

ABILENE CITY COMMISSION - STUDY SESSION AGENDA
DWIGHT D. EISENHOWER MEMORIAL BUILDING - 419 N. BROADWAY AVE
June 21, 2016 - 4:00 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. **UPDATE: Hotel/Conference Center Feasibility Study**
3. **ITEMS FOR PRESENTATION AND DISCUSSION**
 - a. **Cedar Ridge Land Swap Update**
 - b. **Commissioner Vacancy**
 - c. **Tax-Levied Funds Budget Discussion**
 - d. **Memorial Health System Financials**
 - e. **Quasi-Judicial Land Use Proceedings**
4. **ITEMS TO BE PLACED ON THE REGULAR AGENDA**
 - a. **Acceptance of Memorial Health System Financials**
5. **ITEMS PROPOSED FOR THE CONSENT AGENDA**
 - a. **Meeting Minutes: June 13, 2016 regular meeting**
6. **REPORTS**
 - a. **City Manager's Report**
7. **ANNOUNCEMENTS** (*Meetings at Abilene Public Library unless otherwise provided*)
 - **City Commission Meeting, June 27 at 4:00 pm**
 - **Convention and Visitors Bureau, June 28 at 2:00 pm (Civic Center)**
 - **Joint County/Cities Meeting, June 28 at 6:30 pm (Sterl Hall)**
 - **Commission Study Session, July 5 at 4:00 pm (City Hall)**

CHARTER ORDINANCE NO. 25

A CHARTER ORDINANCE AMENDING SECTION 2 OF CHARTER ORDINANCE NO. 10 RELATING TO THE STAGGERED ELECTION OF FIVE COMMISSIONERS, TIE VOTE, TERMS OF OFFICE, QUALIFYING, FAILURE TO QUALIFY OR ACCEPT OFFICE, FILLING VACANCIES AND CERTIFICATES OF ELECTION; AND REPEALING THE EXISTING SECTION.

WHEREAS, Charter Ordinance No. 10 provides, among things, that terms of office for members of the governing body will begin on the first regular meeting of the governing body following their election;

WHEREAS, on June 8, 2015, the Kansas Legislature passed L. 2015, ch. 88 (H.B. 2104), which, among other things, provides that all general elections for members of the governing body shall be held in November, and that terms of office will now begin on the second Monday in January following the certification of the election, which is in conflict with Charter Ordinance No. 10. **SO, NOW THEREFORE**,

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

SECTION ONE. Amendment. That Section 2 of Charter Ordinance No. 10 is hereby amended to read as follows:

On each odd-numbered year there shall be elected three commissioners, the two candidates receiving the most votes shall be elected for four year terms and the candidate receiving the third highest number of votes shall serve for a period of two years. Whenever a tie shall occur in a vote on any of the aforesaid offices, the result shall be decided by lot of the Board of Canvassers. The City Clerk shall, within three days after canvass of the returns and determination by the Board of Canvassers of the persons elected deliver to each such person a certificate of the election signed by the City Clerk with the seal of the City affixed, and such certificate shall constitute notice of election. The term of the officers shall commence on the second Monday in January following certification of the election and they shall qualify at any time before or at the beginning of said meeting and as otherwise required by statute. If any person elected to the office of commissioner does not qualify within the required time, such person shall be deemed to have refused to accept the office and a vacancy shall exist and thereupon a majority of the commission, by voice vote, shall appoint a qualified elector of the city to fill the vacancy for the term to which the refusing person was elected. In case of a vacancy in the office of commissioner occurring by reason of resignation, death or removal from office or from the city, the mayor, by and with the consent of a majority of the remaining commissioners, shall appoint a qualified elector of the city to fill the vacancy until the next election for that

office. The commission should be organized as provided by law with the selection of a mayor of the commission.

SECTION TWO. Repeal. Existing Section 2 of Charter Ordinance No. 10 is hereby repealed, it being the intent of this Charter Ordinance that the provisions of Section 2 above be substituted in place thereof.

SECTION THREE. Publication. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

SECTION FOUR. Effective Date. This Charter Ordinance shall take effect 60 days after final publication, unless a sufficient petition is filed and a referendum held on the ordinance as provided in Article 12, Section 5(c) of the Kansas Constitution, in which case the ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas by not less than two-thirds of the members elect voting in favor thereon, this 8th day of February, 2016.



[SEAL]

CITY OF ABILENE, KANSAS

By: *Dennis P. Weishaar*
Dennis P. Weishaar, Mayor

ATTEST:

Penny L. Soukup, CMC
Penny L. Soukup, CMC
City Clerk

APPROVED AS TO FORM:

Aaron O. Martin
Aaron O. Martin, City Attorney

**MEMORIAL HEALTH SYSTEM
BALANCE SHEET**

ASSETS	<u>3/31/2016</u>	<u>12/31/2015</u>
CURRENT ASSETS		
Cash and invested cash	\$ 771,830	\$ 361,705
Assets whose use is limited by indenture agreement	618,060	201,458
Patient accounts receivable, Net	3,752,248	3,376,492
Accounts receivable - other	325,438	379,858
Interest receivable	13,785	19,394
Est. third-party payor settlements	795,676	735,925
Inventories	323,794	321,105
Prepaid expenses and deposits	508,330	456,539
Ad valorem taxes receivable	170,465	266,192
Total current assets	<u>\$ 7,279,626</u>	<u>\$ 6,118,668</u>
ASSETS WHOSE USE IS LIMITED		
By indenture agreement	2,356,498	1,939,853
Less amount required for current liabilities	618,060	201,458
Noncurrent assets whose use is limited	<u>\$ 1,738,438</u>	<u>\$ 1,738,395</u>
OTHER INVESTMENTS		
	<u>\$ 7,447,164</u>	<u>\$ 7,451,966</u>
PROPERTY AND EQUIPMENT-AT COST		
Land & land improvements	\$ 2,316,510	\$ 2,316,510
Buildings & fixed equipment	30,196,435	30,196,435
Movable equipment	9,879,948	9,872,828
Total property and equipment-at cost	<u>\$ 42,392,893</u>	<u>\$ 42,385,773</u>
Less accumulated depreciation	16,652,472	16,007,201
Net book value - property & equipment	<u>\$ 25,740,421</u>	<u>\$ 26,378,572</u>
OTHER ASSETS - Agency funds		
	<u>\$ 43,255</u>	<u>\$ 43,255</u>
Total assets	<u>\$ 42,248,904</u>	<u>\$ 41,730,856</u>
DEFERRED OUTFLOWS OF RESOURCES		
Pension contributions remitted subsequent to measurement date	\$ 604,642	\$ 604,642
Changes in proportion	147,236	147,236
Total deferred outflows of resources	<u>\$ 751,878</u>	<u>\$ 751,878</u>
TOTAL ASSETS AND DEFERRED OUTFLOWS OF RESOURCES	<u>\$ 43,000,782</u>	<u>\$ 42,482,734</u>
LIABILITIES AND FUND BALANCE		
CURRENT LIABILITIES		
Current maturities of long-term debt	\$ 750,000	\$ 750,000
Accounts payable	936,521	1,015,193
Accrued salaries & wages payable	486,511	291,119
Accrued payroll taxes & payroll w/h payable	14,243	95,447
Accrued vacation payable	534,960	526,867
Accrued interest payable	305,502	76,375
Est. third-party payor settlements	308,319	189,000
Other current liabilities	132,037	33,571
Total current liabilities	<u>\$ 3,468,093</u>	<u>\$ 2,977,572</u>
LONG TERM DEBT, excluding current maturities	<u>\$ 20,850,000</u>	<u>\$ 20,850,000</u>
AGENCY FUNDS	<u>\$ 43,255</u>	<u>\$ 43,255</u>
NET PENSION LIABILITY	<u>\$ 9,857,928</u>	<u>\$ 9,857,928</u>
Total liabilities	<u>\$ 34,219,276</u>	<u>\$ 33,728,755</u>
DEFERRED INFLOWS OF RESOURCES		
Deferred ad valorem tax revenue	\$ 170,465	\$ 266,192
Defined benefit pension plan	\$ 925,954	\$ 925,954
Total Deferred Inflows of Resources	<u>\$ 1,096,419</u>	<u>\$ 1,192,146</u>
NET POSITION		
Balance at beginning of year	\$ 7,561,833	\$ 7,945,134
Increase (decrease) in net assets	123,254	(383,301)
Total net position	<u>7,685,087</u>	<u>7,561,833</u>
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND NET POSITION	<u>\$ 43,000,782</u>	<u>\$ 42,482,734</u>

**Memorial Health System
Income Statement**

For the Period January 1 to March 31, 2016

	Year to Date Actual
Operating Revenue	
Net Patient Service Revenue	\$ 7,071,166
Other Operating Revenue	830,154
Total Operating Revenue	\$ 7,901,320
Operating Expenses	
Salaries	\$ 3,540,245
Employee Benefits	906,998
Supplies & Other	2,541,629
Depreciation	685,136
Total Operating Expenses	\$ 7,674,008
Net Income (Loss) From Operations	\$ 227,312
Non-Operating Revenues (Expenses)	
Tax Levy	\$ 74,250
Food Subsidy	4,700
Investment Income	19,408
Interest Expense	(229,127)
Contributions	24,701
Grants & Other Income	1,616
Gain/Loss on Asset Disposal	394
Non-Operating Rev (Exp) Net	\$ (104,058)
Change in Net Assets	\$ 123,254

Hospital District No. 1 of Dickinson County, Kansas dba Memorial Health System
Utilization Statistics, First Quarter

	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>Average</u>
Acute Care Med/Surg Licensed Beds	25	25	25	25	25
Behavioral Health Licensed Beds	10	10	10	10	10
Long Term Care Facility Licensed Beds	81	81	81	77	80
<u>Discharges</u>					
Acute care - Medical/Surgical	137	143	138	124	136
Acute care - Behavioral Health	33	34	33	40	35
Swingbed	68	84	66	71	72
<u>Average Length of Stay</u>					
Acute care - Medical/Surgical	3.46	3.22	3.31	3.99	3
Acute care - Behavioral Health	11.61	12.82	12.82	12.38	12
Swingbed	7.94	7.71	9.11	8.96	8
<u>Patient Days</u>					
Acute care - Medical/Surgical	479	449	465	485	470
Acute care - Behavioral Health	377	395	432	491	424
Swingbed	478	648	601	636	591
Long Term Care Facility	5,907	6,704	6,769	6,806	6,547
ER Visits	1,269	1,386	1,261	1,178	1,274
Outpatient Visits	4,893	4,628	335	4,071	3,482
<u>Hospital Services Offered</u>					
Occupational Therapy	715	804	695	541	689
Physical Therapy	3,624	3,355	2,437	2,464	2,970
Radiology	2,877	2,757	2,441	2,486	2,640
Respiratory Therapy	2,172	2,639	2,301	2,533	2,411
Surgery	149	122	117	114	126
Home Health & Hospice Visits	5,065	6,011	5,465	4,751	5,323
Laboratory	15,171	21,827	22,159	18,802	19,490
Pharmacy	103,500	108,067	148,784	116,471	119,206



Abilene City Commission Minutes

Abilene Public Library

June 13, 2016 @ 4:00 p.m.

Abilene, Kansas

1. Call to Order

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

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

Others Present: Mike Heronemus, Kristine Meyer, Susanna Geiger and Bruce Dale.

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

Consent Agenda

4. Agenda Approval for the June 13, 2016 City Commission Meeting

5. Meeting Minutes: May 23, 2016, Regular Meeting

Motion by Commissioner Shafer, seconded by Mayor Marshall to approve the Consent Agenda with the addition of item No. 15, approval of lease purchase bids for two skid steers and an excavator and item No. 16, resignation of Commissioner Ray. Motion carried unanimously 3-0.

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 Marshall asked for any comments or communications from the public that are not on the agenda. There were none.

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. Michael Player and Michael Hook recognized Kristine Meyer from the Community Foundation for the grant for the Trails, Rails and Tales event.

Public Hearings

9. There were no public hearings.

Old Business

10. There was no old business.

New Business

11. **Consideration of an Ordinance approving a Conditional Use Permit for 109 E. First Street for the construction of an electronic message center.**

City Manager Dillner presented information regarding Ordinance No. 3301 pertaining to a Conditional Use Permit for an electronic message center at 109 E. First Street. Staff recommends approval of the Conditional Use Permit with the following conditions being met:

1. The Sign be less than the maximum gross square footage surface area, which is sixty-four square feet per side, for off-site advertising signage in the "P, Public Use District" as provided in Table 27-2 of the Zoning Regulations.
2. The Sign must comply with required local setbacks for signs within the Public Use District, as provided in Section 27-604(c), which states that required setbacks are "thirty feet from the center of the right-of-way, except that no signs shall be located in the right-of-way, and except that advertising signs shall maintain the same setback that is required for principal structures."
3. The sign must comply with required state setbacks for signs located adjacent to state highway right-of-way. The City will require documentation from the Kansas Department of Transportation that this requirement is met to the satisfaction of KDOT prior to issuance of the Permit.
4. The Sign must comply with Section 27-401(h) of the Zoning Regulations with respect to metal and illuminated signs that have internal wiring or attached electrically-wired accessory fixtures. The sign must maintain a free clearance to grade of nine feet. No metal signs shall be located within eight feet vertically and four feet horizontally of electric wires or conductors in free air carrying more than forty-eight volts, whether or not such wires or conductors are insulated or otherwise protected, and all such signs shall conform with the City's adopted Electric Code (2002 National Electric Code).
5. Only one electronic message center will be allowed on the subject property.
6. The Sign shall only display static, non-animated messages and images. Videos or other dynamic images or messages are not permitted.
7. The message on the Sign shall change no less than fifteen seconds.

8. A dimming device or means of glare reduction must be installed and implemented after sundown.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to adopt Ordinance No. 3301 **AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 109 E. FIRST STREET FOR THE CONSTRUCTION OF AN ELECTRONIC MESSAGE CENTER.** Motion carried unanimously 3-0.

12. Consideration of a Resolution approving a Master Agreement Work Order No. 1-16 with Olsson Associates concerning Drainage Improvements near Faith Avenue.

City Manager Dillner present information regarding Resolution No. 061316-1 approving Master Agreement No. 1-16 with Olsson Associates in the amount of \$24,500 for drainage improvements near Faith Avenue.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to approve Resolution No. 061316-1 **A RESOLUTION APPROVING MASTER AGREEMENT WORK ORDER NO. 1-16 WITH OLSSON ASSOCIATES CONCERNING DRAINAGE IMPROVEMENTS NEAR FAITH AVENUE.** Motion carried unanimously 3-0.

13. Consideration of a Resolution for use of undesignated General Fund reserve balance for Chisholm Trail celebration activities.

City Manager Dillner presented information regarding Resolution No. 061316-2 authorizing the use of undesignated general fund reserve balance for Chisholm Trail Celebration Activities with the following findings:

1. The governing body hereby finds that the Chisholm Trail 150th Celebration and related events and activities is a one-time expenditure which does not substantially increase recurring operating costs, and that the allocation of a portion of undesignated General Fund balance is necessary for the success of the event. The governing body further finds that the General Fund will remain in compliance with all applicable polices governing the General Fund fund balance.
2. The governing body hereby appropriates \$15,000 from the General Fund undesignated fund balance to fund the Services to assist in the planning and coordination of the Sesquicentennial Celebration of the Historic Chisholm Trail and related events.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to approve Resolution No. 061316-2 **A RESOLUTION AUTHORIZING USE OF UNDESIGNATED GENERAL FUND RESERVE BALANCE FOR CHISHOLM TRAIL CELEBRATION ACTIVITIES.** Motion carried unanimously 3-0.

14. Consideration of a motion approving a bid of \$14,937.80 from T & M Concrete for annual concrete maintenance.

City Manager Dillner presented information on bids received for annual concrete maintenance. Bids were received from Lancaster Construction of Salina in the amount of \$17,993.96, Vogts-Parga of Newton in the amount of \$34,056.00 and T & M Concrete Construction in the amount of \$15,997.30. A deduction will be applied for the City Street Department doing the demolition of existing pavement at one of the larger sites, with that deduction the low bid will be from T & M Concrete Construction in the amount of \$14,937.80. \$15,000 was budgeted for this project.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to accept the low bid from T & M Concrete Construction in the amount of \$14,937.80 for annual concrete maintenance. Motion carried unanimously 3-0.

15. Consideration of a motion approving Lease Purchase Agreements for two 2016 Bobcat Skid Steer Loaders and a 2016 Bobcat Excavator from Bennington State Bank.

City Manager Dillner presented information on Lease Purchase Agreements with Bennington State Bank for two 2016 Bobcat Skid Steer Loaders and a 2016 Bobcat Excavator.

The Lease Purchase Agreements are as follows:

2016 Bobcat Model S570 T4 Skid Steer Loader Serial Number ALM416094 in the amount of \$35,642.67 with an interest rate of 4.55% per annum for a term of one year, \$1,300 to be paid upon execution of the agreement.

2016 Bobcat Model S570 T4 Skid Steer Loader Serial Number ALM416095 in the amount of \$33,833.19 with an interest rate of 4.55% per annum for a term of one year, \$1,300 to be paid upon execution of the agreement.

2016 Bobcat Model E35 Compact Excavator Serial Number AR1K12721 in the amount of \$42,341.00 with an interest rate of 4.55% per annum for a term of one year, \$895.00 to be paid upon execution of the agreement.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to approve the Lease Purchase Agreements for two 2016 Bobcat Steer Loaders and a 2016 Bobcat Excavator and authorize the City Manager to sign the agreements. Motion carried unanimously 3-0.

16. Consideration of a motion to approve the resignation of Commissioner John Ray.

City Manager Dillner announced Commissioner John Ray resigned as City Commissioner for personal reasons. The Commission has 60 days to fill the vacancy. The Mayor may appoint someone to fill the vacancy.

Mayor Marshall said she wants to put some thought into the appointment.

City Attorney Martin said the new election law states that if the Governing Body does not appoint someone a resolution must be passed for a special election and that must occur within 45 days.

Commissioner Weishaar stated he would like to go to the results from the last election and appoint the person who received the next highest votes. We need to get someone appointed because we are going into budget time.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to accept the resignation of Commissioner John Ray. Motion carried unanimously 3-0.

Reports

17. City Manager Reports
a. Expenditures Report

There is a potential developer with the project on North Buckeye.

The Star Bond Committee may meet due to some interest.

City Staff is working on the 2017 Budget.

The NW 11th Street project has begun and we should start seeing some progress.

The County has called a joint meeting on June 28th at 6:30 p.m. at Sterl Hall.

Adjournment

18. Consideration of a motion to adjourn the June 13, 2016 City Commission meeting.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to adjourn at 4:28 p.m. Motion carried unanimously 3-0.

(Seal)

Dee Marshall, Mayor

ATTEST:

Penny L. Soukup, CMC
City Clerk