartered. He is the attorney that will be attending our meetings although he is not the only Municipal Attorney with the law firm. Greg

Bengston is also a City Attorney but he serves as Salina's City Attorney and they meet at the same time as we do. Mr. Bengston will be available for any questions or problems that may arise as well.

August 20<sup>th</sup> we are scheduling a general public meeting on the potential Trans-Load Facility coming to Abilene. It will be at the Eisenhower Visitor's Center Auditorium at 7:00 p.m.

At the September 8<sup>th</sup> study session we will discuss the Joint Justice Center.

## **19. Expenditure Report**

### **Adjournment**

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

Motion by Commissioner Payne, seconded by Commissioner Marshall to adjourn at 4:42 p.m. Motion carried unanimously 5-0.

(Seal)

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Dennis P. Weishaar, Mayor

ATTEST:

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Penny L. Soukup, CMC  
City Clerk

Kevin and Celia Brown  
413 East 1<sup>st</sup> Street  
Abilene, KS 67410

August 10, 2015

David Dillner, City Manager  
Dwight D. Eisenhower Municipal Building  
419 Broadway Street / PO Box 519  
Abilene, KS 67410

Dear David Dillner,

We are requesting a comprehensive, independent audit be performed of the Abilene Convention and Visitor Bureau to analyze its efficiency to ensure the best use of public domain money. We do not want to point fingers but want this audit for normal accounting purposes.

We have brought a number of concerns to your attention over the past two and half years. After speaking with numerous citizens and business owners of the city these concerns appear to be widespread. We believe that this audit will be a way to resolve all these concerns and to provide budgeting information to the taxpayers of the city.

It is our understanding that it is the policy of many agencies with board members to have annual audits. These audits serve the taxpayers, the board members, and the agency employees by ensuring that operations are above board and beyond reproach.

We are sending copies of this letter to Abilene's city clerk and the Department of Revenue of the state of Kansas.

We anticipate notification of the planned audit and information on the firm to be hired or regulatory agency to be consulted for the audit in a timely manner. We are certain the firm or agency will be making the results of the audit public and look forward to reading them.

Concerned citizens of Abilene,

