

ABILENE CITY COMMISSION - STUDY SESSION AGENDA
DWIGHT D. EISENHOWER MUNICIPAL BUILDING - 419 N. BROADWAY AVENUE
December 8, 2015 - 7:00 pm

1. **PUBLIC COMMENTS.** Persons who wish to address the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three minutes. Any presentation is for informational purposes only. No action will be taken.
2. **STRATEGIC DISCUSSION**
 - a. None
3. **ITEMS TO BE PLACED ON THE REGULAR AGENDA**
 - a. An Ordinance establishing an Impact Fee for the purposes of recovering the cost of certain sanitary sewer improvements in the Dawson Cottage Addition to the City of Abilene, Kansas. *(Note: A Public Hearing will precede this item allowing those with objections to provide concerns to the City Commission for consideration.)*
 - b. An Ordinance establishing an Impact Fee for the purposes of recovering the cost of certain water improvements in the Dawson Cottage Addition to the City of Abilene, Kansas. *(Note: A Public Hearing will precede this item allowing those with objections to provide concerns to the City Commission for consideration.)*
 - c. A Resolution appointing an ad hoc committee to study and make recommendations on a potential STAR Bond Project for the City of Abilene, Kansas.
 - d. Executive Session for the purposes of conducting the City Manager's annual evaluation.
4. **ITEMS PROPOSED FOR THE CONSENT AGENDA**
 - a. Meeting Minutes: November 9, 2015 regular meeting
5. **ITEMS FOR PRESENTATION AND DISCUSSION**
 - a. Chisholm Trail Sesquicentennial Celebration
6. **REPORTS**
 - a. City Manager's Report
7. **ANNOUNCEMENTS** *(Meetings at Abilene Public Library unless otherwise provided)*
 - a. Planning Commission, December 8 at 4:30 pm
 - b. Commission Study Session, December 8 at 7:00 pm (City Hall)
 - c. Commission Meeting, December 14 at 4:00 pm
 - d. Economic Development Council, December 15 at 4:00 pm
 - e. City Christmas Party, December 18 at 6:00 pm (Civic Center)
 - f. Commission Study Session, December 22 at 7:00 pm (City Hall)

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Dawson Cottage Addition Impact Fee
DATE: December 4, 2015

With the adoption of Ordinance No. 3273, the City Commission levied special assessments on the Dawson Cottage Addition to provide a revenue source for the G.O. debt issued to finance public improvements constructed within the subdivision and adjacent to several nearby lots.

The public improvements included in the petition for public improvements included a water main extension and storm drainage appurtenances. A sanitary sewer main was not included in the petition because a sanitary sewer main had previously been constructed to serve the area.

Sanitary sewer taps for private sewer services were constructed as part of the construction, although the cost of the services could not be spread against the benefitting properties because the taps were not included in the original petition. As such, the City agreed to pay for the sanitary sewer taps as an at-large contribution when the special assessments were levied against the properties with the idea that the City would seek to be reimbursed for the cost of the services by establishing an impact fee to collect when building permits would be issued for properties with a sanitary sewer service.

In addition, a portion of a water main was also included as an at-large contribution by the City for unrelated reasons. All told, the total amount of the project not included in the benefit district project was \$48,721; the City will be reimbursed by impact fees for \$36,084 of these costs.

The City Attorney has prepared an ordinance to establish an impact fee to collect the City's at-large contribution at the time building permits are issued for properties identified in the ordinance. The total square footage to be assessed the impact fee includes 163,538 square feet, more or less. The impact fee for sanitary sewer improvements would be allocated on a per-square-foot basis equalling \$0.147257 per square foot. The impact fee for water improvements would be allocated on a per-square-foot basis equalling \$0.12290 per square foot.

The ordinance would also charge an interest rate of 1.97% per year, which is equal to the interest rate of the bonds issued to finance the public improvements. The interest charge allows the City to be reimbursed for the time value of money equal to the interest rate on the bonds as the subdivision develops over a period of years.

Property owners of record have been notified of the public hearing where they will be provided an opportunity to raise objections to the proposed impact fees.

PROPOSED IMPACT FEES

Dawson Cottage Addition
 City of Abilene, Kansas
 September 11, 2015

	Sq Ft	Sewer Impact Fee	Water Impact Fee	Admin Charges Fee	Total Fee	Notes
BLOCK 1						
Lot 1	9,203.80	5.1% \$ 1,355.32	0.0% \$ -	3.8% \$ 327.15	\$ 1,682.47	Lot already built; impact fee at-large
Lot 2	8,798.40	4.8% \$ 1,295.62	0.0% \$ -	3.6% \$ 312.74	\$ 1,608.36	Lot already built; impact fee at-large
Lot 3	8,114.80	4.5% \$ 1,194.96	0.0% \$ -	3.3% \$ 288.44	\$ 1,483.40	Impact fee assessed on bidg permit
Lot 4	8,535.00	4.7% \$ 1,256.84	0.0% \$ -	3.5% \$ 303.38	\$ 1,560.21	Impact fee assessed on bidg permit
Lot 5	8,799.05	4.8% \$ 1,295.72	0.0% \$ -	3.6% \$ 312.76	\$ 1,608.48	Impact fee assessed on bidg permit
Lot 6	8,522.17	4.7% \$ 1,254.95	0.0% \$ -	3.5% \$ 302.92	\$ 1,557.87	Impact fee assessed on bidg permit
Total	51,973.22	28.6% \$ 7,653.41	0.0% \$ -	21.2% \$ 1,847.39	\$ 9,500.80	
BLOCK 2						
Lot 1	9,180.00	5.1% \$ 1,351.82	0.0% \$ -	3.8% \$ 326.30	\$ 1,678.12	Impact fee assessed on bidg permit
Lot 2	8,773.70	4.8% \$ 1,291.99	0.0% \$ -	3.6% \$ 311.86	\$ 1,603.85	Impact fee assessed on bidg permit
Lot 3	8,097.60	4.5% \$ 1,192.43	0.0% \$ -	3.3% \$ 287.83	\$ 1,480.26	Impact fee assessed on bidg permit
Lot 4	9,175.92	5.1% \$ 1,351.22	0.0% \$ -	3.7% \$ 326.16	\$ 1,677.37	Impact fee assessed on bidg permit
Lot 5	8,769.80	4.8% \$ 1,291.41	0.0% \$ -	3.6% \$ 311.72	\$ 1,603.14	Impact fee assessed on bidg permit
Lot 6	7,824.20	4.3% \$ 1,152.17	0.0% \$ -	3.2% \$ 278.11	\$ 1,430.28	Impact fee assessed on bidg permit
Lot 7	10,790.00	5.9% \$ 1,588.90	0.0% \$ -	4.4% \$ 383.53	\$ 1,972.43	Impact fee assessed on bidg permit
Lot 8	9,170.80	5.1% \$ 1,350.46	0.0% \$ -	3.7% \$ 325.98	\$ 1,676.44	Impact fee assessed on bidg permit
Lot 9	8,763.95	4.8% \$ 1,290.55	0.0% \$ -	3.6% \$ 311.51	\$ 1,602.07	Impact fee assessed on bidg permit
Lot 10	9,975.94	5.5% \$ 1,469.03	0.0% \$ -	4.1% \$ 354.59	\$ 1,823.62	Impact fee assessed on bidg permit
Lot 11	10,244.04	5.6% \$ 1,508.50	0.0% \$ -	4.2% \$ 364.12	\$ 1,872.63	Impact fee assessed on bidg permit
Lot 12	9,029.59	5.0% \$ 1,329.67	0.0% \$ -	3.7% \$ 320.96	\$ 1,650.63	Impact fee assessed on bidg permit
Lot 13	8,893.50	4.9% \$ 1,309.63	0.0% \$ -	3.6% \$ 316.12	\$ 1,625.75	Impact fee assessed on bidg permit
Lot 14	10,908.30	6.0% \$ 1,606.32	0.0% \$ -	4.5% \$ 387.74	\$ 1,994.06	Impact fee assessed on bidg permit
Total	129,597.34	71.4% \$ 19,084.09	0.0% \$ -	53.0% \$ 4,606.54	\$ 23,690.63	
Tract 1	Lot 13, Block 2	0.0% \$ -	10.7% \$ 1,419.22	2.8% \$ 239.93	\$ 1,659.15	Impact fee assessed on bidg permit
Tract 2	Lot 14, Block 2	0.0% \$ -	20.4% \$ 2,705.04	5.3% \$ 457.30	\$ 3,162.34	Incl. in benefit district; no impact fee
EAGLES	Tract 1	0.0% \$ -	69.0% \$ 9,159.66	17.8% \$ 1,548.50	\$ 10,708.16	Impact fee assessed on bidg permit
Total	63,180.00	\$ 53,475.00	\$ 13,283.93	\$ 15,153.58	\$ 15,529.66	

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING AN IMPACT FEE FOR THE PURPOSE OF RECOVERING THE COST OF CERTAIN SANITARY SEWER IMPROVEMENTS IN THE DAWSON'S COTTAGE ADDITION TO THE CITY OF ABILENE, KANSAS.

BE IT ORDAINED by the governing body of the City of Abilene, Kansas:

Section 1. Authority. This ordinance is adopted pursuant to Ordinance No. 2846 ("Infrastructure Impact Fee Ordinance") and the City's home rule authority under Article 12, Section 5 of the Kansas Constitution, all in accordance with K.S.A. 12-137.

Section 2. Legislative Findings. The governing body finds that:

A. The City has caused certain water, sanitary sewer, street and storm drainage improvements to be installed for the benefit of the Dawson's Cottage Addition to the City of Abilene, Kansas (the "Project"); the Project was completed as a property owner-initiated project under the Kansas General Improvement and Assessment Law (K.S.A. 12-6a01 *et seq.*).

B. In Resolution Number 061013-2, as amended by Resolution Number 030915-2, the governing body identified the area it deemed to be benefited when identifying the improvement district for the Project (the "Improvement District"); in Resolution No. 061013-2, the governing body further determined that 100% of the Project costs should be assessed to the Improvement District.

C. The Improvement District includes, among other tracts, the following described real property (collectively, the "Benefit Area"):

Lots 3, 4, 5 and 6, Block 1 and Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, Block 2, Dawson's Cottage Addition to the City of Abilene, Kansas

D. A component of the overall Project included the installation of sanitary sewer taps to serve the Benefit Area, which improvements cost a total of \$24,086.55 ("Sewer Tap Costs").

E. By Ordinance No. 3273 (the "Assessment Ordinance"), the governing body levied special assessments against the various tracts within the Improvement District for the purpose of paying certain Project costs totaling \$326,278.91.

F. The City installed the sanitary sewer tap improvements as part of the overall Project, but the Sewer Tap Costs were not included in the total amount of special assessments levied against the Improvement District; the Sewer Tap Costs have therefore been incurred by the City-at-large.

G. The City of Abilene Improvement Policy Manual, adopted July 12, 1993 by the governing body, established the City's development policy for the financing of public improvements within the City. The policy provides, in part:

Section 4. DEVELOPER OR USER IMPROVEMENTS: The developer or user shall pay for the installation of all sanitary sewer lines and appurtenances. A benefit district may be established for the purpose of assessing the cost of such improvements. The City may accept petitions for special assessment to finance the cost of such improvements unless otherwise accepted in this policy.

H. In addition, the City's Infrastructure Impact Fee Ordinance provides for the establishment and assessment of an impact fee on all new development found by the governing body to benefit from specific city infrastructure improvements.

I. New development within the Benefit Area will benefit from the City's installation of the sanitary sewer tap improvements.

J. Consistent with the City's policy regarding the distribution of costs for financing public sanitary sewer systems, as set forth in the Improvement Policy Manual, and consistent with the requirements of the City's Infrastructure Impact Fee Ordinance, the public interest is most fairly served by the assignment of the Sewer Tap Costs to the Benefit Area, rather than the City-at-large, as such costs would be assigned to similarly situated properties located elsewhere within the City.

K. The Benefit Area includes 163,568.36 square feet, more or less. Consequently, the Sanitary Sewer Costs allocated on a per-square-foot basis equals \$0.147257 per square foot.

Section 3. Policy Objective. The policy objective of this ordinance is to provide for the reimbursement of the City for the cost of assessments paid by the City-at-large attributable to the Sanitary Sewer Costs.

Section 4. Imposition of Impact Fee. After the effective date of this ordinance, any owner of land who seeks to develop property located within the Benefit Area shall be required to pay a fee of \$0.147257 per square foot, plus interest at the compound rate of 1.97% per annum (which equals the average rate of interest paid by the City under its most recent general obligation bond issue in August, 2015) calculated from the effective date of this ordinance until the date the fee is paid (the "Impact Fee").

Section 5. Payment of Impact Fee. Payment of the Impact Fee to the City shall be made as a condition of the issuance of a building permit for construction of any development project within the Benefit Area. The amount of the Impact Fee shall be based upon the developable square footage of the legally described parcel for which the permit is being issued. All Impact Fees collected shall be used exclusively to reimburse the City for the Sanitary Sewer Costs incurred by the City-at-large as a component of the Project.

Section 6. Effective Date. In accordance with K.S.A. 12-137, this ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper and shall be effective sixty (60) days after its final publication, unless within sixty (60) days of its final publication a petition signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular city election shall be filed with the county election officer of Dickinson County demanding that such ordinance be submitted to a vote of the electors, in which case it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Section 7. Recording of Notice. Following the effective date of this ordinance, the City Clerk is directed to record with the Office of the Dickinson County Register of Deeds a Notice of Impact Fee with a certified copy of this ordinance and a legal description of the Benefit Area attached.

PASSED AND APPROVED by the governing body of the City of Abilene, Kansas, on November ____, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis Weishaar, Mayor

[SEAL]
ATTEST:

Penny L. Soukup, CMC, City Clerk

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING AN IMPACT FEE FOR THE PURPOSE OF RECOVERING THE COST OF CERTAIN WATER LINE IMPROVEMENTS IN THE DAWSON'S COTTAGE ADDITION TO THE CITY OF ABILENE, KANSAS.

BE IT ORDAINED by the governing body of the City of Abilene, Kansas:

Section 1. Authority. This ordinance is adopted pursuant to Ordinance No. 2846 ("Infrastructure Impact Fee Ordinance") and the City's home rule authority under Article 12, Section 5 of the Kansas Constitution, all in accordance with K.S.A. 12-137.

Section 2. Legislative Findings. The governing body finds that:

A. The City has caused certain water, sanitary sewer, street and storm drainage improvements to be installed for the benefit of the Dawson's Cottage Addition to the City of Abilene, Kansas (the "Project"); the Project was completed as a property owner-initiated project under the Kansas General Improvement and Assessment Law (K.S.A. 12-6a01 *et seq.*).

B. In Resolution Number 061013-2, as amended by Resolution Number 030915-2, the governing body identified the area it deemed to be benefited when identifying the improvement district for the Project (the "Improvement District"); in Resolution No. 061013-2, the governing body further determined that 100% of the Project costs should be assessed to the Improvement District.

C. The Improvement District includes, among other tracts, the following described real property (collectively, the "Benefit Area"):

A Tract of land in the South Half of the South Half of the Northwest Quarter of the Southeast Quarter of Section Nine, Township Thirteen South, Range Two East of the 6th P.M described as follows: Beginning at a point 390.0 feet East of the Northwest corner and on the North line of said (S/2 S/2 NW/4 SE/4) of Section 9; thence East 322. 7 feet on said North line; thence South parallel to the North-South centerline of Section 9, a distance of 135.0 feet; thence West 322.7 feet; thence North 135.0 feet to place of beginning; and Lot 2 in Prairie Hills Addition to Abilene, Kansas.

D. A component of the overall Project included the installation of replacement water line improvements to serve the Benefit Area, which improvements have been determined to cost a total of \$12,367.31 ("Water Line Costs").

E. By Ordinance No. 3273 (the "Assessment Ordinance"), the governing body levied special assessments against the various tracts within the Improvement District for the purpose of paying certain Project costs totaling \$326,278.91.

F. The City installed the water line improvements as part of the overall Project, but the Water Line Costs were not included in the total amount of special assessments levied against the Improvement District; the Water Line Costs have therefore been incurred by the City-at-large.

G. The City of Abilene Improvement Policy Manual, adopted July 12, 1993 by the governing body, established the City's development policy for the financing of public improvements within the City. The policy provides, in part:

Section 4. DEVELOPER OR USER IMPROVEMENTS: The developer or user shall pay for the installation of all water lines, valves, fire hydrants, and appurtenances thereto. A benefit district may be established for the purpose of assessing the cost of such improvements. The City may accept petitions for special assessment to finance the cost of such improvements unless otherwise excepted in this policy.

H. In addition, the City's Infrastructure Impact Fee Ordinance provides for the establishment and assessment of an impact fee on all new development found by the governing body to benefit from specific city infrastructure improvements.

I. New development within the Benefit Area will benefit from the City's installation of the water line improvements.

J. Consistent with the City's policy regarding the distribution of costs for financing public water line improvements, as set forth in the Improvement Policy Manual, and consistent with the requirements of the City's Infrastructure Impact Fee Ordinance, the public interest is most fairly served by the assignment of 50% of the Water Line Costs, or \$6,183.66 to the Benefit Area, with the remainder of the Water Line Costs to be borne by the City-at-large.

K. The Benefit Area includes 50,314.50 square feet, more or less. Consequently, the Water Line Costs allocated on a per-square-foot basis equals \$0.12290 per square foot.

Section 3. Policy Objective. The policy objective of this ordinance is to provide for the reimbursement of the City for the cost of a portion of the assessments paid by the City-at-large attributable to the Water Line Costs.

Section 4. Imposition of Impact Fee. After the effective date of this ordinance, any owner of land who seeks to develop property located within the Benefit Area shall be required to pay a fee of \$0.12290 per square foot, plus interest at the compound rate of 1.97% per annum (which equals the average rate of interest paid by the City under its most recent general obligation bond issue in August, 2015) calculated from the effective date of this ordinance until the date the fee is paid (the "Impact Fee").

Section 5. Payment of Impact Fee. Payment of the Impact Fee to the City shall be made as a condition of the issuance of a building permit for construction of any development project within the Benefit Area. The amount of the Impact Fee shall be based upon the developable square footage of the legally described parcel for which the permit is being issued. All Impact Fees collected shall be used exclusively to reimburse the City for the Water Line Costs incurred by the City-at-large as a component of the Project.

Section 6. Effective Date. In accordance with K.S.A. 12-137, this ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper and shall be effective sixty (60) days after its final publication, unless within sixty (60) days of its final publication a petition signed by a number of electors of the city equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular city election shall be filed with the county election officer of Dickinson County demanding that such ordinance be submitted to a vote of the electors, in which case it shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

Section 7. Recording of Notice. Following the effective date of this ordinance, the City Clerk is directed to record with the Office of the Dickinson County Register of Deeds a Notice of Impact Fee with a certified copy of this ordinance and a legal description of the Benefit Area attached.

PASSED AND APPROVED by the governing body of the City of Abilene, Kansas, on December ____, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

[SEAL]
ATTEST:

Penny Soukup, CMC, City Clerk

RESOLUTION NO. _____

A RESOLUTION ESTABLISHING AN AD HOC COMMITTEE TO MAKE CERTAIN RECOMMENDATIONS CONCERNING A STAR BOND PROJECT FOR THE CITY OF ABILENE, KANSAS

WHEREAS, Article 8 of Chapter 1 of the City Code of the City of Abilene establishes certain appointed boards and commissions and provides for the creation of ad hoc committees as may be necessary to assist the governing body of the City of Abilene, Kansas;

WHEREAS, the governing body desires to review and consider recommendations for a potential Sales Tax and Revenue (STAR) Bond Project to facilitate and enhance tourism-related opportunities in the City; and

WHEREAS, pursuant to Section 1-814 of the City Code, the City Commission desires to establish an ad hoc committee to make recommendations concerning a potential STAR Bond Project for the City.

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

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

SECTION ONE. Ad Hoc Committee: STAR Bond Committee. That the governing body hereby establishes an ad hoc committee, to be known as the STAR Bond Committee (“Committee”), to make certain recommendations for the governing body’s consideration on the following matters: a) whether to pursue a STAR Bond Project in partnership with the State of Kansas; b) recommendation on the geographic boundaries of the STAR Bond Project; and c) recommendations on a Project scope to be studied further for inclusion in a potential STAR Bond Project application to the State of Kansas.

SECTION TWO. Appointments: STAR Bond Committee. That the following appointments are made to an ad hoc committee for the purposes outlined herein: Brian Williams, Tim Holm, Ann Manning, Jennifer Waite, Lorrain McClain, Deb Sanders, Meredith Sleichter, Kristine Meyer, Todd Moore, Tony Geiger, Diane Miller, Rick Williamson, and Kyle Campbell.

SECTION THREE. Public Information. All meetings of the Committee shall be conducted in conformance with the Kansas Open Meetings Act, and all information created by or on behalf of the Committee shall be made available to the general public on the City’s website. Agendas for Committee meetings will be published in advance of meetings, and meeting minutes will be maintained for the public record. The City Manager shall be responsible for ensuring that the provisions of this Section are fulfilled.

SECTION FOUR. Budget. The Committee shall not have any budgetary authority, and does not have any funds appropriated to facilitate its purpose. The City Commission may appropriate such funds as may be necessary for the Committee to fulfill its responsibilities as it may deem appropriate provided sufficient funds are available.

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

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this ___ day of December, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

Penny Soukup, CMC
City Clerk



**Abilene City Commission Minutes
Abilene Public Library
November 23, 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, Finance Director Rothchild, City Attorney Martin and Community Development Director Shea.

Others Present: Mike Heronemus.

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

Consent Agenda

4. Agenda Approval for the November 23, 2015 City Commission Meeting

5. Meeting Minutes: October 26, 2015, Regular Meeting

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

Public Comments and Communications

6. 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 no comments and communications from the public.

7. 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

8. There were no proclamations or recognitions.

Public Hearings

9. There were no public hearings.

Old Business

10. There was no old business.

New Business

11. Consideration of an Resolution approving an addendum to a Land Donation Agreement dated October 27, 2015.

City Manager Dillner said that during a title search it was discovered that a \$2 million mortgage is on the Highlands property that needs to be released before the land bank can accept the donation. The City ordered a property appraisal that has determined that the property has a zero value because of the special assessment on the property for the infrastructure. The amendment changes the provision of the agreement that required donator Harry Utzig and the land bank to split the cost of title insurance, which would be based on the appraised property value. City Attorney Martin recommended the purchase of title insurance in the amount of \$642,000 the original purchase price for the property. Cost to the City will be \$1600.00. The amendment sets a new closing date of on or before December 31.

Motion by Commissioner Shafer, seconded by Commissioner Marshall to adopt Resolution 112315-1 a **Resolution approving an addendum to a real estate donation agreement with Abilene Highlands, LP dated October 27, 2015.** Motion carried unanimously 5-0.

12. Consideration of a motion approving a Letter of Support for the 2016 KDOT Public Transportation Grant and authorizing the Mayor to sign said letter on behalf of the City of Abilene, Kansas.

Motion by Commissioner Ray, seconded by Commissioner Payne to authorize the Mayor to sign a letter on behalf of the City for the 2016 KDOT Public Transportation Grand. Motion carried unanimously 5-0.

13. Consideration of a motion to recess into executive session for a period not to exceed ten minutes for the purposes of discussing the City Managers annual evaluation.

Motion by Commissioner Marshall, seconded by Commissioner Payne to recess into executive session for ten minutes at 4:22 p.m. Motion carried unanimously 5-0.

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

Motion by Commissioner Marshall, seconded by Commissioner Payne to recess into executive session for ten minutes at 4:32 p.m. Motion carried unanimously 5-0.

Reports

15. City Manager Report

a. Expenditure Report

City Manager Dillner said they completed the interviews for the Convention and Visitors Bureau Director today. We interviewed four candidates. The interview committee included Elizabeth Weese, Ann Brussow, Samantha Kenner, Mark Beswick and myself. I believe we will be able to pick from the four candidates that were interviewed.

City Attorney Martin gave an update on the new election regulations. Elections were in the spring of the odd number of years. With the new legislation they have now been moved to the fall. We will need to amend the current Charter Ordinance to address the implication of the new legislation. We may be coming to the Commission several times over changes for this new legislation. He also explained the difference between a regular Ordinance and a Charter Ordinance and the situations that allow us to do a Charter Ordinance. Charter Ordinances do not take effect until 60 days after adopted during that 60 days local electors can elect to take the particular issue to an election.

Community Development Director Shea gave an update on Gavillon Grain noise issue and SW 2nd Street nuisance issue.

Adjournment

16. Consideration of a motion to adjourn the November 23, 2015 City Commission meeting.

Motion by Commissioner Shafer, seconded by Commissioner Ray to adjourn at 4:48 p.m. Motion carried unanimously 5-0.

(Seal)

Dennis P. Weishaar, Mayor

ATTEST:

Penny L. Soukup, CMC
City Clerk