



Abilene City Commission Meeting Minutes
Abilene Public Library – 209 NW Fourth Street
January 13, 2020 @ 4:00 p.m.
Abilene, Kansas

1. Call to Order

2. Roll Call – City Commission Present: Mayor Shafer, Commissioners Marshall, Ostermann and Witt. Absent: Commissioner Casteel.

Staff Present: Interim City Manager Foltz, Deputy City Clerk Mohr, City Attorney Martin, Finance Director Rothchild, Police Chief Mohn, Fire Chief Sims, Public Works Director Schrader, Interim Parks and Recreation Director Timbrook and Assistant Street Supervisor Hawk.

3. Pledge of Allegiance

City Commission Installation

4. Oath of Office to Commissioners-Elect

Deputy City Clerk Mohr presented the Oath of Office to newly elected City Commissioners Tim Shafer, Dee Marshall and Brandon Rein.

5. Mayor and Vice Mayor selection

Motion by Commissioner Marshall, seconded by Commissioner Witt to appoint Chris Ostermann as Mayor and Brandon Rein as Vice-Mayor. Motion carried unanimously 5-0. Roll call vote: Witt YES, Marshall YES, Rein YES, Shafer YES, Ostermann YES.

Consent Agenda

6. Agenda Approval for the January 13, 2020 City Commission Meeting

7. Meeting minutes: December 9, 2019 Regular Meeting

8. Approval of Resolution 011320-1, a resolution authorizing the City of Abilene's financial statements for fiscal year 2020 to be prepared in compliance with the cash basis and budgetary laws of the State of Kansas.

9. FAA agreement for Non-Primary entitlement fund transfer

10. Approval of the 2019 Audit engagement letter with Varney & Associates

11. Approval of the 2020 City Board appointments

Motion by Commissioner Marshall, seconded by Commissioner Shafer to approve the Consent Agenda as presented. Motion carried unanimously 5-0. Roll call vote: Shafer YES, Rein YES, Ostermann YES, Marshall YES, Witt YES.

Public Comments and Communications

12. Persons who wish to address the City Commission may do so when called upon by the Mayor.

There were no public comments or communications.

Old and New Business

13. **Consider Ordinance 19-3383, an Ordinance amending Chapter 1, Article 1 of the City Code of the City of Abilene, Kansas, by amending Section 1-104 concerning the Mayor and Vice Mayor for the City of Abilene, Kansas.**

Motion by Commissioner Marshall, seconded by Commissioner Witt to adopt Ordinance No. 19-3383, **AN ORDINANCE AMENDING CHAPTER 1, ARTICLE 1 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, BY AMENDING SECTION 1-104 CONCERNING THE MAYOR AND VICE MAYOR FOR THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 4-1. Roll call vote: Witt YES, Marshall YES, Ostermann YES, Rein YES, Shafer NO.

14. **Public hearing on Industrial Revenue Bonds related to the development of the Holiday Inn Express and Suites project.**

Sarah Steele, Gilmore and Bell, presented information regarding the Industrial Revenue Bonds related to the development of the Holiday Inn Express and Suites project.

Mayor Ostermann opened the Public Hearing at 4:10 pm.

Anjan Ghosh Hajra, Holiday Inn Express and Suites, thanked the City Commission, City Manager and City staff for all their work to move forward on this project.

Mayor Ostermann closed the Public Hearing at 4:11 pm.

15. **Consider Resolution No. 011320-2, a Resolution of the Governing Body of the City of Abilene, Kansas determining the advisability of issuing taxable Industrial Revenue Bonds for the purpose of financing the acquisition, construction and equipping of a hotel facility to be located in said city; authorizing execution of related documents.**

Sarah Steele, Gilmore and Bell explained this is a Resolution of Intent of the City to issue Industrial Revenue Bonds for the Holiday Inn Express and Suites project. This also includes a sales tax exemption for the project construction and furnishings and a ten-year property tax exemption after the construction process is complete.

Motion by Commissioner Witt, seconded by Commissioner Marshall to approve Resolution No. 011320-2, **A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS**

FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A HOTEL FACILITY TO BE LOCATED IN SAID CITY; AUTHORIZING EXECUTION OF RELATED DOCUMENTS. Motion carried unanimously 5-0. Roll call vote: Rein YES, Shafer YES, Marshall YES, Witt YES, Ostermann YES.

16. Public hearing on Community Improvement District for the development of the Holiday Inn Express and Suites project in the City of Abilene, Kansas.

Sarah Steele, Gilmore and Bell, explain the Community Improvement District allows the collection of an additional 2% sales tax within the hotel district. The additional tax will continue for 22 years. This assists the developer in recouping some of the costs of the project.

Mayor Ostermann opened the Public Hearing at 4:18 pm.

There were no public comments.

Mayor Ostermann closed the Public Hearing at 4:19 pm.

17. Consider Ordinance 19-3384, an Ordinance creating a Community Improvement District in the City of Abilene, Kansas; authorizing certain projects therein; approving the estimated costs of such projects; containing the legal description and map of the boundaries of the district; levying a Community Improvement District sales tax; and approving the method of financing the projects.

City Attorney Martin presented information regarding the Community Improvement District for the Holiday Inn Express and Suites project.

Motion by Commissioner Marshall, seconded by Commissioner Shafer to adopt Ordinance No. 19-3384, **AN ORDINANCE CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF ABILENE, KANSAS; AUTHORIZING CERTAIN PROJECTS THEREIN; APPROVING THE ESTIMATED COSTS OF SUCH PROJECTS; CONTAINING THE LEGAL DESCRIPTION AND MAP OF THE BOUNDARIES OF THE DISTRICT; LEVYING A COMMUNITY IMPROVEMENT DISTRICT SALES TAX; AND APPROVING THE METHOD OF FINANCING THE PROJECTS.** Motion carried unanimously 5-0. Roll call vote: Witt YES, Marshall YES, Rein YES, Shafer YES, Ostermann YES.

18. Consider Ordinance 19-3385, an Ordinance authorizing the execution of a transient guest tax agreement between the City of Abilene, Kansas and Narayan, Inc., as developer; and authorizing execution of other documents related thereto.

Sarah Steele, Gilmore and Bell, presented information regarding the transient guest tax agreement which includes a 3% rebate on transient guest tax for 10 years on the Holiday Inn Express and Suites hotel project.

Motion by Commissioner Marshall, seconded by Commissioner Rein to adopt Ordinance No. 19-3385, **AN ORDINANCE AUTHORIZING THE EXECUTION OF A TRANSIENT GUEST TAX AGREEMENT BETWEEN THE CITY OF ABILENE, KANSAS AND NARAYAN, INC., AS DEVELOPER; AND AUTHORIZING THE EXECUTION OF OTHER DOCUMENTS RELATED**

THERETO. Motion carried unanimously 5-0. Roll call vote: Shafer YES, Rein YES, Ostermann YES, Marshall YES, Witt YES.

19. Personnel Executive Session.

Motion by Commissioner Marshall, seconded by Commissioner Shafer for the City Commission to recess into Executive Session for 20 minutes to discuss a specific non-elected employee's status in relation to the City Manager role, based upon the need to discuss personnel matters on non-elected personnel pursuant to K.S.A. 75-4319(b)(1). The open public meeting will resume in this room at 4:45 pm.

Interim City Manager Foltz was called into the Executive Session at 4:39 pm and returned at 4:42 pm.

20. Potential Public Action. Public action in relation to City Manager position, if any, will follow Executive Session.

Motion by Commissioner Marshall, seconded by Commissioner Shafer to name Jane Foltz as permanent City Manager for the City of Abilene with details of the contract to be discussed at a future Executive Session. Motion carried unanimously 5-0. Roll call vote: Shafer YES, Rein YES, Ostermann YES, Marshall YES, Witt YES.

Mayor Ostermann thanked Jane for all the work she has done since being appointed as Interim City Manager.

Commissioner Shafer thanked Jane noting more has been accomplished in the last few months than in the last four years.

Reports

21. City Manager reports

The next Study Session will be held on Tuesday, January 21, 2020 due to the Martin Luther King, Jr. Day holiday.

Government Day in Topeka is January 22, 2020, anyone interested in going please let Jane know so reservations can be made.

The Planning and Zoning position has been filled. Clinton Franey from Wichita as accepted the position and will start February 3, 2020.

Kara Titus, Communications Coordinator has resigned. We will be conducting a search for an Administrative Assistant in the coming weeks.

The bids for the 8th Street project will be reviewed at our first meeting in February.

Work continues the City website. Launch date is scheduled for March 2, 2020.

The new police vehicle manufacturing date is tentatively set for February 2020. This was an approved budget expense in September 2019. There has been a delay in manufacturing of police vehicles industry wide.

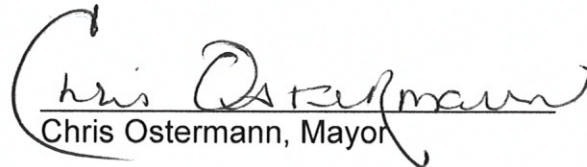
The new stone sign has been installed at City Hall.

Adjournment

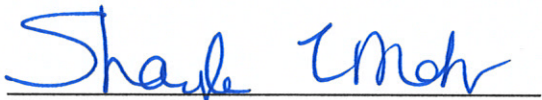
22. Consideration of a motion to adjourn the January 13, 2020 City Commission meeting.

Motion by Commissioner Shafer, seconded by Commissioner Marshall to adjourn at 4:52 pm. Motion carried unanimously 5-0. Roll call vote: Shafer YES, Rein YES, Ostermann YES, Marshall YES, Witt YES.

(Seal)


Chris Ostermann, Mayor

ATTEST:



Shayla L. Mohr
Deputy City Clerk