

## **AGENDA REPORT**

January 22, 2018

TO: Abilene City Commission  
FROM: Austin Gilley, City Manager  
RE: **City Manager notes to accompany agenda**

### **PURPOSE**

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This report is intended to provide brief summaries of each agenda item with staff input to assist in the deliberation, discussion, and debate of each agenda item.

### **CONSENT AGENDA**

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The consent agenda is a meeting tool to allow for the approval with one vote items that are routine business, non-controversial, or do not require debate by the Commission. Any item may be removed from this list to be discussed further by a separate motion and vote. The minutes from the previous meeting are a standing agenda item here.

6. 2018 GAAP Waiver Resolution (page 5): K.S.A. 75-1120a(a) requires municipalities to use GAAP (Generally Accepted Accounting Principles) in the preparation of their financial statements and reports but allows municipalities to waive this requirement to help save auditing cost of determining net worth annually of all infrastructure. The City has chosen every year to present statements and reports prepared on this cash basis system. Resolution No. 012218-1 is the formal waiver in compliance with statute.
7. Waterline bid (p. 6): Approval of the low bid of five bids for \$79,548.40 for two phases of water main rehabilitation project. The City is providing all construction materials, and the total cost of the project is estimated at \$116,000 and has been accounted for in the operating budget.

### **AGENDA**

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#### *11-12. Executive Session for Attorney-Client privilege to consider agreement for easement at 14<sup>th</sup> and Buckeye*

In order to proceed with the KDOT-participating intersection improvement project at 14<sup>th</sup> and Buckeye, the City needs to acquire additional easement rights at the southwest corner of 14<sup>th</sup> and Buckeye – the Engle House Bed & Breakfast, owned by Chris and Scott Ostermann. A draft agreement is included in this agenda packet. I am recommending that the Commission call for two separate 15-minute executive sessions for attorney client privilege for the consideration of this agreement. The first session would include all Commissioners, Scott Ostermann (if he chooses to attend), the City's Attorney Vic Davis, Public Works Director Lon Schrader, and the City Manager. The first session will be for the purpose of the Commission's hearing from the property owner and the City's Attorney. The second session would be for all of the same participants except Scott Ostermann, and it is my understanding Commissioner Chris Ostermann plans to recuse herself from the second session so that the remaining Commissioners may receive legal counsel on the draft agreement.

#### *13. Agreement for easement at 14<sup>th</sup> and Buckeye (p. 7)*

Following the executive sessions, the Commission will need to take action on the agreement – by voting to approve, amend, or reject the agreement. If the Commission rejects the agreement, staff will need additional direction on how best to proceed, such as proceeding to draft the resolution required for condemnation proceedings or altering the design of the improvement projects.

#### *14. Resolution 012218-2 in support of Ryan Wedel's Abilene Highlands lot request. (p. 13)*

Included in the packet are the request and resolution in support of an application to the Kansas Housing Resource



Commission for the potential funding of a subsidized housing development in the Highlands Addition. The applicant is asking for the City to convey 14 lots at no cost (City continues paying for infrastructure with no recovery fee assessed to applicant). If the Commission believes that this is the only development possible, then approving the request may be the appropriate action. Offering lots with no fees, however, appears to be a significant change in direction on the management of the Highland Addition lots. If the Commission is willing to do that, it may be appropriate to see what other types of development may be possible with that level of incentive. In any case, it appears this request is bringing to the forefront the fact that the City doesn't have a clear plan for how it would like to deal with this issue. The City's Economic Development Council has produced a draft policy, which is pending consideration by the Commission on a future agenda.

*15. Ordinance 3343: Zoning Amendment for regulating bulk chemical storage (p. 17)*

The Planning Commission is recommending the Commission adopt the ordinance included in the agenda packet on page 20 to amend the City's regulations to more clearly define what constitutes bulk chemical storage. The amendment was published, and a public hearing was held. This decision does not bind the City in any future Conditional Use Permit application, and such an application is pending and will be before the Planning Commission and possibly City Commission in due course.

*16. 2019 Budget: Compensation review*

This item will be a presentation regarding the City's policies and required market study on compensation as part of the 2019 Budget process. The presentation also will include a brief summary by the City Manager, Police Chief, and Public Works Director on some proposed position realignments but no added positions. No vote is required or sought at this meeting, but the official position list and pay ranges will be included on the February 12 Commission agenda. This direction is important for City staff to incorporate into its budget preparation.

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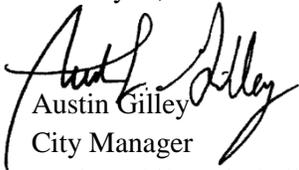
**OTHER INFORMATION**

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*Payroll and Accounts Payable (p. 21)*

These reports are provided as information with each meeting agenda.

Thank you,



Austin Gilley  
City Manager

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