

**ABILENE CITY COMMISSION - REGULAR MEETING AGENDA**  
**ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET**  
**November 14, 2016 - 4:00 pm**

1. **Call to Order**
2. **Roll Call:**     \_\_\_ Marshall   \_\_\_ Shafer   \_\_\_ Payne   \_\_\_ Weishaar   \_\_\_ Dale
3. **Pledge of Allegiance**

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

4. Agenda Approval for the November 14, 2016 City Commission Meeting
5. Meeting Minutes: October 24, 2016 Regular Meeting
6. Appointment of Michael Hook to the Heritage Commission to fill an unexpired term ending in May 2017
7. Approval of a Letter of Support concerning the Jacob Engle House's nomination to National Register of Historic Places
8. Approval of an official City letter to be used for fundraising efforts for the 2017 Trails, Rails, and Tails event
9. Approval of \$9,041.73 for final payment for the Hotel Feasibility Study prepared by CBRE and authorized by Resolution No. 042516-5

**Public Comments and Communications**

10. **Public Comments.** Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three minutes. Any presentation is for informational purposes only. No action will be taken.
  
11. **Declaration.** At this time City Commissioners may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

**Proclamations and Recognition**

12. **None**

**Public Hearings**

13. **None**

**Old Business**

14. **None**

**New Business**

15. **Consideration of a Resolution stating the intention of the City of Abilene to participate in a Justice Center proposed by Dickinson County Kansas.**
  
16. **Consideration of an Ordinance approving a Conditional Use Permit for 1706 N. Buckeye Avenue for the construction and placement of an Electronic Message Center.**
  
17. **Consideration of an Ordinance approving a Conditional Use Permit authorizing a cellular communications tower at a location generally described as 409 NW 3rd Street.**
  
18. **Consideration of a Resolution approving a proposal from Olsson Associates concerning an Aquifer Delineation/Hydrogeologic Evaluation for Future Water Supply.**
  
19. **Consideration of a motion authorizing \$58,800 from the Water Equipment Reserve Fund for the purchase of a replacement Reverse Osmosis Skid for the Water Treatment Plant.**

## **Reports**

### **20. City Manager's Report**

## **Adjournment**

### **21. Consideration of a motion to adjourn the November 14, 2016 City Commission meeting.**

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

- Economic Development Council, November 16 at 4:00 pm
- Heritage Commission, November 17 at 4:00 pm
- Recreation Commission Meeting - Cancelled
- Convention and Visitors Bureau, November 22 at 2:00 pm (Civic Center)
- Commission Study Session, November 22 at 4:00 pm (City Hall)
- CITY HALL CLOSED: November 24 and 25 (Thanksgiving)
- City Commission Meeting, November 28 at 4:00 pm



**Abilene City Commission Minutes**  
**Abilene Public Library**  
**October 24, 2016 @ 4:00 p.m.**  
**Abilene, Kansas**

**1. Call to Order**

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

Staff Present: City Manager Dillner, Deputy City Clerk Mohr, City Attorney Martin, Public Works Director Schrader, Parks & Recreation Director Foltz, Police Chief Mohn and Interim CVB Director Purkis.

Others Present: Mike Heronemus, Michael Hook, Deb Sanders, Linda Vincent, Phyllis Wilson, Elizabeth Weese, Christina Mohlman and Janette Mohlman

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

**Consent Agenda**

4. Agenda Approval for the October 24, 2016 City Commission Meeting
5. Meeting Minutes: October 11, 2016, Regular Meeting
6. Appointment of Tom Canfield to the Planning Commission to fill an unexpired term ending in May 2018.
7. Appointment of Joe Basso to the Heritage Commission to fill an unexpired term ending in May 2018.

Motion by Commissioner Weishaar, seconded by Commissioner Payne to approve the Consent Agenda with the addition of item #19, a Resolution to declare obsolete street signs as surplus property and authorize the sale of them to residents that may be interested. Motion carried unanimously 4-0.

**Public Comments and Communications**

**8. 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 no public comments or communications.

**9. 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

### **10. American Legion Auxiliary Buddy Poppy Proclamation**

Commissioner Shafer read a proclamation proclaiming November 5, 2016 as Buddy Poppy Day in the City of Abilene and presented the proclamation to members of the American Legion Auxiliary.

## Public Hearings

11. There were no public hearings.

## Old Business

12. There was no old business.

## New Business

### **13. Consideration of a Resolution appropriating funds from the General Fund Reserve for the 2017 Trails, Rails and Tales Event.**

City Manager Dillner explained this resolution will authorize an appropriation of \$50,000 to Trails, Rails and Tales 2017. What we have done is incorporated some reporting requirements so that the funds will be designated in a separate fund and those funds will be made available when we receive documentation demonstrating that the funds have been allocated, for example an agreement or an invoice, similar to what we would do with other city departments. In addition to that, staff would prepare a monthly report for the Commission to show revenues in and expenditures out. A final report will be prepared at the end of the year.

City Manager Dillner said Commissioner Dale asked him to read a letter that he prepared since he could not be here today with his perspective on this for your information. His letter follows:

After reviewing the revised budget from the CVB for TRT 2017 I am not supportive of their plan. First, let's keep the historical argument in perspective, this is an event that occurred 150 years ago and lasted for three years and was stopped because the cattle drive destroyed the crops in nearby communities. The earliest reputation of Abilene, which was poor, was based upon the rowdy behavior of the cowboys for the trail. Any insinuation today that Abilene is what it is today is because of the trail is absurd.

Second, the City is being asked to support this event at a level that is extreme and not a good use of funds. Many other needs continue to go wanting even though the need is obvious and the residual value is long term. To ask the City for \$100,000, plus assume all the financial risks, is unrealistic. If this event is so wonderful, why does the City have to sponsor it at all? If it is as good as it is promoted, businesses and citizens would be in long lines to give money in support.

Third, from a business standpoint, the plans call for earned revenue in the amount of \$67,000 brought about by expenses of \$250,000. By any standard this is unacceptable. As for expenses, the total marketing budget is \$70,000, again to bring in an amount less than that in earned revenue. Plus, in my opinion, the plan calls for spending too much of the budget months in advance of the event. Advertising nine plus months out is a waste. Also too much has been spent on print media versus electronic and social media. Other expenses have not been

well thought out, to spend double the amount for fireworks than what is spent for July 4<sup>th</sup> is an example. I urge my fellow commissioners to not approve this plan and propose that a revised plan that would reduce expenses, increase corporate sponsorships and foundation grants and reduce the City of Abilene's contribution. I also recommend that the plan for monitoring or controlling proposed by City staff be put into place before any monies are expended.

Interim Convention and Visitors Bureau Director Purkis said that it is because of the historical value of the three-year Chisholm Trail that we are here today.

Mayor Marshall asked Purkis if the plans are written in stone or is it still a work in progress and can those expense items can change.

Interim Convention and Visitors Bureau Director Purkis said that the plans for the TRT 2017 are still a work in progress and the expense items can change. In response to Commissioner Dale's comment that we are putting the City at a \$100,000 risk, if we do not bring in the fundraising sponsorships to a comfortable level, we will eliminate some expense; just because we have it in the expense items does not mean we will spend it.

Michael Hook, Event Coordinator, said the challenge will certainly be to not incur any further costs. Our ultimate goal is to go through the list of corporate sponsors and hit them extra heavy right now, to have as much money on the front side so we do not have to go backwards and scramble at the end. Basically no commitments will be made until we know for sure the money is there.

Michael Hook, Event Coordinator, said he understands that Commissioner Dale, being from a retail background, wants to see profits coming back out of this. The profits are coming into town and affecting a lot of businesses locally and so profits that you will not see in the budget lines for the particular event will definitely come out tenfold in the community.

Michael Hook, Event Coordinator, said in addressing the historical aspect of the Chisholm Trail. It is not absurd to think that this town would not be here today if not for the Chisholm Trail. It brought a lot of people to town; it helped a lot of communities in Dickinson County to survive in the early days. Before the Chisholm Trail we had 12 log cabins and our biggest merchant was a prairie dog salesman. We were nothing before Joseph McCoy, after McCoy we were quite cosmopolitan and that is what enticed the Lebold's, the Kirby's and the Bonebrake's to come here. All these great names came here because of the cowboys. The Chisholm Trail was actually five years, not three years, so it was half a decade. It is a great story; a lot of people live off these stories. Dodge City lives off of their stories off of the trail. Tombstone has incredible stories from the trail and Abilene has these same stories and history and too many years have gone past and it is time to bring it to the forefront. We are very excited about the 150<sup>th</sup> celebration, we might as well do it right.

Interim Convention and Visitors Bureau Director Purkis said that fundraising efforts have already started. We sent out a letter a week and a half ago and we are getting a good response just off the letters. We plan to contact all those on the list. We have a meeting this Wednesday with the former fundraising chair to get his input and start contacting major corporations. Connie Cooper has contacted a major sponsor to get the Clydesdale horses here and if that comes through then we will have the horses at no cost to us.

Commissioner Weishaar said this community has been gearing towards this celebration for the past three years. When the initial budget request came to the City Commission it was sent back to the committee for further study and they did that. They have reduced some things that they felt that they could reduce but they have held onto the things that they think will make this a successful event. For us to continue to sit here and look at this,

we have stepped over the line into micro management. We have asked them to produce a successful event and they are saying that this is what they need to do that.

Commissioner Shafer said he wants to know what happens after this. We talked about matching fundraising but there is nothing in the resolution about that.

City Manager Dillner said it is not mentioned in the resolution so the thought process on that is that at which time a second request is made the criteria for that could be ascertained at that time.

Motion by Commissioner Weishaar, seconded by Commissioner Payne to approve Resolution No. 102416-1 **A RESOLUTION APPROPRIATING FUNDS IN THE AMOUNT OF \$50,000 FROM THE GENERAL FUND RESERVE FOR THE 2017 TRAILS, RAILS AND TALES EVENT.** Motion carried 3-1, Commissioner Shafer voting no.

**14. Consideration of a motion approving a Letter of Support for the 2017 KDOT Public Transportation Grant and authorizing the Mayor to sign said letter on behalf of the City of Abilene, Kansas.**

Parks and Recreation Director Foltz gave information concerning the 2017 KDOT Public Transportation Grant which is proposed to fund 70% of the operating costs associated with the public transportation operation. The total grant amount being requested is \$84,360.00.

Motion by Commissioner Payne, seconded by Commissioner Weishaar to approve a Letter of Support for the 2017 KDOT Public Transportation Grant and authorizing the mayor to sign said letter. Motion carried unanimously 4-0.

**15. Consideration of a Resolution approving the Title VI Civil Rights Act Compliance for Public Transportation Services provided by the City of Abilene, Kansas.**

Parks and Recreation Director Foltz said this is a document that is signed every three years. It is part of FTA compliance. Basically this states that if we have someone that we have a language barrier with, we will try our best to communicate with them and we do not discriminate against anyone.

Motion by Commissioner Payne, seconded by Commissioner Shafer to approve Resolution No. 102416-2 **A RESOLUTION APPROVING A TITLE VI CIVIL RIGHTS ACT COMPLIANCE PLAN FOR PUBLIC TRANSPORTATION SERVICES FOR THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 4-0.

**16. Consideration of a Resolution providing for a Cost-of-Living Adjustment to the Pay Plan of the City of Abilene, Kansas.**

City Manager Dillner presented information regarding the Cost-of-Living Adjustment to the 2017 Pay Plan. This resolution would update the City's pay plan by 1% which is based on a 12 month average of the consumer price index. This practice has been established by City policy. This will adjust every step of our pay plan by 1% to keep our pay plan up to date so it does not fall behind. The budgeted amount for the cost of living adjustment and merit increase is \$78,628, that is for the 1% cost-of-living adjustment and a 2 1/2% merit increase. The 2 1/2% merit increase is not distributed amongst all employees equally, it is based on performance reviews but we budget for the full amount.

Motion by Commissioner Payne, seconded by Commissioner Shafer to approve Resolution No. 102416-3 A **RESOLUTION PROVIDING FOR A COST-OF-LIVING ADJUSTMENT TO THE PAY PLAN OF THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 4-0.

**17. Consideration of a Resolution approving Longevity Pay per Chapter 13, Section 16 of the Personnel Policy of the City of Abilene, Kansas.**

City Manager Dillner said the personnel policy provides that the City Commission may authorize discretionary longevity pay permitting funds are available. The longevity pay is based on years of service with the city: years 5 through 9 gets \$200, years 10 through 14 gets \$400, years 15 through 19 gets \$600, years 20-24 gets \$800 and years 25 and over gets \$1,000. The total amount for 2016 is \$16,700 for all employees and that amount was budgeted in the 2016 budget.

Motion by Commissioner Weishaar, seconded by Commissioner Payne to approve Resolution No. 102416-4 A **RESOLUTION APPROVING LONGEVITY PAY PER SECTION 13.16 OF THE EMPLOYEES POLICIES AND GUIDELINES OF THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 4-0.

**18. Consideration of a Resolution amending the Personnel Policy of the City of Abilene, Kansas.**

City Manager Dillner said the resolution before you would amend three sections of the personnel policy. The first is section 6.2 dealing with conceal carry of handguns. The State Statues have been recently changed effective July 1<sup>st</sup> of this year stating that a public entity cannot prevent or prohibit a public employee from concealed carrying while on the job. However our policy does provide certain guidelines that the league has come up with that provides some guidelines for employees that would be carrying concealed weapons.

In addition to that, section 8.17 has been amended to allow departments to development departmental policies with regards to response times for call outs based on department expectations and these are specific for residency requirements.

Also section 15.8 is being recommended by the insurance committee to change the age restriction from 62 to 65 when an employee becomes Medicare eligible as far as the City contributing to their health premiums.

Motion by Commissioner Payne, seconded by Commissioner Shafer to approve Resolution No. 102416-5 A **RESOLUTION AMENDING THE EMPLOYEES POLICIES AND GUIDELINES OF THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 4-0.

**19. Consideration of a Resolution approving the designation of obsolete street signs as surplus property and authorizing the sale of said signs to citizens.**

City Manager Dillner said the Public Works Department has been replacing our street signs with an updated version of the same street signs that are in compliance with regulations that require a certain size and reflectivity. The street signs, as they are being taken down, are being stored at the Public Works Department and Lon has requested the signs be declared surplus property and offer them to citizens for purchase.

Motion by Commissioner Weishaar, seconded by Commissioner Shafer to approve Resolution No. 102416-6 A **RESOLUTION DECLARING OBSOLETE STREET SIGNS AS SURPLUS PROPERTY AND OFFERING THEM FOR SALE TO CITIZENS.** Motion carried unanimously 4-0.

## **Reports**

### **20. City Manager's Report**

The Justice Center discussion has been moved, by architect request, to November 3<sup>rd</sup> at 3:30 at City Hall.

A conditional offer has been extended for the CVB Director.

We are working with Thunderstruck and the Dickinson County Economic Development Council for possible tax abatement on the manufacturing side of the business.

### **Adjournment**

#### **21. Consideration of a motion to adjourn the October 24, 2016 City Commission meeting.**

Motion by Commissioner Payne, seconded by Commissioner Weishaar to adjourn the October 24, 2016 City Commission meeting at 4:34 p.m. Motion carried unanimously 4-0.

(Seal)

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Dee Marshall, Mayor

ATTEST:

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Shayla L. Mohr  
Deputy City Clerk



Dwight D. Eisenhower Municipal Building  
419 N. Broadway Street, PO Box 519  
Abilene, KS 67410  
[www.abilenecityhall.com](http://www.abilenecityhall.com)  
Phone: (785) 263-2550  
Fax: (785) 263-2552

November 19, 2016

Kansas Historical Society  
Kansas Historic Sites Board of Review  
Attn: Jennie Chinn  
6425 SW 6<sup>th</sup> Avenue  
Topeka, KS 66615

RE: Engle, Jacob S. House (102 Highland Drive, Abilene, Dickinson County)

Kansas Historic Board of Review:

The City of Abilene supports the nomination of the Engle House by the Kansas Historic Sites Board of Review for inclusion on the National Register of Historic Places and the Register of Historic Kansas Places.

The Engle House, owned by Scott and Chris Ostermann, is an excellent example of a 1911 style home that mixes the Free Classic Queen Anne and Craftsman elements. The house has changed little since its original construction, and is now being operated as a bed and breakfast.

As you will see in the nomination form, the Engle House has much to offer in historic preservation of a fine residential structure that harkens to the gilded age in American history.

The City Commission, on behalf of the citizens of the City of Abilene, Kansas, respectfully supports your nomination of the Jacob S. Engle House to both the National Register of Historic Places and the Register of Historic Kansas Places.

Sincerely,

Dee Marshall, Mayor



Home of the Eisenhower Presidential Library, Museum and Boyhood Home  
End of the Historic Chisholm Trail



Dwight D. Eisenhower Municipal Building  
419 N. Broadway Street, PO Box 519  
Abilene, KS 67410  
[www.abilenecityhall.com](http://www.abilenecityhall.com)  
Phone: (785) 263-2550  
Fax: (785) 263-2552

September 6, 2016

Justin Brands, Inc.  
Attn: Sponsorships/Donation  
PO Box 548  
Fort Worth, TX 76101-0547

To Whom It May Concern:

The City of Abilene, Kansas invites your corporation to become a major sponsor for "Trails, Rails, and Tales," an historic western heritage celebration to commemorate the 150<sup>th</sup> anniversary of the Chisholm Trail. In the late 1800s, Joseph McCoy had the idea of bringing Texas longhorns to railheads in Abilene, Kansas in order to ship cattle to major markets in the east. The trail, forged by Jesse Chisholm, would become the first major cattle trail that would spark the legend of the American west and its quintessential character... the American cowboy.

In 1867, Abilene welcomed the first Texas longhorns to town. During the next few years, over a million longhorns and countless cowboys would make the approximately 700 mile journey to Abilene. The cattle would be sold and shipped to market and the cowboys would frivolously spend their newly found fortune at Abilene's many saloons, brothels, and general stores. Tom "Bear" Smith and Wild Bill Hickok were eventually brought in during this tumultuous time to bring law and order to the chaos wrought by the cowboys after their long journeys.

The cowboys and cattle created a stir with area farmers when crops of red winter wheat was trampled along the trail. After several years of "hell on Earth," the sod busting farmers were successful in moving the Abilene cowtown west, and in so doing set the history of the Kansas prairie to growing wheat to feed the world.

Now, 150 years later, Abilene will celebrate this exciting period in American history and invites you to celebrate with us. Your corporation has a special connection to the western heritage of the cowboy and the Chisholm Trail, and we feel that your presence would add to our special event commemorating the beginning of the cowboy era.

The 149<sup>th</sup> celebration was well attended for a first-time event. The City estimates that over 5,000 people came to Abilene during Labor Day weekend. Next year's event will be even bigger with more fun and entertainment for the family! Be sure to reserve your major sponsorship for "Trails, Rails, and Tails - the 150<sup>th</sup> Anniversary of the Chisholm Trail" today and help us share the story of the American cowboy and the Chisholm Trail.

Sincerely,



**Home of the Eisenhower Presidential Library, Museum and Boyhood Home  
Historic End of the Chisholm Trail**

Dee Marshall  
Mayor

Wild Bill Hickok  
Honorary Marshal

Joseph McCoy  
Cattle Trail Proprietor



**Home of the Eisenhower Presidential Library, Museum and Boyhood Home  
Historic End of the Chisholm Trail**

**KEY REVENUES - 3Q, 2016 (unaudited)**

City of Abilene, Kansas

<u>Property Taxes</u>	2015		2016		YTD Variance	% Variance	2016 Budget	Collected as % of Budget	Note No.
	YTD Actual	YTD Actual	YTD Actual	Variance					
General Fund	\$ 1,316,754	\$ 1,422,659	\$ 105,906	8%	\$ 1,478,525	96%			
Airport Fund	\$ 62,995	\$ 68,385	\$ 5,390	9%	\$ 61,500	111%			
Bond and Interest Fund	\$ 486,904	\$ 486,589	\$ (315)	0%	\$ 528,737	92%			
Fire Apparatus Fund	\$ 49,150	\$ 49,819	\$ 669	1%	\$ 51,021	98%			
Library Fund	\$ 320,507	\$ 342,822	\$ 22,315	7%	\$ 328,625	104%			
Recreation Commission Fund	\$ 227,785	\$ 211,706	\$ (16,080)	-7%	\$ 251,223	84%			
Capital Improvement Fund	\$ 1,286	\$ 149	\$ (1,137)	-88%	\$ 200	75%			
<b>Total Property Taxes</b>	<b>\$ 2,465,381</b>	<b>\$ 2,582,130</b>	<b>\$ 116,748</b>	<b>5%</b>	<b>\$ 2,699,831</b>	<b>96%</b>	<b>1</b>		
<b>Motor Vehicle Taxes</b>									
General Fund	\$ 210,250	\$ 159,728	\$ (50,522)	-24%	\$ 147,338	108%			
Airport Fund	\$ 5,198	\$ 6,533	\$ 1,334	26%	\$ 7,750	84%			
Bond and Interest Fund	\$ 70,636	\$ 54,499	\$ (16,137)	-23%	\$ 55,176	99%			
Fire Apparatus Fund	\$ 5,563	\$ 5,563	\$ 0	0%	\$ 6,072	92%			
Library Fund	\$ 39,540	\$ 28,550	\$ (10,990)	-28%	\$ 39,987	71%			
Recreation Commission Fund	\$ 26,398	\$ 24,848	\$ (1,550)	-6%	\$ 29,521	84%			
Capital Improvement Fund	\$ 25	\$ -	\$ (25)	-100%	\$ -	0%			
<b>Total Vehicle Taxes</b>	<b>\$ 357,610</b>	<b>\$ 279,721</b>	<b>\$ (77,889)</b>	<b>-22%</b>	<b>\$ 285,844</b>	<b>98%</b>	<b>2</b>		
<b>Sales Taxes</b>									
Local Sales Tax	\$ 983,375	\$ 924,475	\$ (58,900)	-6%	\$ 1,302,744	71%			
Special Library/Pool Sales Tax	\$ 362,284	\$ 344,246	\$ (18,038)	-5%	\$ 445,000	77%			
Local Street Sales Tax	\$ 258,791	\$ 245,905	\$ (12,885)	-5%	\$ 325,000	76%			
<b>Total Sales Taxes</b>	<b>\$ 1,345,659</b>	<b>\$ 1,268,721</b>	<b>\$ (76,938)</b>	<b>-6%</b>	<b>\$ 1,747,744</b>	<b>73%</b>	<b>3</b>		

**NOTES:**

1. Property Tax is about 4% short of budget most likely due to delinquent payments.
2. Motor vehicle has exceeded the General Fund revenue that was budgeted for 2016, and is short 2% overall to what was budgeted.
3. Sales tax has shown improvement over the 3rd quarter of 2016 and is now down 6% year to date.

**KEY REVENUES - 3Q, 2016 (unaudited)**  
**City of Abilene, Kansas**

Franchise Fees	2015		2016		YTD Variance	% Variance	2016 Budget	Collected as % of Budget	Note No.
	YTD Actual	YTD Actual	YTD Actual	Variance					
Telephone	\$ 17,452	\$ 14,052	\$ (3,400)	-19%	\$ 33,000	43%			
Gas	\$ 132,446	\$ 98,353	\$ (34,093)	-26%	\$ 167,000	59%			
Electric	\$ 341,493	\$ 419,065	\$ 77,572	23%	\$ 450,000	93%			
Cable	\$ 42,113	\$ 42,223	\$ 109	0%	\$ 50,000	84%			
<b>Total Franchise Fees</b>	<b>\$ 533,504</b>	<b>\$ 573,692</b>	<b>\$ 40,188</b>	<b>8%</b>	<b>\$ 700,000</b>	<b>82%</b>	<b>1</b>		
<b>State Distributions</b>									
Liquor Control Tax (General Fund)	\$ 22,938	\$ 11,378	\$ (11,561)	-50%	\$ 15,000	76%	2		
Gas Tax	\$ 132,446	\$ 98,353	\$ (34,093)	-26%	\$ 174,130	56%	3		
<b>Total Distributions</b>	<b>\$ 155,384</b>	<b>\$ 109,730</b>	<b>\$ (45,654)</b>	<b>-29%</b>	<b>\$ 189,130</b>	<b>58%</b>			
<b>Miscellaneous Revenues</b>									
Municipal Court Fines	\$ 132,309	\$ 112,038	\$ (20,272)	-15%	\$ 160,000	70%			
Licenses and Permits	\$ 79,505	\$ 29,708	\$ (49,797)	-63%	\$ 24,150	123%	4		
Public Transportation Fares	\$ 10,613	\$ 9,890	\$ (723)	-7%	\$ 19,000	52%			
Recreation Fees	\$ 169,827	\$ 164,719	\$ (5,109)	-3%	\$ 200,800	82%			
Transient Guest Tax	\$ 134,873	\$ 95,726	\$ (39,147)	-29%	\$ 130,000	74%			
Civic Center Rental	\$ 7,497	\$ 6,352	\$ (1,145)	-15%	\$ 10,000	64%			
Trolley Fares	\$ 3,931	\$ 1,694	\$ (2,237)	-57%	\$ 8,641	20%			
Sale of Merchandise (Civic Center)	\$ 3,469	\$ 1,646	\$ (1,823)	-53%	\$ 4,500	37%			
Interest Income (All Funds)	\$ 13,615	\$ 18,630	\$ 5,015	37%	\$ 24,080	77%			
Special Assessments	\$ 298,273	\$ 182,650	\$ (115,623)	-39%	\$ 192,817	95%	5		
<b>Total Miscellaneous Revenues</b>	<b>\$ 853,911</b>	<b>\$ 623,052</b>	<b>\$ (230,859)</b>	<b>-27%</b>	<b>\$ 773,988</b>	<b>80%</b>			

**NOTES:**

1. Franchise Fees: Gas is down likely due to a mild winter, but electrical is up with warm weather and increase in electrical franchise fee
2. Liquor control tax received a one time payment from back taxes in 2015, numbers are within budget for 2016.
3. Gas tax is down due to low gas prices, this revenue was budgeted expecting higher gas prices.
4. In 2015 permits were issued for Gavilon Grain, Abilene High School and Eisenhower Elementary.
5. In 2015 an additional \$76,810 was received in special assessments through purchase/sale of the Eagles property.

**KEY REVENUES - 3Q, 2016 (unaudited)**  
**City of Abilene, Kansas**

<u>Enterprise Fees</u>	2015		2016		YTD Variance	YTD % Variance	2016 Budget	Collected as % of Budget	Note No.
	YTD Actual	YTD Actual	YTD Actual	Variance					
Water Sales	\$ 1,051,484	\$ 995,971	\$ (55,513)	-5%	\$ 1,623,240	61%	1		
Water Connection Fees	\$ 4,169	\$ 4,214	\$ 46	1%	\$ 6,000	70%			
Water Turn-on Fees	\$ 6,167	\$ 5,430	\$ (737)	-12%	\$ 8,000	68%			
Water Penalties	\$ 17,369	\$ 19,067	\$ 1,698	10%	\$ 22,000	87%			
Sewer Charges	\$ 911,307	\$ 857,225	\$ (54,081)	-6%	\$ 1,328,010	65%	2		
Sewer Surcharge	\$ 82,272	\$ 67,768	\$ (14,504)	-18%	\$ 100,000	68%			
Storm Drainage Fees	\$ 50,765	\$ 50,423	\$ (342)	-1%	\$ 68,000	74%			
Recycling Fee	\$ 42,388	\$ 41,963	\$ (425)	-1%	\$ 59,160	71%			
Recycling Sale of Materials	\$ 18,931	\$ 12,401	\$ (6,531)	-34%	\$ 25,000	50%	3		
<b>Total Enterprise Fees</b>	<b>\$ 2,184,852</b>	<b>\$ 2,054,462</b>	<b>\$ (130,390)</b>	<b>-6%</b>	<b>\$ 3,239,410</b>	<b>63%</b>			

**NOTES:**

1. Water sales may be lower due to a wet year that may have reduced irrigation of lawns and gardens.
2. Sewer charges are lower due to lower water consumption.
3. Sale of recyclable materials is down due to reductions in commodity prices that decreases the demand for such materials.

**TOTAL REVENUES (All Funds)      \$ 7,896,302      \$ 7,491,508      \$ (404,794)      -5%      \$ 9,635,947      78%**

**EXPENDITURE SUMMARY - 3Q, 2016 (unaudited)**

City of Abilene, Kansas

General Fund	2015		2016		YTD Variance	% Variance	2016 Budget	% of Budget Allocated	Note No.
	YTD Actual	YTD Actual	YTD Actual	Variance					
General Government	\$ 339,655	\$ 409,556	\$ 69,902	21%	\$ 362,498	113%	1 & 2		
Police	\$ 867,601	\$ 803,349	\$ (64,253)	-7%	\$ 1,314,729	61%			
Fire	\$ 528,168	\$ 636,763	\$ 108,594	21%	\$ 791,267	80%	3		
Streets and Alleys	\$ 449,094	\$ 520,526	\$ 71,431	16%	\$ 762,952	68%			
Bindweed/Flood Maintenance	\$ 69,276	\$ 87,033	\$ 17,758	26%	\$ 141,591	61%			
Parks	\$ 203,228	\$ 200,729	\$ (2,499)	-1%	\$ 295,877	68%			
Swimming Pool	\$ 21,533	\$ 8,491	\$ (13,042)	-61%	\$ 21,550	39%			
Community Development	\$ 264,377	\$ 176,646	\$ (87,731)	-33%	\$ 307,244	57%	4		
Municipal Court	\$ 117,103	\$ 122,045	\$ 4,942	4%	\$ 178,608	68%			
Senior Center	\$ 20,964	\$ 21,874	\$ 910	4%	\$ 31,285	70%			
Public Transportation Van	\$ 61,272	\$ 56,156	\$ (5,117)	-8%	\$ 90,557	62%			
Civic Center	\$ 17,563	\$ 20,744	\$ 3,182	18%	\$ 31,775	65%			
<b>Total General Fund</b>	<b>\$ 2,959,834</b>	<b>\$ 3,063,913</b>	<b>\$ 104,079</b>	<b>4%</b>	<b>\$ 4,329,933</b>	<b>71%</b>			
<b>Airport Fund</b>	<b>\$ 2,215,144</b>	<b>\$ 51,429</b>	<b>\$ (2,163,715)</b>	<b>-98%</b>	<b>\$ 70,076</b>	<b>73%</b>	<b>5</b>		
<b>Bond and Interest Fund</b>	<b>\$ 778,829</b>	<b>\$ 756,091</b>	<b>\$ (22,738)</b>	<b>-3%</b>	<b>\$ 778,230</b>	<b>97%</b>			
<b>Fire Apparatus Fund</b>	<b>\$ 49,548</b>	<b>\$ 77,084</b>	<b>\$ 27,537</b>	<b>56%</b>	<b>\$ 112,473</b>	<b>69%</b>			
<b>Library Fund</b>	<b>\$ 360,048</b>	<b>\$ 379,100</b>	<b>\$ 19,053</b>	<b>5%</b>	<b>\$ 405,775</b>	<b>93%</b>			
<b>Capital Improvement Fund</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>#DIV/0!</b>	<b>\$ 400,000</b>	<b>0%</b>			

**NOTES:**

1. If you remove TRT from the General Government line it drops the total to \$288,787 which is 80% of the budget allocated.
2. General Government also includes sister city plane tickets which were reimbursed and the lightening alert system.
3. Fire Department reflects lease purchase payment of \$43,108.52 for air-paks and added expense for inspection duties which was removed from community development.
4. Airport runway rehabilitation was completed in 2015. Current expenses reflect normal operations.

**EXPENDITURE SUMMARY - 3Q, 2016 (unaudited)**  
**City of Abilene, Kansas**

<u>Water Fund</u>	2015		2016		YTD Variance	YTD % Variance	2016 Budget	% of Budget Allocated	Note No.
	YTD Actual	YTD Actual	YTD Actual	YTD Actual					
Distribution	\$ 393,215	\$ 527,270	\$ 134,056	34%	\$ 677,813	78%	1		
Production	\$ 321,260	\$ 335,594	\$ 14,334	4%	\$ 566,172	59%			
Commercial	\$ 184,264	\$ 145,833	\$ (38,431)	-21%	\$ 322,901	45%			
Debt Service	\$ 93,693	\$ 63,870	\$ (29,823)	-32%	\$ 169,568	38%			
<b>Total Water Fund</b>	<b>\$ 992,431</b>	<b>\$ 1,072,567</b>	<b>\$ 80,136</b>	<b>8%</b>	<b>\$ 1,736,454</b>	<b>62%</b>			
<b>Water Equipment Reserve Fund</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>#DIV/0!</b>	<b>\$ 35,000</b>	<b>0%</b>			
<b>Sewer Fund</b>									
Collection	\$ 123,681	\$ 107,734	\$ (15,947)	-13%	\$ 282,779	38%			
Treatment	\$ 333,341	\$ 331,837	\$ (1,504)	0%	\$ 562,503	59%			
Commercial	\$ 184,491	\$ 137,880	\$ (46,611)	-25%	\$ 281,798	49%			
Debt Service	\$ 594,447	\$ 585,483	\$ (8,964)	-2%	\$ 594,048	99%			
<b>Total Sewer Fund</b>	<b>\$ 1,235,960</b>	<b>\$ 1,162,934</b>	<b>\$ (73,026)</b>	<b>-6%</b>	<b>\$ 1,721,128</b>	<b>68%</b>			
<b>Sewer Equipment Reserve Fund</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>#DIV/0!</b>	<b>\$ 19,400</b>	<b>0%</b>			
<b>Recycling Fund</b>	<b>\$ 166,279</b>	<b>\$ 86,968</b>	<b>\$ (79,311)</b>	<b>-48%</b>	<b>\$ 115,570</b>	<b>75%</b>			
<b>Storm Drainage Fund</b>	<b>\$ 401</b>	<b>\$ 7,320</b>	<b>\$ 6,918</b>	<b>1724%</b>	<b>\$ 248,400</b>	<b>3%</b>			

**NOTES:**

1. Water Distribution was up primarily to budgeted water main replacement.

**EXPENDITURE SUMMARY - 3Q, 2016 (unaudited)**  
**City of Abilene, Kansas**

<u>Tourism and Convention Fund</u>	2015		2016		YTD Variance	YTD % Variance	2016 Budget	% of Budget Allocated	Note No.
	YTD Actual	YTD Actual	YTD Actual	YTD Actual					
Administration	\$ 172,418	\$ 191,697	\$ 19,279	111%	\$ 229,799	83%			
Trolley Expenses	\$ 6,164	\$ 5,512	(652)	89%	\$ 9,197	60%			
<b>Total Tourism and Convention Fund</b>	<b>\$ 178,582</b>	<b>\$ 197,209</b>	<b>\$ 18,627</b>	<b>110%</b>	<b>\$ 238,996</b>	<b>83%</b>		<b>1</b>	
<u>Recreation Commission Fund</u>									
Administration	\$ 146,354	\$ 148,076	\$ 1,722	101%	\$ 211,531	70%			
Aquatics	\$ 72,425	\$ 74,406	\$ 1,981	103%	\$ 92,176	81%			
Athletics	\$ 57,114	\$ 63,594	\$ 6,480	111%	\$ 84,698	75%			
Community Education	\$ 12,364	\$ 10,851	(1,513)	88%	\$ 33,810	32%			
Community Center	\$ 38,546	\$ 38,638	\$ 92	100%	\$ 76,500	51%			
Recreation Special Project	-	-	-	#DIV/0!	\$ 75,000	0%			
<b>Total Recreation Commission Fund</b>	<b>\$ 326,803</b>	<b>\$ 335,564</b>	<b>\$ 8,761</b>	<b>103%</b>	<b>\$ 573,715</b>	<b>58%</b>			
<b>Special Parks and Recreation Fund</b>	<b>\$ 30,545</b>	<b>\$ 3,681</b>	<b>\$ (26,864)</b>	<b>12%</b>	<b>\$ 40,000</b>	<b>9%</b>			
<b>Special Alcohol and Drug Fund</b>	<b>\$ 6,500</b>	<b>\$ 12,500</b>	<b>\$ 6,000</b>	<b>192%</b>	<b>\$ 12,500</b>	<b>100%</b>			
<b>Special Street Fund</b>	<b>\$ 30,806</b>	<b>\$ 39,213</b>	<b>\$ 8,407</b>	<b>127%</b>	<b>\$ 413,500</b>	<b>9%</b>			
<b>Equipment Reserve Fund</b>	<b>\$ 96,291</b>	<b>\$ 116,936</b>	<b>\$ 20,645</b>	<b>121%</b>	<b>\$ 123,200</b>	<b>95%</b>			
<b>Sales Tax Street Fund</b>	<b>\$ -</b>	<b>\$ 246,334</b>	<b>\$ 246,334</b>	<b>#DIV/0!</b>	<b>\$ 300,000</b>	<b>82%</b>			

**NOTES:**

1. Tourism and Convention has used 83% of its 2016 allocated budget after adjusting for the Arts Festival that is no longer being held.

**TOTAL (all funds)**

Revenue	\$ 7,896,302	\$ 7,491,508	\$ (404,794)	-5%	\$ 9,635,947	78%
Expenditures	\$ 9,428,001	\$ 7,608,845	\$ (1,819,156)	81%	\$ 11,674,350	65%

**RESOLUTION NO. 111416-1**

**A RESOLUTION STATING THE INTENTION OF THE CITY OF ABILENE TO PARTICIPATE IN A JUSTICE CENTER PROPOSED BY DICKINSON COUNTY, KANSAS**

**WHEREAS**, the governing body, with the adoption of Resolution No. 080816-3, elected to participate in Dickinson County's Justice Center Study completed by Goldberg Group Architects, PC, ("Consultant") to determine the cost of the City's participation and other options that may be advantageous for the governing body's consideration;

**WHEREAS**, the governing body desires to make a good faith effort to participate in the Justice Center ("Project") with Dickinson County after careful review and consideration of the options prepared by the Consultant; and

**WHEREAS**, the City Commission desires to affirm its intent made by Resolution No. 091415-4, to eventually proceed with the development of a plan for other public facilities.

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

**SECTION ONE. Findings.** The governing body hereby finds that it is in the City's best interests to participate in the development of the Project to include the Abilene Police Department and the Abilene Municipal Court.

**SECTION TWO. Further Actions.** The governing body hereby declares that it will continue to discuss the Project with Dickinson County with the intent of negotiating a pay structure for participation and identification of a revenue source to pay the City's share of the Project.

**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 14<sup>th</sup> day of November, 2016.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dee Marshall, Mayor

**ATTEST:**

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

**ORDINANCE NO. 3311**

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 1706 N. BUCKEYE AVENUE FOR THE CONSTRUCTION AND PLACEMENT OF AN ELECTRONIC MESSAGE CENTER**

**WHEREAS**, the Planning Commission reviewed an application submitted by Larry Dalton, as agent to (“Applicant”) to the property owner Robert W. Robson (“Owner”) concerning a Conditional Use Permit for the construction and placement of an electronic message center (“Sign”) in a “C-3, General Business District” at property generally described as 1706 N. Buckeye Avenue (“Property”) in Abilene, Kansas;

**WHEREAS**, the Planning Commission conducted a Public Hearing per Article 26 of the Zoning Regulations of the City of Abilene, Kansas, on September 20, 2016, and following public comment recommended approval of a Conditional Use Permit allowing the construction of the Sign on the above referenced Property.

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

**SECTION ONE. Conditional Use Permit.** That a Conditional Use Permit (“Permit”) is hereby approved for the construction of a Sign to the Applicant subject to the conditions provided in this Ordinance and all supporting and supplementary documentation as provided in **Exhibit A**, attached hereto.

**SECTION TWO. Legal Description of Property.** The Permit shall apply to property legally described as:

*The East 134.0 feet of the North 6.0 feet of Lot 15, and the East 134.0 feet of the South 44.0 feet of Lot 14, Block 1, Daily Addition to the City of Abilene, Dickinson County, Kansas.*

And more generally described as 1706 N. Buckeye Avenue in the City of Abilene, Kansas.

**SECTION TWO. Permit Conditions: Approval.** Per Section 26-110 of the Zoning Regulations, the Planning Commission may impose, and the City Commission may approve, reasonable conditions on the approval of a Conditional Use Permit. Such conditions are approved for this Permit as provided in the attached Staff Report.

**SECTION THREE. Implementation.** The City Manager, or designee, is hereby authorized to issue a Conditional Use Permit upon receiving sufficient evidence that all conditions designated for prior approval have been reasonably met.

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

**PASSED AND APPROVED** by the Governing Body of the City of Abilene, Kansas this 14<sup>th</sup> day of November, 2016.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dee Marshall, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Aaron O. Martin, City Attorney

**EXHIBIT A**

**Conditional Use Permit Application and Staff Report**

**Gibbs Liquor**

**1706 N. Buckeye Avenue**

**Abilene, KS**

**November 14, 2016**

## STAFF REPORT

***PC 16-7 Conditional Use Permit, at the request of the Larry Dalton, owner of Gibbs Liquor, as agent to property owner Robert W. Robson, for the placement of an electronic message center in a "C-3, General Commercial District"***

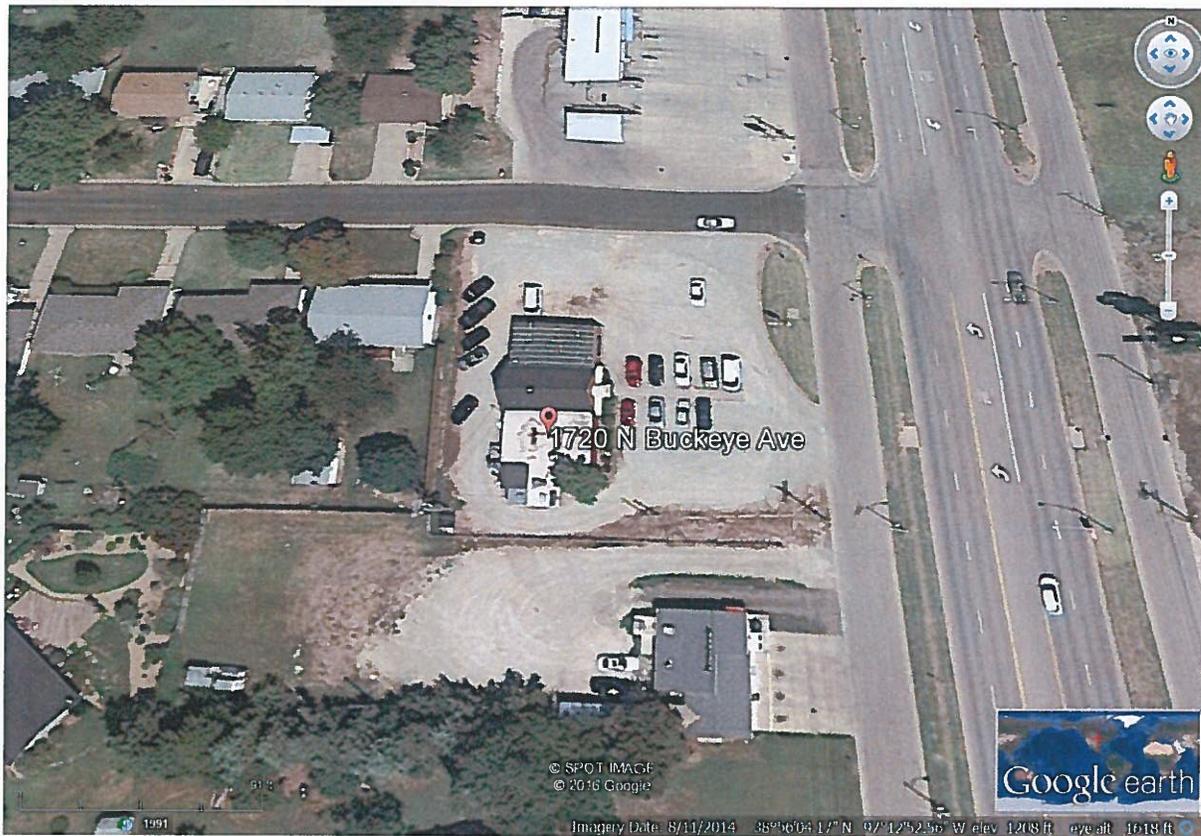
<b>Date:</b>	October 11, 2016
<b>Owner:</b>	Larry Dalton
<b>Applicant:</b>	Larry Dalton, owner of the building on behalf of 1706 North Buckeye Ave., as agent to land owner Robert W. Robson
<b>Requested Action:</b>	Conditional Use Permit
<b>Purpose:</b>	Placement of an electronic message center for on-site advertising
<b>Location address:</b>	1706 North Buckeye Ave, Abilene, Kansas
<b>Comprehensive Plan:</b>	<b>Key Issue 3</b> – Lack of coordinated marketing efforts to promote economic and cultural activities; <b>Goal B</b> – Market Abilene to Abilenians
<b>Sites Existing Zoning:</b>	"C-3 General Commercial District"
<b>Surrounding Zoning and Land Use:</b>	North: "C-3, General Commercial District" with South: "C-3, General Commercial District" East: "C-3, General Commercial District" West: "R-1, Low Density Residential District"
<b>Land Area:</b>	0.04515611 acres, more or less
<b>Notice Date:</b>	Notice of the Public Hearing was published in the Abilene Reflector-Chronicle on September 20, 2016 and by mail as required by the Section 26-102 of the Zoning Regulations.

### COMMENTS

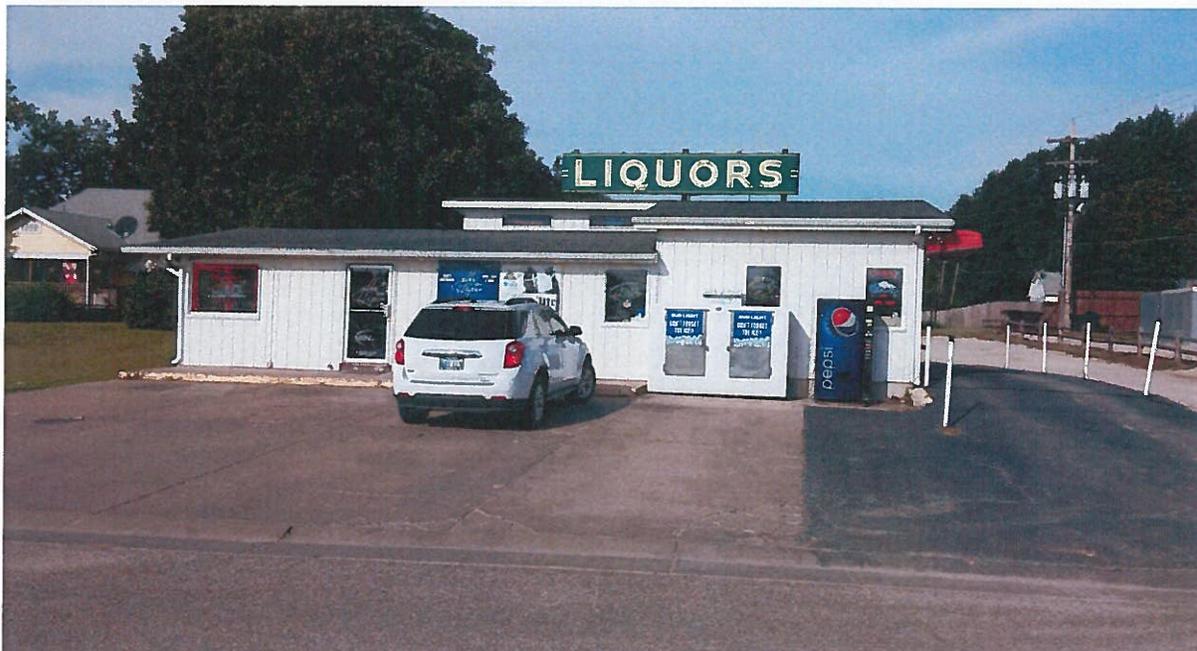
1. 16-7 Gibbs Liquor requests a conditional use permit to construct an electronic message center for the purposes of onsite-advertising. Its present location is at 1706 North Buckeye Avenue, located on the subject property.
2. Section 27-401(c) of the Zoning Regulations was recently amended with the adoption of Ordinance No. 3292 and states the following with respect to electronic message centers:

*"Electronic message centers shall be permitted in Commercial, Industrial, and Public Use Districts only upon issuance of a conditional use permit in accordance with Article 26. In considering a conditional use permit application, the Planning Commission and Governing Body may impose requirements related to size, maximum illumination (including incorporating automatic dimmer controls), transition and hours of operation, or other conditions as deemed necessary and appropriate by the Planning Commission and Governing Body."*
3. Gibbs Liquor is not the owner of record, although an authorized agent of the property owner has provided the City with sufficient documentation demonstrating the authority to sign on the property owner's behalf.

4. The proposed sign will be located on property parallel to Buckeye Avenue (K-15) and will require review and approval from the Kansas Department of Transportation to ensure that state setback requirements are met.



*Location 1720 North Buckeye Ave*



Subject address is 1706 North Buckeye Ave

## **RECOMMENDATION AND FINDINGS**

Staff recommends approval of a conditional use permit for an electronic message center to be located at the subject property based on the following considerations outlined in Article 26-108 and 26-110:

1. Whether the change in classification would be consistent with the intent and purpose of these regulations. Article 27 of the Zoning Regulations provides regulations for signage so as to “preserve, protect and promote the public health, safety, and general welfare.” The Article further states the intentions of “encouraging the reasonable, orderly and effective display of signs; enhance the physical appearance of the city; reduce visual clutter; prevent blighting influences; protect property values; provide minimum standards to safeguard life, health, and property by regulating and controlling the size, height, design, quality of materials, construction, location, electrification and maintenance of all signs and sign structures; and authorize the use of signs which are compatible with their surroundings.” Staff has no evidence that the proposed use would be inconsistent with the aforementioned intent and purpose of Article 27.
2. The character and condition of the surrounding neighborhood and its effect on the proposed change. The subject property is located in an area of the community that has a mix of uses ranging from commercial and residential.
3. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions. The catalyst for the proposed Conditional Use permit is not necessitated by a change of the conditions to the area. Gibbs Liquor desires to provide advertising for its offerings in a location that is more readily accessible for the traveling public. The Conditional Use Permit must be reviewed and approved by the Planning Commission and City Commission prior to its extension. It is staff understands that Gibbs Liquor is a permanently locate its operations at 1706 North Buckeye Avenue, and desires to have the Conditional Use Permit indefinitely as long as they are operating.
4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such change in classification. As previously mentioned, the subject property is in an area that has a mix of land uses.
5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The subject property is presently zoned as “C-3 General Commercial District” The subject matter of the request is whether to allow an electronic message center on the property. As such, if the Conditional Use Permit is approved it will not add to or diminish the uses that are currently allowed on the property by right or conditionally.
6. The suitability of the applicant’s property for the uses to which it has been restricted. The proposed sign will be located parallel to the public right-of-way for Buckeye Avenue that is also state highway K-15. The Kansas Department of Transportation will have setback requirements for signage that may restrict the applicant’s ability to locate the proposed sign on the subject property. As a condition to the permit, the Planning Commission should include a review and approval by KDOT to ensure that the proposed sign complies with state setback requirements.

7. The length of time the subject property has remained vacant or undeveloped as zoned. The property has been used by different businesses for commercial purposes since the 1950s.
8. Whether adequate sewer and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on the property if it were reclassified. This point is not applicable to the proposed request.
9. The general amount of vacant land that currently has the same zoning classification proposed for the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development. This point is not applicable to the proposed request.
10. The recommendations of professional staff and advisors. Staff recommendations are discussed below.
11. Whether the proposed amendment would be in conformance to and further enhance the implementation of the Comprehensive Plan. Key Issue 3 in the Comprehensive Plan identifies the "lack of coordinated marketing efforts to promote economic and cultural activities." Goal B of Key Issue 3 establishes the goal of "marketing Abilene to Abilenians." Staff is of the opinion that the proposed electronic message center aligns with these two points in the Comprehensive Plan, and will allow the Gibbs Liquor to market its offerings to the general public.
12. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification. This point does not seem to be applicable to the proposed sign as the applicant does not own or seem to control a majority stake in the subject property. The hardship created if the sign is not approved may be the potential loss of revenue by property owner if the applicant plans to operate under the terms of a lease with the property owner for use of the property for on-site advertising using an electronic message center. The hardship to the applicant, although not the property owner, may be a loss of revenue arising from lower sales as a result of potential hardships associated with advertising at its current located of 1720 North Buckeye Avenue. It would be difficult to determine if a loss of revenue resulted from a lack of signage at the proposed location since the applicant has operated at its present location without the proposed signage for many years.
13. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.

Staff recommends approval of a conditional use permit for an electronic message center to be located at the subject property based on the following considerations outlined in Article 26-110:

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations. Please refer to Item 1 in the aforementioned section.
2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood. Please refer to Items 2, 4, and 5 in the aforementioned section.
3. Whether the proposed use places an undue burden on the existing public infrastructure in the area affected, and if so, whether additional infrastructure can be provided. Electric

service in the area is provided by Westar Energy and is adequate to accommodate the proposed use.

4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected. Please refer to Item 3 in the aforementioned section.

### **Recommended Conditions**

Staff recommends approval of a conditional use permit for an electronic message center to be located at the subject property with the following conditions:

1. The proposed sign be less than the maximum gross square footage surface area, which is 100 square feet per side, for on-site advertising signage in the "C-4 General Commercial District" as provided in Table 27-2 of the Zoning Regulations.
2. The proposed electronic message center must comply with required local setbacks for signs within Commercial, Industrial, and Public Use Districts, 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 sign 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 proposed electronic message center must comply with required state setbacks for signs located adjacent to state highway right-of-way. The City would 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 proposed electronic message center must comply with Section 27-401(h) 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 sign 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 electronic message center shall only display static, non-animated messages and images. Videos or other dynamic images or messages are not permitted.
7. The message change shall occur no less than fifteen seconds.
8. A dimming device or means of glare reduction must be installed and implemented after sundown.

### **Planning Commission Action**

Per Section 26-104(a) of the Zoning Regulations, the Planning Commission has the following options with respect to this item:

1. Recommend to the governing body approval of the proposed ordinance that would permit the conditional use of an electronic message center on the subject property subject to the conditions recommended by the Planning Commission.

2. Recommend to the governing body partial approval of the proposed ordinance that would permit the conditional use of an electronic message center on the subject property subject to the conditions recommended by the Planning Commission. The Planning Commission would need to specify the parts of the proposed ordinance that are recommended for approval and which are not recommended for approval.
3. Recommend to the governing body denial of the proposed ordinance that would permit the conditional use of an electronic message center on the subject property subject to the conditions recommended by the Planning Commission.

All options will require the Planning Commission to include with its recommendation reasons for such recommendation to the governing body. If a motion for approval fails to gain approval for any reason, the application is deemed to have been denied and will be submitted to the governing body.

**ORDINANCE NO. 3312**

**AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT AUTHORIZING A CELLULAR COMMUNICATIONS TOWER AT A LOCATION GENERALLY DESCRIBED AS 409 NW 3RD STREET IN THE CITY OF ABILENE, KANSAS**

**WHEREAS**, the Planning Commission reviewed a request by Running R Property Management, LLC (“Applicant”) concerning the placement of a cellular communication tower by US Cellular (“Lessee”) at property generally located at 1100 NW 8<sup>th</sup> Street in Abilene, Kansas;

**WHEREAS**, Lessee has entered into an agreement with Applicant to lease said property for the construction and maintenance of a cellular communications tower; and

**WHEREAS**, the Planning Commission conducted a Public Hearing per Section 24-4 of the Zoning and Subdivision Regulations on September 20, 2016, and following public comment recommended approval of the Conditional Use Permit allowing a cellular communications tower on the above referenced property.

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

**SECTION ONE. Conditional Use Permit.** That a Conditional Use Permit is hereby issued to Applicant for the placement of a cellular communications tower by Lessee as generally provided in the Conditional Use Permit application and Staff Report as provided in **Exhibit A**, attached hereto for property legally described as follows:

*A tract of land in Lot 3, on North Third Street, Thompson and McCoy's Addition, City of Abilene, Dickinson County, Kansas described as follows:*

*Beginning at a point that is North 89° 54' 22" West 5.00 feet and North 00° 33' 58" West 8.00 feet from the Southeast Corner of said Lot 36; thence North 89° 54' 22" West 20.00 feet; thence North 00° 33' 58" West 25.00 feet; thence South 89° 54' 22" East 20.00 feet; thence South 00° 33' 58" East 25.00 feet to the point of beginning, containing 500 square feet.*

*Subject to easements and restrictions of record.*

**SECTION TWO. Permit Conditions: Approval.** Per Section 20-103 of the Zoning and Subdivision Regulations, the Planning Commission may impose, and the City Commission may approve, reasonable conditions on the approval of a Conditional Use Permit. Such conditions are approved for this Permit as provided in the attached Staff Report.

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

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

**PASSED AND APPROVED** by the Governing Body of the City of Abilene, Kansas this 14<sup>th</sup> day of November, 2016.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dee Marshall, Mayor

ATTEST:

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Aaron O. Martin, City Attorney

**EXHIBIT A**

**Conditional Use Permit Application and Staff Report**

**Running R Property Management, LLC**

**409 NW 3rd Street**

**Abilene, KS**

**November 14, 2016**

## STAFF REPORT

***PC 16-8 Conditional Use Permit, at the request of the U.S. Cellular as agent to owner Running R Property Management, LLC, for the placement of an Flush Mounted Antenna in a "C-4, Central Business District"***

<b>Date:</b>	October 11, 2016
<b>Owner:</b>	Running R Property Management, LLC
<b>Applicant:</b>	Tracey Malone, on behalf of U.S. Cellular, as agent to owner
<b>Requested Action:</b>	Conditional Use Permit
<b>Purpose:</b>	Placement of an Flush Mounted Antennas against the building of Sunflower Hotel
<b>Location address:</b>	409 NW 3rd Street, Abilene, Kansas
<b>Comprehensive Plan:</b>	<b>Key Issue 3</b> – Lack of coordinated marketing efforts to promote economic and cultural activities; <b>Goal B</b> – Market Abilene to Abilenians
<b>Sites Existing Zoning:</b>	"C-4, Central Business District"
<b>Surrounding Zoning and Land Use:</b>	North: "C-4, Central Business District" South: "C-4, Central Business District" East: "C-4, Central Business District" West: "C-4, Central Business District"
<b>Land Area:</b>	0.32 acres, more or less
<b>Notice Date:</b>	Notice of the Public Hearing was published in the Abilene Reflector-Chronicle on September 20, 2016 and by mail as required by the Section 26-102 of the Zoning Regulations.

### **COMMENTS**

1. Running R Property Management, LLC. request a conditional use permit to construct a Flush Mounted Antennas to the rooftop of Sunflower Hotel for the purposes of cellular communication.
  
2. Zoning Regulations Article 24 states the following with respect to telecommunication towers:
 

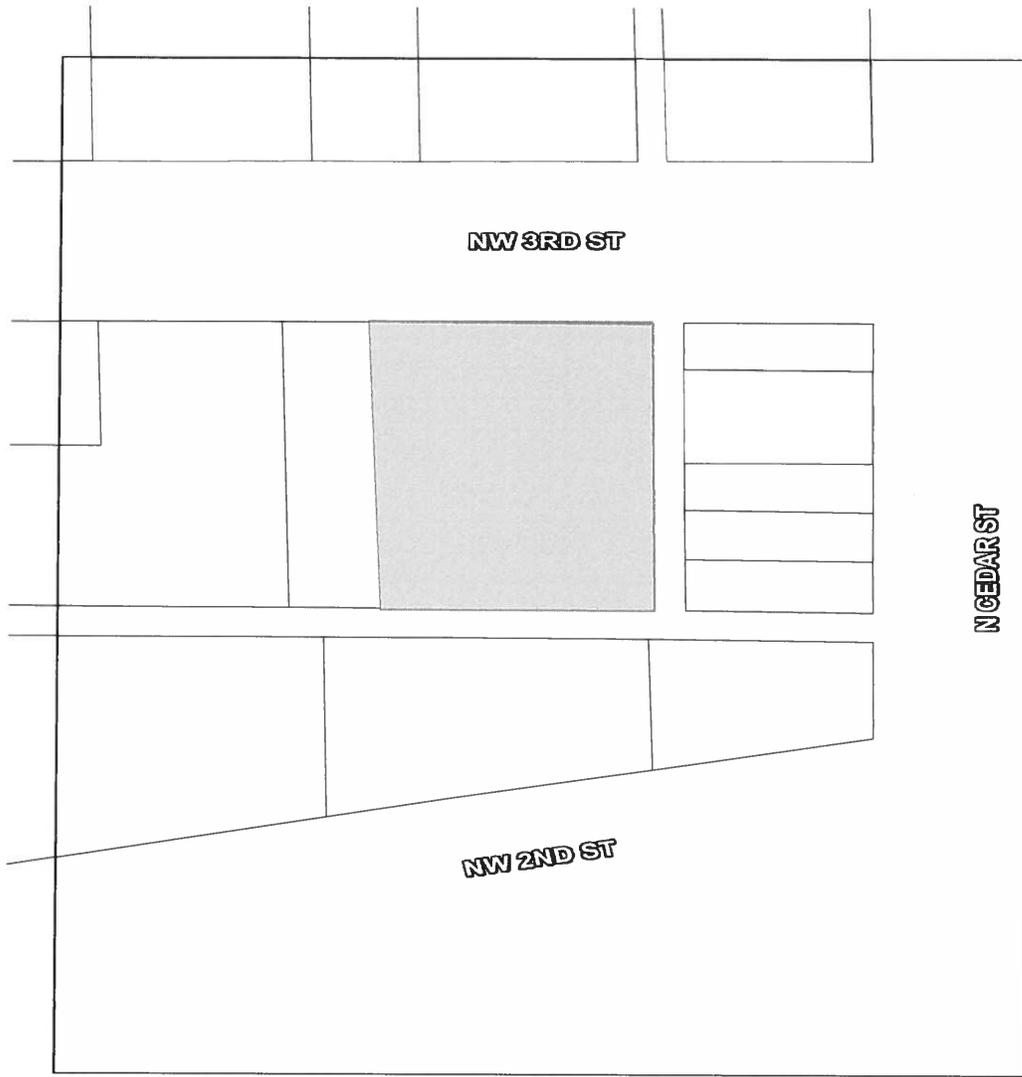
*"Consideration of an application for a Conditional Use Permit for a telecommunications tower shall be considered and acted upon by the Planning Commission and Governing Body in adherence to the limitations upon local authorities set out in the National Wireless Telecommunications Siting Policy, Section 332(c), 47 U.S.C. 332(c) which provides in part that the regulation of the placement, construction and modification of personal wireless service facilities by a local government shall not unreasonably discriminate among providers of functionally equivalent services; and shall not prohibit nor have the effect of prohibiting the provision of personal wireless services. Further, the siting policy provides that a local government shall act on any request for authorization to place, construct or modify personal wireless service facilities within a reasonable period of time after the request is duly filed, taking into account the nature and scope of such request. Further that any decision by a local government to deny a request to place, construct or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record. And further that no local government may regulate the placement, construction and modification of personal wireless*

*service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the F.C.C.'s regulations concerning such emissions."*

3. Running R Property Management, LLC is the owners of property at 409 NE 3<sup>rd</sup> Street is the owner of record, but Tracey Malone will be the authorized agent of the property owner has provided the City with sufficient documentation demonstrating the authority to sign on the property owner's behalf.
4. The proposed construction of the Flush Mounted Antennas will be located on property NW 3<sup>rd</sup> Street and has been review from the Abilene Historical Society to ensure that requirements are met.



*Aerial of Subject Property 409 NW 3<sup>rd</sup> Street*



*Drawing of Subject Property 409 NW 3rd Street*



Ground View from the side

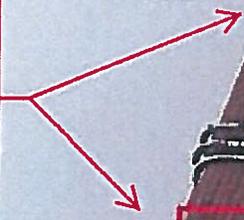


View from the roof top



View from across the street of

Alpha Sector  
Antennas painted  
to match brick



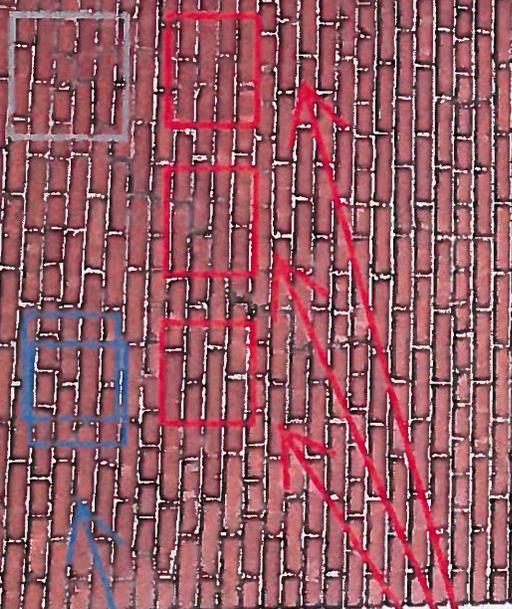
HOTEL

08 02 2016





RAYCAP



FLRBs

FXCBs Double Stacked



08 02 2016

## **RECOMMENDATION AND FINDINGS**

Staff recommends approval of a conditional use permit to be located at the subject property based on the following considerations outlined in Article 26-108 and 26-110:

1. Whether the change in classification would be consistent with the intent and purpose of these regulations. Article 24 of the Zoning Regulations provides regulations for telecommunication towers so as to “preserve, protect and promote the public health, safety, and general welfare.” The Article further states placement, construction and modification of personal wireless service facilities by a local government shall not unreasonably discriminate among providers of functionally equivalent services; and shall not prohibit nor have the effect of prohibiting the provision of personal wireless services. Further, the siting policy provides that a local government shall act on any request for authorization to place, construct or modify personal wireless service facilities within a reasonable period of time after the request is duly filed, taking into account the nature and scope of such request. Further that any decision by a local government to deny a request to place, construct or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record. And further that no local government may regulate the placement, construction and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the F.C.C.'s regulations concerning such emissions.” Staff has no evidence that the proposed use would be inconsistent with the aforementioned intent and purpose of Article 24.
2. The character and condition of the surrounding neighborhood and its effect on the proposed change. The subject property is located in an area of the community that has a Central Business District of uses ranging from commercial, institutional (governmental), and residential.
3. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and if so, the nature of such changed or changing conditions. The catalyst for the proposed Conditional Use permit is not necessitated by a change of the conditions to the area. Incidentally, the Running R Property Management, LLC. request a conditional use permit to construct a Sled Mounted Antennas to the rooftop of Sunflower Hotel for the purposes of cellular communication, which they have conditional use permits located on their site already with Verizon.
4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such change in classification. As previously mentioned, the subject property is in an area that has Central Business District of land uses.
5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on other property in the immediate vicinity. The subject property is presently zoned as “C-4”, Central Business District.” The subject matter of the request is whether to allow a sled mounted antennas to the roof on the property. As such, if the Conditional Use Permit is approved it will not add to or diminish the uses that are currently allowed on the property by right or conditionally.
6. The suitability of the applicant’s property for the uses to which it has been restricted. The proposed telecommunication antenna will be located on the roof of the Sunflower Hotel and will following the Conditional Use Permit as directed by the Planning Commission’s final agreement.
7. The length of time the subject property has remained vacant or undeveloped as zoned. The property has been used by the Sunflower Hotel for rooming visitors and clients purposes since the 1930s.
8. Whether adequate sewer and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on the property if it were reclassified. This point is not applicable to the proposed request.

9. The general amount of vacant land that currently has the same zoning classification proposed for the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development. This point is not applicable to the proposed request.
10. The recommendations of professional staff and advisors. Staff recommendations are discussed below.
11. Whether the proposed amendment would be in conformance to and further enhance the implementation of the Comprehensive Plan. Key Issue 3 in the Comprehensive Plan identifies the "lack of coordinated marketing efforts to promote economic and cultural activities." Goal B of Key Issue 3 establishes the goal of "marketing Abilene to Abilenians." Staff is of the opinion that the proposed telecommunication antenna aligns with these two points in the Comprehensive Plan, and will allow the US Cellular to market its offerings to the general public.
12. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification. This point does not seem to be applicable to the proposed telecommunication antenna as the applicant does not own or seem to control a majority stake in the subject property. The hardship created if the telecommunication antenna tower is not approved may be the potential loss of rent revenue by property owner if the applicant plans to operate under the terms of a lease with the property owner for use of the property for telecommunication. The hardship to the applicant, although not the property owner, may be losses of revenue arising from lose of customers as a result of potential hardships associated with cellular phone use in the area. It would be difficult to determine if a loss of revenue resulted from a lack of telecommunication towers at the proposed location.
13. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.

Staff recommends approval of a conditional use permit for telecommunication antenna tower to be located at the subject property based on the following considerations outlined in Article 26-110:

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations. Please refer to Item 1 in the aforementioned section.
2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood. Please refer to Items 2, 4, and 5 in the aforementioned section.
3. Whether the proposed use places an undue burden on the existing public infrastructure in the area affected, and if so, whether additional infrastructure can be provided. Electric service in the area is provided by Westar Energy and is adequate to accommodate the proposed use.
4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected. Please refer to Item 3 in the aforementioned section.

### **Recommended Conditions**

Staff recommends approval of a conditional use permit for a telecommunication antenna tower to be located at the subject property and building with the following conditions:

1. The location of antenna tower in nonresidential areas and minimize the appearance of the tower;
2. Encourage users of tower and antennas to co-locate them, to the extent possible, in areas where the adverse impact on the community is minimal;
3. Minimize adverse visual and aesthetic effects of tower through careful design, the new structure is a prefabricated 10' tall equipment building and is set back from adjacent property line 60 feet.

4. Avoid potential damage to adjacent properties and personal injury from tower failure and falling ice and debris through engineering, careful siting of tower structures, and other requirements;
5. Ensure compliance with applicable City of Abilene, State of Kansas, federal statutes and regulations;
6. Comply with all necessary and relevant requirements of the Telecommunications Tower in Article 24, as amended.
7. The telecommunication antenna tower was reviewed and recommended by a vote of 4-0 by the Historic Preservation Commission that the proposed design and location meet their concerns with regard to the Historic Sunflower Hotel site and location.
8. Towers shall not be artificially lighted, unless required by the Federal Aviation Administration, Federal Communications Commission or other applicable authority. If lighting is required, such lighting shall be to the minimum applicable standards so as to minimize the disturbance to the surrounding views.
9. The main telecommunication antennas and equipment will be entirely enclosed by a security access door on the roof top of the Sunflower Hotel. This requirement shall not apply to alternative tower structures provided equivalent alternative security measures are installed.
10. Telecommunications towers and antennas shall be constructed to the minimum height necessary to accomplish their required telecommunications purpose.
11. The environmental effects of radio frequency emissions shall not serve as a basis to approve, deny or otherwise regulate a telecommunications tower or antenna to the extent said emissions comply with Federal Communications Commission regulations concerning said emissions.

#### Article 24 Telecommunication Towers Applicants Response

##### 1. Section 24-101

- a. The proposed antenna installation requires a condition use permit because it involves the installation of radio antenna.
- b. Radio frequency engineers have determined a need for another project location central to the City of Abilene for both geographic coverage as well as improvements in call and data network traffic. Current project locations are all outside of the City Limits of Abilene, primarily north east and west of Abilene near Interstate 70. These existing locations cannot be modified to improve the network inside the City.
- c. The new structure is a prefabricated 10' tall equipment building and is set back from adjacent property lines 60' feet.
- d. This proposal involves this installation of antenna on an existing structure and is categorized as an existing structure/building collocation. The requirement to exclude all other collectable buildings, structures, and towers was seen as inapplicable to this project. Radio engineers did evaluate other existing structures including the water tower at 210 NE 13<sup>th</sup> Street and 1040 NW 8<sup>th</sup> Street owned by Nex-Tech Wireless, LLC. The engineers determined on March 14, 2016 that these locations were not suitable to meet radio frequency objectives.  
The radio frequency engineer's request for a new location mentioned the Sunflower Building by name as the location that was best suited to meet US Cellular's objectives in the area. US Cellular's objectives in this case are to improve coverage and capacity in downtown Abilene.
- e. This section is inapplicable. This is not a proposal for a new communication tower.
- f. This section is inapplicable. This is not a proposal for a new communication tower
- g. This wireless communication facility antenna and equipment will meet FAA and FCC requirements. No lighting is proposed.
- h. Pending on application.

##### 14. Section 24-2 Fencing and Screening 24-201

- a. The ground compound is proposed to be fenced. See the construction drawings

##### 15. Section 24-3 24-301

- a. All applicable setbacks are met or exceeded city guidelines.
16. Section 24-4  
24-401  
Fencing is proposed on the ground. Rooftop access will be controlled
17. 24-5 Access  
24-501  
The ground equipment location is adjacent to a back parking lot in a secure place.
18. Section 24-7 Design of the antenna design was proposed to blend into the character of the existing building.

**Planning Commission Action**

Per Section 26-104(a) of the Zoning Regulations, the Planning Commission has the following options with respect to this item:

1. Recommend to the governing body approval of the proposed ordinance that would permit the conditional use of a telecommunication antenna on the subject property subject to the conditions recommended by the Planning Commission.
2. Recommend to the governing body partial approval of the proposed ordinance that would permit the conditional use of a telecommunication antenna on the subject property subject to the conditions recommended by the Planning Commission. The Planning Commission would need to specify the parts of the proposed ordinance that are recommended for approval and which are not recommended for approval.
3. Recommend to the governing body denial of the proposed ordinance that would permit the conditional use of a telecommunication antenna on the subject property subject to the conditions recommended by the Planning Commission.

The proposed Ordinance has been prepared and is included with this memorandum for the Planning Commission's review and consideration.

All options will require the Planning Commission to include with its recommendation reasons for such recommendation to the governing body. If a motion for approval fails to gain approval for any reason, the application is deemed to have been denied and will be submitted to the governing body.

**RESOLUTION NO. 111416-2**

**A RESOLUTION APPROVING A PROPOSAL FROM OLSSON ASSOCIATES CONCERNING AN AQUIFER DELINEATION/HYDROGEOLOGIC EVALUATION FOR FUTURE WATER SUPPLY**

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

**WHEREAS**, the City Commission desires to conduct an Aquifer Delineation/Hydrogeologic Evaluation (“Study”) to obtain a model to guide current and future water supply decisions.

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

**SECTION ONE. Work Order**. That a Letter Proposal from Olsson Associates is hereby adopted as attached hereto as **Exhibit A**.

**SECTION TWO. Appropriation of Funds**. The Study will be funded from the Water Fund.

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

**PASSED AND APPROVED** by the Governing Body of the City of Abilene, Kansas this 14<sup>th</sup> day of November, 2016.

**CITY OF ABILENE, KANSAS**

By: \_\_\_\_\_  
Dee Marshall, Mayor

**ATTEST:**

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

**EXHIBIT A**

**Letter Proposal for an Aquifer Delineation/Hydrogeologic Evaluation  
by  
Olsson Associates**

August 31, 2016

Lon Schrader, Public Works Director  
601 NW 2<sup>nd</sup> St.  
P.O. Box 519  
Abilene, KS 67410

Subject: Letter Proposal for Aquifer Delineation/Hydrogeologic Evaluation

Dear Lon,

A few weeks ago we discussed putting together a letter proposal to perform an Aquifer Delineation/Hydrogeologic Evaluation for the City of Abilene ("City"). We have put together a scope of work for the City based on this discussion and on similar work we've performed for the other clients. That said, this scope is only provided for reference and could be modified to meet the needs of the City.

**Proposed Scope of Work:**

Olsson Associates will prepare an Aquifer Delineation/Hydrogeologic Evaluation Report for the City. The Aquifer Delineation is intended to provide an analysis of hydrogeologic data to assist the City in future test well drilling to enhance the City's available water supply and to provide the necessary information for a comprehensive Hydrogeologic Evaluation of the aquifer in the vicinity of the City.

The draft scope includes preparing GIS maps with the following information:

1. Map of Permitted Wells by Use Type
2. Delineation of Well Capacity
3. Depth to Bedrock Map
4. Geologic Cross-Sections
5. Aquifer Saturated Thickness
6. Transmissivity of the Principal Aquifer

The maps listed above will be developed based on the geologic information provided in the Kansas Geologic Survey Water Well Completion (WWC5) Database and other published information. No field work is included in this scope of work. Additional information to be provided to Olsson Associates by the City is to include all available hydrogeologic and geologic information from previous studies conducted by the City and not generally available otherwise.

We understand that, for purposes of test well exploration, the City is primarily interested in areas within the alluvial aquifer east of the City. However, these maps will be prepared for a larger area in order to facilitate the Hydrogeologic Evaluation of the entire stream/aquifer system that comprises the source of the City's water supply. Expansion of the Aquifer Delineation from the areas east of the City to the full area needed for the Hydrogeologic Evaluation could be shifted to this later task. However, we feel this approach is more efficient, and the estimated fees reflect the enhanced efficiency of this approach.

601 P Street, Suite 200  
P. O. Box 84608  
Lincoln, NE 68508-2303

TEL 402.474.6311  
FAX 402.474.5160 [www.olssonassociates.com](http://www.olssonassociates.com)

The Hydrogeologic Evaluation will involve a comprehensive assessment of this stream/aquifer system that will culminate in the development of a groundwater model that can be used to answer questions regarding the long-term sustainability of the City's water supply. Groundwater model development shall utilize the best available scientific data and information and shall utilize the U.S. Geological Survey modeling software MODFLOW, the industry standard. Following construction of the model with these data sets the model will be calibrated to real-world observed conditions such as water level and/or aquifer discharge to rivers and/or springs. Model calibration shall include a steady state calibration to determine initial steady state conditions and a transient calibration to ensure the model is properly calibrated to changes in aquifer stress over time.

Reports and related maps and other illustrations will be prepared for both the Aquifer Delineation Phase and the Hydrogeologic Phase of this study. After the report and maps are reviewed and approved by the City, they will be provided in hard copy and digital format so that the City can disseminate them as needed.

#### **Estimated Fees**

Olsson Associates will complete the proposed scope of work under contract with the City on a time and materials not to exceed contract in the amount of \$24,000 for the Aquifer Delineation and \$45,000 for the Hydrogeologic Evaluation, for a total of \$69,000. The fees will be all inclusive and incorporate our costs to perform the Aquifer Delineation and Hydrogeologic Evaluations, produce the electronic (PDF) and hard copy maps, and attend up to three meetings to present preliminary and final findings of the study. Additionally, we propose that the contract be set up on a time and materials basis so that should the work be completed for less than our estimate, the City would only be required to pay for the time and materials required to complete this scope.

#### **Estimated Schedule**

As illustrated in the following Estimated Timeline, we anticipate that the entire scope of work will take approximately 1 year to complete. The final report and electronic maps would be provided after comments are received on the Draft report. This schedule is only an estimate and can be modified to meet your internal deadlines and publication requirements.

Description of Phases and Tasks	Estimated Timeline							
	Calendar Year 2016				Calendar Year 2017			
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
<b>Phase 1: Aquifer Delineation</b>								
Data Compilation								
Map and Cross-section Development								
Prepare Report								
Meeting with City to Present Maps and Launch Phase 2								
<b>Phase 2: Hydrogeologic Evaluation</b>								
Hydrologic Data Compilation								
Model Construction and Calibration								
Final Report Preparation/Submittal								
Intermediate and Final Project Meeting								

We hope that this information is useful in deciding whether the City would like to move forward with this study. We would like to reiterate that this is a proposed scope and schedule based on similar projects. The scope and schedule may be altered to meet your needs. If you have questions or would like to see an estimate with other information included, please do not hesitate to call.

Sincerely,



James Schneider, Ph.D.  
 Senior Scientist

**MANUAL PAYABLES****November 14, 2016**

Date	Check Number	Vendor	Line Item	Amount	Description
10/19/2016	22725	Smart Insurance	001-002-520430	\$ 50.00	Insurance for notary Alicia Hoffman
10/19/2016	22726	Ks Secretary of State	001-002-520430	\$ 25.00	Notary Alicia Hoffman
11/1/2016	22734	North Central Regional Planning Commission	001-001-520280	\$ 50.00	2016 NCRPC Banquet
<b>Total</b>				<b>\$ 125.00</b>	

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November 2016

Name	Check Date	Check Amt	
<b>002000 Astra Bank checking</b>			
Paid Chk# 022741	ABILENE AREA CHAMBER COM	11/14/2016	\$1,200.00 ABILENE BUCKS - SERVICE AWARDS
Paid Chk# 022742	ABILENE PRINTING & OFFICE	11/14/2016	\$2,010.00 OFFICE PAPER
Paid Chk# 022743	ABILENE PUBLIC LIBRARY	11/14/2016	\$5,046.75 OCT 2016 DISBURSEMENTS
Paid Chk# 022744	ABILENE ROTARY CLUB	11/14/2016	\$469.50 DUES 3RD QTR DILLNER & WILKINS
Paid Chk# 022745	ABILENE TERMITE & PEST CO	11/14/2016	\$245.00 PEST CONTROL - SHOP, OFFICES &
Paid Chk# 022746	APAC, INC - SHEARS	11/14/2016	\$789.99 HOT MIX
Paid Chk# 022747	APPLIED CONCEPTS, INC	11/14/2016	\$319.00 STALKER ANTENNA REPAIR
Paid Chk# 022748	ARCADIA PUBLISHING	11/14/2016	\$280.36 GIFT SHOP MERCH
Paid Chk# 022749	BAYER CONSTRUCTION CO, IN	11/14/2016	\$1,719.64 COLD MIX/KDOT 64-28 15%
Paid Chk# 022750	BOARD OF EMS	11/14/2016	\$30.00 SIMS - RECERTIFICATION RENEWAL
Paid Chk# 022751	CAT CANS PORTABLE SERVICE	11/14/2016	\$205.00 PORTA POTTIES FOR K-STATE EVEN
Paid Chk# 022752	CENTRAL KS FOUNDATION	11/14/2016	\$150.00 HASKINS EVAL
Paid Chk# 022753	CENTRAL MECHANICAL CONST	11/14/2016	\$234.00 REMOVE & STORE WATER HTR VALVE
Paid Chk# 022754	CERTIFIED FOLDER DISPLAY	11/14/2016	\$3,426.43 ABILENE VISITOR GUIDE
Paid Chk# 022755	CLARK, MIZE & LINVILLE CHART	11/14/2016	\$3,190.00 SEPT 2016 LEGAL SERVICE
Paid Chk# 022756	CONSOLIDATED PRINTING	11/14/2016	\$1,910.86 COACHES SHIRTS TACKLE FB/YFALL
Paid Chk# 022757	COOPER, KELLY	11/14/2016	\$1,500.00 OCT 2016 CLEANING
Paid Chk# 022758	D S & O RURAL ELECTRIC COO	11/14/2016	\$160.65 ANNUAL LIGHT ONLY STOVR
Paid Chk# 022759	DANKO EMERGENCY EQUIPME	11/14/2016	\$1,002.97 METAL CUTTING SAW & 2 CO2 MONI
Paid Chk# 022760	DAVIS, MONTE	11/14/2016	\$15.00 REFUND WATER CONNECT FEE - DID
Paid Chk# 022761	DK CTY ADMINISTRATION	11/14/2016	\$808.92 DIESEL
Paid Chk# 022762	DK CTY SHERIFF	11/14/2016	\$5,250.00 SEPT 2016 PRISONER CARE
Paid Chk# 022763	DON'S TIRE & SUPPLY	11/14/2016	\$542.20 TIRES CAR 11
Paid Chk# 022764	EAGLE COMMUNICATIONS	11/14/2016	\$270.00 ETHERNET SERVICE NOV 2016
Paid Chk# 022765	KARLA EFURD	11/14/2016	\$126.50 MILEAGE TO MANHATTAN X 2
Paid Chk# 022766	EISENHOWER FOUNDATION	11/14/2016	\$375.00 3 TICKETS FOR 2016 LEGACY GALA
Paid Chk# 022767	FAIRBANK EQUIPMENT, INC	11/14/2016	\$32.45 BANDIT ANVIL
Paid Chk# 022768	FILE SAFE	11/14/2016	\$1,679.42 LEKTRIEVER REPAIR
Paid Chk# 022769	GARCIA, FAVIO	11/14/2016	\$150.00 TRANSLATE - RODRIGUEZ & GUZMAN
Paid Chk# 022770	GGA-PC	11/14/2016	\$12,000.00 CITY HALL RENOVATION PLANS/JOI
Paid Chk# 022771	GORILLA GUTTERING	11/14/2016	\$245.60 CITY BUILDING GUTTER SUPPLIES
Paid Chk# 022772	GRAY	11/14/2016	\$800.00 TRT ADVERTISING
Paid Chk# 022773	HD SUPPLY WATERWORKS	11/14/2016	\$117.00 TUBING
Paid Chk# 022774	HOLM AUTOMOTIVE CENTER	11/14/2016	\$2,630.81 WINDOW REGULATOR REPAIR CAR 11
Paid Chk# 022775	MICHAEL HOOK	11/14/2016	\$1,458.33 CONTRACT LABOR
Paid Chk# 022776	IMAGE QUEST	11/14/2016	\$235.61 MAINT FEES 10/20-11/20/16
Paid Chk# 022777	INDEPENDENT SALT COMPANY	11/14/2016	\$915.00 ROAD SALT
Paid Chk# 022778	INTERNATIONAL CODE COUNCI	11/14/2016	\$135.00 2017 ICC DUES
Paid Chk# 022779	ISG TECHNOLOGY, INC	11/14/2016	\$181.00 VERTIAS BACKUP EXEC.
Paid Chk# 022780	JERRY A. MILLER	11/14/2016	\$3,947.30 AWOS MAINT FEE/REPLACEMENT AUP
Paid Chk# 022781	JOHN'S SERVICE	11/14/2016	\$65.00 TOW BILL
Paid Chk# 022782	KA-COMM, INC.	11/14/2016	\$175.00 REPAIR LIGHTS CAR 12
Paid Chk# 022783	KANSAS GAS SERVICE	11/14/2016	\$623.72 GAS SERVICE
Paid Chk# 022784	KANSAS ONE-CALL SYSTEM, IN	11/14/2016	\$80.00 80 LOCATES
Paid Chk# 022785	KENNAMETAL, INC	11/14/2016	\$396.97 RZ2-02P
Paid Chk# 022786	KEY EQUIPMENT & SUPPLY	11/14/2016	\$281.09 LED LIGHT

CITY OF ABILENE

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	Name	Check Date	Check Amt	
Paid Chk# 022787	KLEIST, EMMA	11/14/2016	\$20.00	REFUND BB
Paid Chk# 022788	KOMLINE-SANDERSON	11/14/2016	\$153.23	PROXIMITY SWITCH
Paid Chk# 022789	KRWA	11/14/2016	\$360.00	CONFINED SPACE TRAINING
Paid Chk# 022790	KS DEPT OF REVENUE	11/14/2016	\$80.00	8 DMV CHECKS
Paid Chk# 022791	KS TREASURER	11/14/2016	\$6,315.56	GO BOND 2015-B LIBRARY/POOL IN
Paid Chk# 022792	LA RUE DISTRIBUTING INC	11/14/2016	\$72.62	COFFEE
Paid Chk# 022793	LAST CHANCE GRAPHICS	11/14/2016	\$267.98	HALLOWEEN SAFETY
Paid Chk# 022794	LEAGUE KS MUNICIPALITIES	11/14/2016	\$218.07	DEVELOPMENT DIRECTOR JOB AD
Paid Chk# 022795	LINDER ELECTRIC	11/14/2016	\$1,449.31	GFI & A/C WORK
Paid Chk# 022796	LIPCO	11/14/2016	\$183.42	GIFT SHOP MERCH
Paid Chk# 022797	MEDINA PROMOTIONS/KS BEST	11/14/2016	\$400.00	CHRISTMAS PARTY ENTERTAINMENT
Paid Chk# 022798	MIDWEST CONCRETE MATERIA	11/14/2016	\$455.25	CONCRETE
Paid Chk# 022799	MIDWEST LIVING	11/14/2016	\$15.00	RENEW SUBSCRIPTION
Paid Chk# 022800	NEOFUNDS BY NEOPOST	11/14/2016	\$257.36	POSTAGE
Paid Chk# 022801	NEX-TECH	11/14/2016	\$2,450.42	PHONE SERVICE
Paid Chk# 022802	NOZZTEQ	11/14/2016	\$1,824.00	WART-HOG 1"
Paid Chk# 022803	OCCUPATIONAL PERFORMANC	11/14/2016	\$266.00	DRUG SCREEN & PHYSICAL - LEUSM
Paid Chk# 022804	ONIX NETWORKING CORP.	11/14/2016	\$91.74	GOOGLE APPS
Paid Chk# 022805	OSBORN PROPERTIES	11/14/2016	\$200.00	BILLBOARD
Paid Chk# 022806	PACE ANALYTICAL SERVICES	11/14/2016	\$555.40	BASIN TEST WWTP
Paid Chk# 022807	POCKET PRESS	11/14/2016	\$116.87	CRIMINAL LAW BOOKS
Paid Chk# 022808	POLYDYNE, INC	11/14/2016	\$1,094.58	PLOYMER FOR BELT PRESS
Paid Chk# 022809	PRAIRIE FIRE COFFEE	11/14/2016	\$83.80	COFFEE
Paid Chk# 022810	PURVIS LAW OFFICE, LLC	11/14/2016	\$195.00	ZACH RUEHLEN 15-0333
Paid Chk# 022811	QUILL	11/14/2016	\$105.60	COFFEE/PENS
Paid Chk# 022812	R E PEDROTTI CO, INC	11/14/2016	\$6,530.00	12" FOXBORO MAGNETIC METER FOR
Paid Chk# 022813	RELENTLESS, LLC	11/14/2016	\$590.00	DESERT SNOW TRAINING - HUEN
Paid Chk# 022814	CHARLES D COOPER	11/14/2016	\$600.00	OCT 2016 CLEANING
Paid Chk# 022815	RHV DO IT BEST HARDWARE	11/14/2016	\$299.00	FRIDGE
Paid Chk# 022816	ROBSON OIL CO, INC	11/14/2016	\$4,397.44	FUEL
Paid Chk# 022817	S & K ELECTRIC	11/14/2016	\$774.60	LAB & MATERIALS - CC SIGN LIGH
Paid Chk# 022818	SAGE PRODUCTS, INC	11/14/2016	\$275.00	GREEN & BLUE PAINT
Paid Chk# 022819	SALINA SUPPLY CO	11/14/2016	\$594.42	BI PARK VANDALISM REPAIRS
Paid Chk# 022820	SAMS CLUB/GECF	11/14/2016	\$195.58	CONCESSION SUPPLIES
Paid Chk# 022821	SELLERS EQUIPMENT, INC	11/14/2016	\$265.68	SWEEPER RUBBER FLAP END/TIGER
Paid Chk# 022822	SMART INSURANCE	11/14/2016	\$830.00	COMM UMBRELLA
Paid Chk# 022823	SMITH HEATING & AIR	11/14/2016	\$1,195.00	FURNACE OLD PARK SHOP
Paid Chk# 022824	SUPERIOR SANITATION SERVIC	11/14/2016	\$410.00	TRASH SERVICE @ CVB, RECYCLE &
Paid Chk# 022825	ANDREA K. SWISHER	11/14/2016	\$2,083.33	NOV 2016 SERVICE
Paid Chk# 022826	T & M CONCRETE CONSTRUCTI	11/14/2016	\$85,624.82	11TH STREET
Paid Chk# 022827	TASER INTERNATIONAL	11/14/2016	\$1,698.04	CARTRIDGES
Paid Chk# 022828	THE FLOWER BOX	11/14/2016	\$57.82	PLANT FOR STRODA FUNERAL
Paid Chk# 022829	THOMAS OUTDOOR ADVERTISI	11/14/2016	\$405.00	BILLBOARD
Paid Chk# 022830	UNIFIRST CORPORATION	11/14/2016	\$2,257.04	UNIFORM SERVICE
Paid Chk# 022831	UNITED ROTARY BRUSH CORP	11/14/2016	\$546.02	STRIP BRUSH
Paid Chk# 022832	UNIVERSAL, INC	11/14/2016	\$130.14	GLOVES
Paid Chk# 022833	US BANK EQUIPMENT FINANCE	11/14/2016	\$651.81	COPIER LEASE 10/21-11/21/16

CITY OF ABILENE

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\*Check Summary Register©

November 2016

Name	Check Date	Check Amt	
Paid Chk# 022834	US POST OFFICE-POSTMASTER	11/14/2016	\$215.00 STANDARD MAIL PERMIT #1
Paid Chk# 022835	VERIZON WIRELESS	11/14/2016	\$1,366.05 CELL PHONE SERVICE
Paid Chk# 022836	VISA - UMB MUNICIPAL COURT	11/14/2016	\$127.50 SUPPLIES
Paid Chk# 022837	JACK E MEEHAN	11/14/2016	\$17.50 LAUNDRY
Paid Chk# 022838	WEBB HOME CENTER	11/14/2016	\$121.59 PIPE INSULATION/SEAL HARDENER
Paid Chk# 022839	WESTAR ENERGY	11/14/2016	\$43,826.38 ELECTRIC SERVICE
Paid Chk# 022840	WEST'S PLAZA COUNTRY MART	11/14/2016	\$2,383.89 42 EMPLOYEE GIFT CARDS
Paid Chk# 022841	ANGELA WILKINS	11/14/2016	\$12.00 SHIRTS FOR HALLOWEENIE
Paid Chk# 022842	WILLGRATTEN PUBLICATIONS L	11/14/2016	\$580.97 OCT ADS & LEGALS
Paid Chk# 022843	ZEYS MARKET	11/14/2016	\$1,680.00 42 EMPLOYEE GIFT CARDS
	<b>Total Checks</b>		<b>\$235,399.90</b>

FILTER: None

**City of Abilene**  
**Payroll Expenditures Report**  
**11/04/2016 PP#22**

PAYROLL CODE		TOTALS
	NET SALARIES	\$ 72,147.51
051 & 501	OASDI - CITY/EMPLOYEE	\$ 12,848.70
049 & 502	MEDICARE - CITY/EMPLOYEE	\$ 3,004.96
001	FEDERAL WITHHOLDING - EMPLOYEE	\$ 10,130.58
503	KPERS - CITY	\$ 5,395.53
056, 057, 059	KPERS EMPLOYEE	\$ 3,526.48
505	KPERS RETIREE/EMPLOYER	\$ 137.70
153	KPERS GROUP LIFE - EMPLOYEE	\$ 123.09
504	KPF - CITY	\$ 9,125.00
61	KPF EMPLOYEE	\$ 3,195.09
155	KPF GROUP LIFE- EMPLOYEE	\$ 54.71
105 & 540	WADDELL & REED 457 - CITY/EMPLOYEE	\$ 1,865.00
204	WADDELL & REED 529 - EMPLOYEE	\$ 125.00
110	WADDELL & REED SAVINGS - EMPLOYEE	\$ 220.00
005	STATE TAX - EMPLOYEE	\$ 3,133.47
120 & 170	AFLAC INSURANCE - EMPLOYEE	\$ 572.79
102	VISION CARE DIRECT - EMPLOYEE	\$ 111.49
104	VSP VISION PLANS - EMPLOYEE	\$ 211.50
140 & 510	HEALTH INSURANCE - CITY/EMPLOYEE	\$ 22,158.03
111 & 520	IMPACT SPORTS & FITNESS- CITY/EMPLOYEE	\$ 206.13
200	KS PAYMENT CENTER SUPPORT - EMPLOYEE	\$ 355.44
206	CALIFORNIA CHILD SUPPORT - EMPLOYEE	\$ 461.53
150 & 160	FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	\$ 1,117.45
121	POLICE & FIREMENS INS. - EMPLOYEE	\$ 20.92
	<b>TOTAL PAYROLL EXPENDITURES</b>	<b>\$ 150,248.10</b>