

AGENDA REPORT

May 14, 2018

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

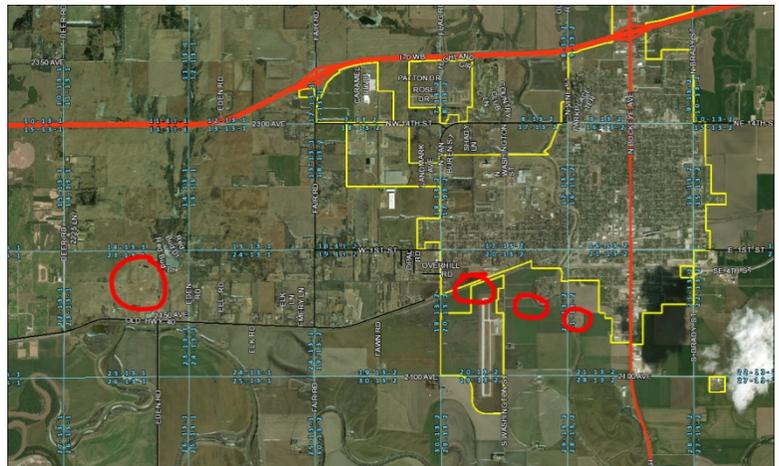
PURPOSE

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

CONSENT AGENDA

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. Any item may be removed from this list to be discussed further by a separate motion and vote. The agenda approval and minutes from the previous meeting are standing agenda items here.

- **Granting Right of Way and Easement access on City owned property for Kansas Gas Service:** The company is replacing some transmission lines and is modifying slightly the route of the line, almost all of which is outside City limits. The City owns four tracts of land affected by this move which is illustrated in the picture here. This requires permission from the Commission, and a payment to the City. All of the legal instruments and cover letter for the transactions are included in the packet starting on page 5. Upon approval the Mayor and staff can execute the documents.



- **Resolution for public hearing for Community Improvement District for Love's Travel Store:** On page 30 of the packet is the resolution setting the public hearing for the Love's Community Improvement District. This is in accordance with the process required by statute and City policy for the creation of such a district. After the public hearing, the Commission will be able to deliberate and to make a final ruling on the district. The district is limited to just the parcel on which the store will be located, and it would authorize an additional sales tax at that location to help offset costs of the development.
- **Appointment to Heritage Commission:** The City received an application for appointment to the Heritage Commission from Cindy Monroe of 1506 N. Kuney Street. The application is in the packet on page 37. This appointment would fill a vacant seat. City Code provides that the City Commission approves all appointments.
- **Ordinance rezoning lots in Dawson's Cottage Addition from R-1, Low Density Residential District to R-2, Medium Density Residential District:** The Planning Commission has reviewed and is recommending approval



of the zoning change application for 18 residential lots to allow for the construction of townhomes instead of single-family homes on the lots to the east of the Pizza Hut as pictured here. The ordinance and staff reports are included in the packet starting on page 38.



- **Ordinance rezoning 108 SE 6th Street from R-3, High Density Residential to C-3, General Commercial:** The Planning Commission has reviewed and is recommending approval of the zoning change application to allow a meeting center to operate at 108 SE 6th Street as pictured here – the Chisholm Trail Event Center. The ordinance and staff report are included in the packet starting on page 46.



AGENDA

12. Response letter to Attorney General regarding Kansas Open Meetings Act – Self Report withdrawal (p. 54)

The Commission directed me at its April 23 meeting to draft a response letter to the Attorney General’s Office withdrawing its self report – the draft letter is included in the packet.

13. Agreement for legal services with Clark, Mize, and Linville (p. 55)

Mayor Tim Shafer, City Clerk Penny Soukup, and I interviewed both City Prosecutor Dusty Mullin and the City’s former City Attorney Aaron Martin to serve as City Attorney. Both of these individuals and the firms for which they work are excellent options for legal services. I believe it is in the best interest of the City to retain and to work with both of these firms and individuals. As such, I am recommending we continue with Mr. Mullin as City Prosecutor, and I am recommending the Commission approve the agreement for legal services for Aaron Martin of Clark, Mize, and Linville to serve as the City Attorney. In accordance with City Code, Commission approval is not required for the selection. In accordance with the City’s purchasing policy, Commission approval is required for the contract terms. The proposed base fee is essentially the same as the City’s current arrangement at \$2,000 per month, and the agreement includes provisions for an hourly rate for work beyond basic services.

14. 2019 Budget: Special revenue operations: Recreation Commission, Convention and Visitors Bureau, Special Alcohol and Drug

In accordance with our budget work plan, we will be reviewing the recommended 2019 budget for the special revenue operations: Recreation Commission, Convention and Visitors Bureau, and Special Alcohol and Drug fund. Recreation



Director Jane Foltz, CVB Director Julie Roller, and Finance Director Marcus Rothchild will be presenting an operational review of each. Materials will be provided at the meeting. No formal action is required at this time.

15. Required annual review of Governance and Ends Policies

Due to absences both past and planned at Study Sessions and the need for this item to be reviewed with all present, I am placing it on the regular meeting agenda for review. The policy can be found online at the City's web site at: <http://abilenecityhall.com/documentcenter/view/423>. I plan to provide some recommended changes to the policy and review some of the provisions to ensure mutual understanding. Good policy establishes clear guidelines and provides for accountability – good policy avoids being too narrow to be impractical or too broad to be ineffective. For example, this policy requires annual review in April – it is now May. Has the City violated policy? For that matter, it is my understanding that the Commission has not reviewed this policy in recent years. This policy mandates that I bring such issues to the Commission's attention, but I don't think it was the 2011 Commission's intent to create accidental or inadvertent policy violations. My review and recommendations are aimed at trying to address some of these incompatible provisions while preserving and strengthening the overall policy itself.

16. Review of Land Bank Policy and proposed appointees

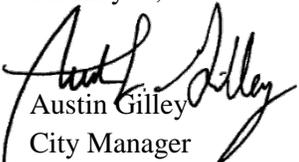
The City Attorney received word from the League of Kansas Municipalities regarding the interpretation of the Land Bank statute as being uniform to all cities – and therefore not adaptable as far as the powers and duties of the board. The ordinance can be found here: <http://abilenecityhall.com/DocumentCenter/View/1661>. I have received oral commitments from the following people who are willing to serve on the board: Maureen Dawson, Rick Williamson, Duane Schrag, and Kent Wyatt. I believe five members would be preferred. Recommendations, nominations, or volunteers are welcome. Commissioner Petersen also has expressed interest and a willingness to assist with this board. No formal action is required at this meeting. The goal is to gain some consensus direction and ensure understanding as we work on this very difficult and complicated issue.

OTHER INFORMATION

Payroll and Accounts Payable

These reports are provided as information with each meeting agenda.

Thank you,


Austin Gilley
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