



ABILENE CITY COMMISSION - REGULAR MEETING AGENDA
DWIGHT D. EISENHOWER MUNICIPAL BUILDING, 419 N BROADWAY
May 11, 2020 - 4:00 pm

DUE TO COVID-19 ALL MEETINGS WILL BE HELD VIRTUALLY AND STREAMED LIVE ON THE CITY OF ABILENE'S YOU TUBE PAGE AT https://www.youtube.com/channel/UCNURrU0ueP6_dRpHYu1wJEg

1. Call to Order
2. Roll Call: _____ Ostermann _____ Rein _____ Marshall _____ Shafer _____ Witt
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 May 11, 2020 City Commission meeting.
5. Meeting minutes: April 27, 2020 regular meeting.
6. Consider approval resolution number 051120-1 adopting the City of Abilene Water Conservation Plan.
7. Consider the CARES act grant for airport.

Public Comments and Communications

8. The City Clerk will update the Mayor and City Commission on any public comments she has received. Public comments must be sent to the city clerk by noon on Monday May 11, 2020 at penny@abilenecityhall.com

Old and New Business

9. NE drainage easements.
10. Consider a letter of commitment for New Horizon Hemp Processing, LLC
11. Reopening Plan.
12. Consider Ordinance 20-3386 **AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS BY AMENDING EXISTING SECTION 4-117 AND ADDING A NEW SECTION 4-124 TO PERMIT THE KEEPING OF CHICKENS WITHIN THE CITY OF ABILENE, KANSAS.**

Reports

13. City Manager reports.

Adjournment

14. Consider a motion to adjourn the May 11, 2020 City Commission meeting.
15. Future Meeting Reminders:
 - Study session meeting, May 18 at 4 pm
 - City Commission meeting, May 26 at 4pm



Abilene City Commission Meeting Minutes

Dwight D. Eisenhower Municipal Building – 419 N. Broadway

April 27, 2020 @ 4:00 p.m.

Abilene, Kansas

1. Call to Order

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

Staff Present: City Clerk Soukup, City Attorney Martin, Finance Director Rothchild, Convention and Visitors Bureau Director Roller, and Planning and Zoning Director Franey.

3. Pledge of Allegiance

Consent Agenda

4. Agenda Approval for the April 27, 2020 City Commission Meeting

5. Meeting minutes: April 13, 2020 Regular Meeting

6. Consider approval of a Cereal Malt Beverage License for Joe Snuffy's located at 209 W. 1st Street

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

Public Comments and Communications

7. The City Clerk will update the Mayor and City Commission on any public comments she has received. Public comments must be sent to the city clerk by noon on Monday April 27, 2020 at penny@abilenecityhall.com.

There were no public comments or communications received.

Old and New Business

8. New Horizons Hemp Processing, LLC land offer.

City Attorney Martin discussed the free land offer from New Horizons Hemp Processing, LLC.

Tina Kelly and Jeff Wilkens, owners of New Horizons Hemp Processing, LLC, gave information about the company.

Commissioners Witt and Marshall requested a detailed business plan be presented to make sure all requirements of the Free Land policy were met.

9. Dangerous structure report for 206 SW 2nd and resolution number 042720-1 setting the public hearing date.

Planning and Zoning Director Franey presented information regarding the dangerous structure and located at 206 SW 2nd Street and the process.

Motion by Commissioner Marshall, seconded by Commissioner Rein to approve Resolution No. 042720-1 **A RESOLUTION FIXING A TIME AND PLACE TO APPEAR TO SHOW CAUSE WHY THE STRUCTURE AT 206 SW 2ND STREET SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED.** Motion carried unanimously 5-0. Roll call vote: Marshall AYE, Witt AYE, Shafer AYE, Ostermann AYE, Rein AYE.

10. Dangerous structure report for 413 NW 3rd and resolution number 042720-2 setting the public hearing date.

Planning and Zoning Director Franey presented information regarding the dangerous structure located at 413 NW 3rd Street and the process.

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve Resolution No. 042720-2 **A RESOLUTION FIXING A TIME AND PLACE TO APPEAR TO SHOW CAUSE WHY THE STRUCTURE AT 413 NW 3RD STREET SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED.** Motion carried unanimously 5-0. Roll call vote: Witt AYE, Shafer AYE, Ostermann AYE, Rein AYE, Marshall AYE.

11. Consider Covid-19 early retirement resolution number 042720-3.

City Attorney Martin presented information regarding the temporary early retirement incentive program.

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve Resolution No. 042720-3 **A RESOLUTION ESTABLISHING A TEMPORARY EARLY RETIREMENT INCENTIVE PROGRAM**

FOR THE CITY OF ABILENE, KANSAS amending Section 1 to read “any City employee” in place of “one or more City employees”. Motion carried unanimously 5-0. Roll call vote: Shafer AYE, Ostermann AYE, Rein AYE, Marshall AYE, Witt AYE.

Reports

12. City Manager reports

Finance Director Rothchild read the City Manager reports.

Work continues with the NE drainage easement. Staff hopes to bring that to the Commission in the next few weeks.

Work continues with the Rural Water District proposed rate change. City Attorney Martin is finalizing a response to the Rural Water District and hopes to get information to us in the next few days for staff to review.

Department heads are evaluating staffing and operational expenses on a weekly basis in order to ease financial shortfalls during this pandemic.

Staff is getting estimates for the Capital Improvement projects for the 2021 budget. We will present ideas at a May study session.

Department heads have given operational budgets to the Finance Director and we are putting together the proposed budget currently.

Work on the 2019 audit continues. They anticipate completing that mid-May. They will present the audit to us in late May or early June.

There has been a request to revisit the laying hen, chicken and duck policy in backyards in the City limits. We will look at that in May.

The City is looking at options to protect our employees in the City office so we can hopefully get back open to the public.

Doug Smart delivered the insurance dividends check in the amount of \$39,943.13 from Smart Insurance.

Big thanks going out to Last Chance Graphics for sponsoring and printing the “We are all in this Together #AbileneStrong” signs for businesses and citizens.

Mayor Ostermann thanked City staff for their hard work during the COVID-19 pandemic. This is uncharted territory for everyone, and everyone has been very professional.

Adjournment

13. Consideration of a motion to adjourn the April 27, 2020 City Commission meeting.

Motion by Commissioner Witt, seconded by Commissioner Marshall to adjourn at 4:48 p.m. Motion carried unanimously 5-0. Roll call vote: Ostermann AYE, Rein AYE, Marshall AYE, Witt AYE, Shafer AYE.

(Seal)

Chris Ostermann, Mayor

ATTEST:

Penny L. Soukup, CMC
City Clerk

RESOLUTION NUMBER 051120-1

A RESOLUTION AMENDING THE WATER CONSERVATION PLAN OF THE CITY OF ABILENE, KANSAS.

WHEREAS, the City of Abilene is subject to environmental and operational situations whereby water conservation is necessary and prudent; and

WHEREAS, the City of Abilene desires to amend and restate its Water Conservation Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

Section 1. Water Conservation Plan. The Water Conservation Plan of the City of Abilene, Kansas, is hereby amended and restated in the form attached hereto as **Exhibit A**.

Section 2. Implementation. The City Manager shall be authorized to implement the Water Conservation Plan, in cooperation with area partners, as provided in the plan and in applicable resolutions, ordinances, and laws.

Section 3. Repeal. All former versions of the Water Conservation Plan are hereby repealed in their entirety.

Section 4. Effective Date. This Resolution shall take effect and be in force after its approval by the Governing Body.

Adopted by the Board of Commissioners and signed by the Mayor this ____ day of _____, 2020.

Chris Ostermann, Mayor

(SEAL)

ATTEST:

Penny L. Soukup, CMC, City Clerk



MUNICIPAL WATER CONSERVATION PLAN CITY OF ABILENE MAY 7, 2020

Municipal Water Conservation Plan For the City of Abilene

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INTRODUCTION

The primary objectives of the Water Conservation Plan for the City of Abilene are to develop long-term water conservation plans (Long-Term Water Use Efficiency Section) and short-term water emergency plans (Drought Response Section) to assure the City customers of an adequate water supply to meet their needs. The efficient use of water also has the beneficial effect of limiting or postponing water distribution system expansion and thus limiting or postponing the resultant increases in costs, in addition to conserving the limited water resources of the State of Kansas.

The City of Abilene has undertaken a number of steps to ensure a dependable water supply. The water supply for our City is obtained from wells drilled in 1945-2015 and take water from the Sand Springs Aquifer and the Smoky Hill River Alluvium. Treated water storage facilities consist of three 500,000-gallon tanks of which two are ground level tanks and one is elevated, plus one 250,000-gallon elevated tank. The City of Abilene believes that our Municipal Water Conservation Plan represents an additional major step in ensuring our customers of a dependable water supply in future years.

LONG-TERM WATER USE EFFICIENCY

Water Use Conservation Goals

The City of Abilene used 160 gallons per person per day (GPCD) in 2017. This GPCD figure included:

1. Water sold to residential/commercial customers.
2. Water distributed for free public services (parks, cemeteries, swimming pools etc.)
3. Water lost by leaks in the water distribution system.

However, the GPCD figure does not include municipally supplied water for industries that use over 200,000 gallons per year. According to the 2017 Kansas Municipal Water Use Publication, our City is in Region 7M. From this publication it was determined that our City GPCD water use was 160, which was 74 percent above the regional average of 92 GPCD among cities in Region 7M during 2017. The City desires to set a water use conservation goal for usage not to exceed 97 GPCD based on the regional average of the last five years (2013-2017). Our City anticipates not exceeding this goal by carrying out the specific actions that are outlined in our plan.

Water Conservation Practices

This subsection of the plan summarizes the current education, management and regulation efforts that relate to the long-term conservation of water in the City. Specific practices that will be undertaken to conserve water are listed and a target date to begin each practice is also shown.

Education

The City water bills show the total number of gallons of water used during the billing period and the amount of the bill. The City has provided information on water conservation to the local news media on a regular basis.

The City has chosen the following conservation practices and target dates for the Education Component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Education Conservation Practices to be Taken	Target Date
1. Water bills will show the amount of water used in gallons and the cost of the water.	Implemented in 2013 and ongoing

Management

1. Meters will be installed at all residential service connections and at all other service connections whose annual water use may exceed 300,000 gallons, including separate meters for municipally operation irrigation systems which irrigate more than one acre of turf. (implemented)
2. All meters for source water will be read at least on a monthly basis and meters at individual service connections will be read at least once every month. (Implemented).
3. The City of Abilene will implement a water management review, which may result in a specified change in water management practices or implementation of a leak detection and repair program or plan, whenever unaccounted for water exceed 20% of the total source water for a four-month time period. (Implemented)
4. Water sales will be based on the amount of water used (Implemented)

Water meters are installed for all residential/commercial customers, as well as for all water distributed free of charge to city government buildings and grounds.

The City of Abilene reads each customer's water meter and mails a water bill to each customer every month. Customer water meters are generally read approximately the 15th of each month; however, the meter reading system sometimes deviates from the scheduled time period.

Water leaks from the City public water distribution system are repaired when discovered and/or reported to City Personnel. Water pressure is not checked unless customers complain that their water pressure is too low.

The water rate structure for the City was passed on OCT 2019 effective Nov 2019. The minimum monthly water charge is \$16.12. Residential and Commercial water use is charged \$3.81 per 1,000 gallons Commercial customers are charged \$3.22 per 1000 gallons over 225,000 gallons, gallon during a declared water emergency for water used above 225,000. Customers outside the city limits pay double the rates stated earlier. The Rural Water District #2 wholesale rate is \$1.44 per 1,000 gallons. The sewer rate for all customers passed on Nov 2019, is \$13.00 minimum plus \$5.42 per 1,000 gallons of winter average use. The City periodically reviews water rates.

The City of Abilene realizes that much greater emphasis must be placed on obtaining accurate measurement of water use at our source and at customer meters. For that reason, the City of Abilene has chosen the following conservation practices and target dates for the Management component of the Long-Term Water Use Efficiency Section of our Water Conservation Plan.

Management Conservation Practices to be Taken	Target Date
1. All source water will have meters installed and the meters will be repaired or replaced within two weeks when malfunctions occur.	(Implemented)
2. Meters for source water will be tested for accuracy at least once every five years. Each meter will be repaired or replaced if its test measurements are not within industry standards (such as AWWA standards).	(Implemented)
3. Meters at each individual service connection will be replaced or tested for accuracy on a regular basis, per industry standards (such as AWWA standards), if they are one inch or less. Meters over one inch will be tested for accuracy at least once every five years. Each meter will be repaired or replaced if its test measurements are not within industry standards (such as AWWA standards).	(Implemented)
4. A water rate structure designed to curb excessive use of water will be evaluated.	(Implemented)
5. Recommend to City Manager a program to incorporate water conserving landscape principles into future landscape development projects, including renovation of existing landscapes.	(Implemented)
6. Encourage the recycling of wastewater for selected industrial or irrigation purposes.	(Implemented)
7. Meters will be installed at all residential service connections and at all other service connections whose annual water use may exceed 300,000 gallons, including separate meters for municipally owned irrigation systems which irrigate more than one acre.	(Implemented)
8. A water utility will implement a water management review, which will result in a specified change in water management practices or implementation of a leak detection and repair program or plan, whenever the amount of unsold water	(Implemented)

(amounts of water provided free for public service, water loss, etc.) exceeds 20 percent and water loss at the R.O. Water Treatment plant exceeds 25 percent of the total source water for a four-month time period.	
9. water sales will be based on the amount of water used.	(Implemented)

Regulation

The City of Abilene does have water conservation regulations in effect at the present time. From May 1 to September 30 each year there is a prohibition of outside watering between the hours of noon and 7 p.m. (Ordinance No. 3197, 5/12)

Abilene does have a plumbing code. The enforcement of any regulations to require use of any water conservation plumbing measures is ongoing. Most new homes and/or remodeling projects do include the use of water conservation toilets, washing machines and faucets.

Regulation Actions to be Taken	Target Date
1. All new or renovated construction will install toilets that use 1.6 gallons per flush or less and low flow showerheads that use 2.5 gallons per minute or less.	(Implemented)
2. Adopt a landscape water conservation ordinance.	(Implement late 2020)

DROUGHT RESPONSE

The City of Abilene addresses its short-term water shortage problems through a series of stages based on conditions of supply and demand with accompanying triggers, goals and actions. Each stage is more stringent in water use than the previous stage since water supply conditions are more deteriorated. The City Manager is authorized by ordinance to implement the appropriate conservation measures.

Stage 1: Water Watch

Goals

The goals of this stage are to heighten awareness of the public on water conditions and to maintain the integrity of the water supply system.

Triggers

This stage is triggered by one of the following conditions:

1. Water production capacity is less than 20% greater than projected daily demand
2. Water storage is reduced by any one water tower during summer usage only this does not apply to spring, fall, and winter.
3. Water tower storage falls below 60% of maximum.

Education Actions

1. The City will make occasional news releases to the local media describing present conditions and indicating the water supply outlook for the upcoming season.
2. Weekly summaries of precipitation, temperature, water levels in wells will be made public at the beginning of each week.
3. Water-saving tips will be shared with water utility customers.

Management Actions

1. Leaks will be repaired as soon as practical upon notification.

Regulation Actions

The public will be asked to curtail some outdoor water use and to make efficient use of indoor water, i.e. wash full loads, take short showers, don't let faucets run, etc. (City Code 7-1004)

Stage 2: Water Warning

Goals

The goals of this stage are to reduce daily consumption by 30 percent and to reduce overall weekly consumption by 30 percent.

Triggers

This stage is triggered by one of the following conditions:

1. Whenever the Governing Body finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare, by resolution, that a Water Warning exists and that it will recommend restrictions on non-essential uses during the period of the Water Warning.
2. Water production capacity is equal to projected daily demand
3. Two water towers are out of service regardless of season.
4. Water tower storage falls below 50% of maximum

Education Actions

1. The City will make weekly news releases to the local media describing present conditions and indicating the water supply outlook for the upcoming week.
2. Bi-monthly summaries of precipitation, temperature, water levels in wells will be made public.
3. Water conservation articles will be provided to the local newspaper.
4. Water-saving tips will be available to water utility customers, online or printed copies are available at City Hall.

Management Actions

1. Upon declaration of a Water warning, the City Manager, or other designated official, is also authorized to implement certain mandatory conservation measures, including, but not limited to, the following.
 - a. The price is doubled for new connections to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered by the City prior to the effective date of the declaration of the water warning.
 - b. The City will suspend washing of the City Fleet, hydrant flushing, and Water Tower draining and flushing for inspection.

- c. Restrictions on the uses of water in one or more classes of water use, as defined in Section 7-1002(d) of the City Code, wholly or in part.
 - d. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per customer restrictions;
 - e. Complete ban on the waste of water.
 - f. Any combination of the measures in Sections 7-1005 of the City Code as the Governing Body, or authorized City official, may deem appropriate and/or necessary.
- 2. The City water supplies will be monitored daily.
 - 3. Leaks will be repaired as soon as possible upon notification.
 - 4. Pumping at wells will be reduced to decrease drawdown and to maintain water levels over well screens.

Regulation Actions

- 1. Upon declaration of a Water warning, the City Manager, or other designated official, is also authorized to implement certain mandatory conservation measures, including, but not limited to the following.
 - a. The price is doubled for new connections to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered by the City prior to the effective date of the declaration of the water warning.
 - b. The City will suspend washing of the City Fleet, hydrant flushing, and Water Tower draining and flushing for inspection.
 - c. Restrictions on the uses of water in one or more classes of water use, as defined in Section 7-1002(d) of the City Code, wholly or in part.
 - d. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per customer restrictions;
 - e. Complete ban on the waste of water.
 - f. Any combination of the measures in Sections 7-1005 of the City Code as the Governing Body, or authorized City official, may deem appropriate and/or necessary.

The public will be asked to curtail some outdoor water use and to make efficient use of indoor water, i.e. wash full loads, take short showers, don't let faucets run, etc. (City Code 7-1004)

Stage 3: Water Emergency

Goals

The goals of this stage are to reduce peak daily consumption by 50 percent and to reduce overall weekly consumption by 50 percent.

Triggers:

This stage is triggered by one of the following conditions:

1. Whenever the Governing Body finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare, by resolution, that a Water Emergency exists and that it will impose mandatory restrictions on water use during the period of the Water Emergency.
2. Production capacity is less than daily projected demand
3. Three or more water towers are out of services regardless of season
4. Water tower storage falls below 35% maximum
5. Blend ratio outside 10% of nominal set points
6. Water table falls to historic lows references 2012 water table level

Education Actions

1. The City will make news releases as needed to the local media describing present conditions and indicating the water supply outlook.
2. Weekly summaries of precipitation, temperature, water levels in wells will be made public.
3. The City will hold public meetings as needed to discuss the emergency, the status of the City water supply and further actions, which may need to be taken.
4. Water conservation articles will be provided to the local newspaper.
5. Water-saving tips will be available to water utility customers, online or printed copies are available at City Hall.

Management Actions

1. The City water supplies will be monitored daily.
2. Leaks will be repaired as soon as possible upon detection.

3. Pumping at wells will be reduced to decrease drawdown and to maintain water levels over well screens.
4. The City will consider changing the blend ratio of the water to minimize the strain on the two well fields.
5. The City will begin coordination for emergency supplies from other users, the state or the federal government.
6. City will contact DWR for permission to restrict private well use to comply with The City's drought response regulations as authorized under K.S.A. 82a-733i.

Regulation Actions

These regulation actions apply to City residents (including private domestic well users, if authority is delegated by the Chief Engineer under K.S.A. 82a-733i.

1. Upon declaration of a Water Emergency as provided in Section 7-1003(c) of the City Code, the City Manager, or other designated official, is also authorized to implement certain mandatory conservation measures, including, but not limited to, the following:
 - a. Suspension of new connections to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the City prior to the effective date of the declaration of the emergency.
 - b. The City will suspend washing of the City Fleet, hydrant flushing, and Water Tower draining and flushing for inspection.
 - c. Restrictions on the uses of water in one or more classes of water use, as defined in Section 7-1002(d) of the City Code, wholly or in part.
 - d. The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per customer restrictions;
 - e. Complete ban on the waste of water.
 - f. Any combination of the measures in Sections 7-1005 of the City Code as the Governing Body, or authorized City official, may deem appropriate and/or necessary.
2. Upon the declaration of a Water Emergency as provided in Section 7-1003(c) of the City Code, the Governing Body shall have the power to adopt emergency water rates by ordinance designed to conserve water supplies. Such emergency rates may provide for, but, are not limited to:

- a. Higher charges for increasing usage per unit of use (increasing block rates);
- b. Uniform charges for water use per unit of use (uniform unit rate); or
- c. Extra charges in excess of a specified level of water use (excess demand surcharge).

PLAN REVISION, MONITORING & EVALUATION

The City of Abilene will establish a monthly management practice of reviewing monthly totals for water production, residential/commercial sales, water provided free-of-charge, and “unaccounted for water”. Problems noted during the monthly review will be solved as soon as possible. The City of Abilene will review and evaluate the GPCD goals to assess further actions and will provide a status report to DWR.

(Mayor's Signature)

Attest:

(City Clerk's Signature)

Memorandum

Date

To: City Manager and Commission
From: Marcus Rothchild
Subj: CARES Act Airport Grant

U.S. Transportation Secretary Elaine L. Announces \$10 Billion Award to Help American Airports Impacted by COVID-19

In an effort to provide crisis relief funding to our nation's airports, U.S. Department of Transportation Secretary Elaine L. Chao announced that 55 states and U.S. territories will receive \$10 billion as part of the recently approved CARES Act. Funding will provide crisis relief to our nation's airports for payroll, operations, and safety management. Economic relief will also ensure existing projects continue so we are ready to meet demand when our National Airspace System is operating at normal capacity.

The City of Abilene was informed that the Abilene Municipal Airport has been awarded \$30,000 in grant money from the FAA. The application has been signed and returned and we expect to have access to these funds within the next two weeks. We have not yet identified a specific project, but the funds are meant to help support general airport operations. The City will provide documentation of expenses and draw down from the \$30,000 as needed. To properly enter this agreement the governing body must provide authority to execute the grant to the individual signing the grant.



U.S. Department
of Transportation
**Federal Aviation
Administration**

Airports Division
Central Region
Iowa, Kansas, Missouri, Nebraska

FAA ACE-600
901 Locust
Kansas City, MO 64106

April 29, 2020

Mr. Marcus Rothchild
Finance Director
City of Abilene
419 N. Broadway St.
P.O. Box 519
Abilene, KS 67410

Dear Mr. Rothchild:

Please find the following electronic CARES Act Grant Offer, Grant No. 3-20-0001-012-2020 for Abilene Municipal Airport. This letter outlines expectations for success. Please read and follow the instructions carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, **no later than June 1st**, in order for the grant to be valid.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. The grant offer must be digitally signed by the sponsor's legal signatory authority and then the grant offer will be automatically routed via email to the sponsor's attorney. Once the attorney has digitally attested to the grant, the FAA will email a copy of the executed grant to all parties.

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System. The terms and conditions of this agreement require you drawdown and expend these funds within four years.

An airport sponsor may use these funds for any purpose for which airport revenues may be lawfully used. CARES grant recipients should follow the FAA's Policy and Procedures Concerning the Use of Airport Revenues ("Revenue Use Policy"), 64 Federal Register 7696 (64 FR 7696), as amended by 78 Federal Register 55330 (78 FR 55330). The Revenue Use Policy defines permitted uses of airport revenue. In addition to the detailed guidance in the Revenue Use Policy, the CARES Act states the funds may not be used for any purpose not related to the airport.

With each payment request you are required to upload directly to Delphi:

- An invoice summary, even if you only paid a single invoice, and
- The documentation in support of each invoice covered in the payment request.

For the final payment request, in addition to the requirement listed above for all payment requests, you are required to upload directly to Delphi:

- A final financial report summarizing all of the costs incurred and reimbursed, and
- An SF-425, and
- A narrative report.

The narrative report will summarize the expenses covered by the CARES Act funds and state that all expenses were in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenues and incurred after January 20, 2020.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR Part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once you have drawn down all funds and uploaded the required documents to Delphi, please email me to close the grant. I am readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts.

Sincerely,

Jason Knipp
Kansas State Planner

PERMANENT DRAINAGE EASEMENT

This Permanent Drainage Easement is made this ____ day of _____, 2020, by and between HIGHLAND HOMES, LP, a Nevada limited partnership, by authority of its general partner, Highland Builders, LLC, a Kansas limited liability company (the “Grantor”) and the CITY OF ABILENE, KANSAS, a municipal corporation, (the “City”):

GRANT: The Grantor, for good and valuable consideration, hereby conveys to the City a permanent drainage easement (the “Easement”) in, on, over, under, and through the real estate legally described and depicted on the attached and incorporated Exhibit A (the “Real Estate”) for the purposes of laying, constructing, operating, inspecting, altering, repairing, replacing, substituting, relocating, adding to, removing, and maintaining a culvert, storm sewer, drainage ditch, drainage channel/water course, detention basin, or other drainage facility tributary connections, storm water runoff control facilities, and appurtenant work in any part of the Easement, including the right to clean, repair, replace, and care for the drainage facilities, together with the right of access in, on, over, under, and through the Easement.

TERM: The Easement shall be perpetual.

OWNERSHIP: Grantor covenants that Grantor owns the Real Estate and has the right, title, and capacity to grant the Easement.

MODIFICATIONS: The City shall have the right to change the drainage channel/water course and to install additional sewer and/or drainage lines and facilities, or to replace the line or facilities with a larger line or facilities in the Easement at some future date and under the same conditions as the original drainage line or facilities were installed.

MAINTENANCE: The City covenants to maintain the Real Estate and keep the Real Estate free and clear of all trees, shrubs, vegetation, and materials which may impair the function or structural integrity of any sewer and/or drainage facility or appurtenance constructed pursuant to this Easement.

IMPROVEMENTS: Grantor shall neither construct nor permit to be constructed any structure, landscaping, trees, or obstruction on, over, or interfering with the construction, maintenance, or operation of any sewer and/or drainage facility or appurtenance constructed pursuant to this Easement.

SURFACE GRADE: Grantor shall neither alter nor permit others to alter the surface grade of the Real Estate without the prior written approval of the City.

BINDING EFFECT: The Easement shall be binding upon and shall run with the Real Estate.

IN WITNESS WHEREOF, the Grantor has executed this Permanent Drainage Easement effective as of the day and year written above.

HIGHLAND HOMES, LP

By: Highland Builders, LLC,
General Partner

By: _____
Dan Hopkins, Co-Manager

By: _____
Albert D. Huddleston, Co-Manager

ACCEPTANCE OF PERMANENT DRAINAGE EASEMENT

CITY OF ABILENE, KANSAS

Chris Ostermann, Mayor

ATTEST:

Penny L. Soukup, CMC, City Clerk

ACKNOWLEDGEMENTS

STATE OF _____, COUNTY OF _____, ss:

This instrument was acknowledged before me on _____, 2020, by Dan Hopkins and Albert D. Huddleston, as Co-Managers of Highland Builders, LLC, a Kansas limited liability company, and general partner of Highland Homes, LP, a Nevada limited partnership.

My appointment expires:

Notary Public
Printed name: _____

STATE OF KANSAS, COUNTY OF DICKINSON, ss:

This instrument was acknowledged before me on _____, 2020, by Chris Ostermann as Mayor and Penny L. Soukup, CMC, as City Clerk of the City of Abilene, Kansas.

My appointment expires:

Notary Public

Printed name: _____

[A real estate sales validation questionnaire is not required pursuant to K.S.A. 79-1437e(a)(13)]

EXHIBIT A
DESCRIPTION AND DEPICTION OF REAL ESTATE

POINT OF COMMENCEMENT

NE CORNER, NW 1/4, SE 1/4
SECTION 9, T-13-S, R-2-E

HOLM REAL ESTATE
ABILENE, LLC

POINT OF BEGINNING

'LAND HOMES, LP

HIGHLAND HOMES, LP

PERMANENT DRAINAGE
EASEMENT

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DICKINSON COUNTY, KANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER;

THENCE ON AN ASSUMED BEARING OF S00°33'33"E ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 332.28 FEET TO THE NORTHEAST CORNER OF SAID SOUTH HALF, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EAST LINE S00°33'33"E A DISTANCE OF 332.28 FEET TO THE SOUTHEAST CORNER OF SAID SOUTH HALF;

THENCE S89°47'42"W ALONG THE SOUTH LINE OF SAID SOUTH HALF A DISTANCE OF 222.15 FEET;

THENCE N00°04'05"W A DISTANCE OF 126.75 FEET;

THENCE N89°55'55"E A DISTANCE OF 129.30 FEET;

THENCE N00°04'05"W A DISTANCE OF 205.62 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF;

THENCE N89°39'30"E ALONG SAID NORTH LINE A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

CONTAINS 0.736 ACRES OF LAND, 1.073 ACRES MORE OR LESS, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS NOW OF RECORD.



Scale: 1"=100'

OLSSON[®]
ASSOCIATES
May 11, 2020

302 S. 4th Street, Suite 110
Manhattan, Kansas 66502

TEL 785.539.6900
FAX 785.539.6901

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POINT OF COMMENCEMENT

NE CORNER, NW 1/4, SE 1/4
SECTION 9, T-13-S, R-2-E

HIGHLAND HOMES, LP

HIGHLAND HOMES, LP

POINT OF BEGINNING

N00°33'33"W
664.57'

N89°47'42"E 222.15'

D HOMES, LP

HIGHLAND HOMES, LP

N00°04'05"W 331.74'

S00°33'33"E 332.28'

S89°55'55"W 225.00'

CITY OF
ABILENE

PERMANENT DRAINAGE
EASEMENT

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DICKINSON COUNTY, KANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER;
THENCE ON AN ASSUMED BEARING OF S00°33'33"E ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 664.57 FEET TO THE NORTHEAST CORNER OF SAID NORTH HALF, SAID POINT ALSO BEING THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID EAST LINE S00°33'33"E A DISTANCE OF 332.28 FEET TO THE SOUTHEAST CORNER OF SAID NORTH HALF;
THENCE S89°55'55"W ALONG THE SOUTH LINE OF SAID NORTH HALF A DISTANCE OF 225.00 FEET;
THENCE N00°04'05"W A DISTANCE OF 331.74 FEET TO A POINT ON THE NORTH LINE OF SAID NORTH HALF;
THENCE N89°47'42"E ALONG NORTH LINE LINE A DISTANCE OF 222.15 FEET TO THE POINT OF BEGINNING.
CONTAINS 1.238 SQUARE FEET, 1.704 ACRES MORE OR LESS, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS NOW OF RECORD.



Scale: 1"=100'

OLSSON
ASSOCIATES

May 11, 2020

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Manhattan, Kansas 66502

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TEMPORARY CONSTRUCTION EASEMENT

This Temporary Construction Easement is made this ____ day of _____, 2020, by and between HIGHLAND HOMES, LP, a Nevada limited partnership, by authority of its general partner, Highland Builders, LLC, a Kansas limited liability company (the “Grantor”) and the CITY OF ABILENE, KANSAS, a municipal corporation, (the “City”):

GRANT: The Grantor, for good and valuable consideration, hereby conveys to the City, a temporary construction easement (the “Easement”) in, on, over, under, and through the real estate legally described and depicted on the attached and incorporated Exhibit A (the “Real Estate”) for all rights of ingress and egress of the City, its employees, contractors, and agents, for the purposes of constructing, installing, improving, and inspecting a storm water detention basin, storm water runoff control facilities and related drainage facilities on a portion of Grantor’s adjacent real property, as authorized pursuant to a separate written Permanent Drainage Easement between Grantor and the City of even date herewith (the “Project”) in the manner called for in the project plans, including but not limited to transporting, stockpiling, and storing of construction materials, soil, equipment, and vehicles used in connection with the Project. In addition, Grantor shall be entitled to dispose of excavated soil from the Project on and over the Real Estate, subject to Grantee’s obligations to grade and restore the Real Estate as set forth below.

GRADING: After completion of construction of the Project, Grantee shall grade the Real Estate to drain into the Project in the manner called for in the project plans. NOTE: project plans to be provided to Grantor prior to commencement of construction.

RESTORATION: After completion of construction of the Project, the City shall restore the area of the Easement to substantially the same condition in which it existed prior to the City’s use, subject only to changes in the grading of the Real Estate as set forth above.

TERM: The Easement shall be for a term of eighteen (18) months commencing on the Effective Date of this Temporary Construction Easement.

OWNERSHIP: Grantor covenants that it owns the Real Estate and has the right, title, and capacity to grant the Easement.

MAINTENANCE: Grantor acknowledges that the Easement shall not affect the Grantor’s obligation to maintain the Real Estate.

SURFACE GRADE: During the term of this Temporary Construction Easement, Grantor shall neither alter nor permit others to alter the surface grade of the Real Estate without the prior written approval of the City.

BINDING EFFECT: The Easement shall be binding upon and shall run with the Real Estate.

IN WITNESS WHEREOF, the Grantor has executed this Temporary Construction Easement effective as of the day and year written above.

HIGHLAND HOMES, LP

By: **Highland Builders, LLC,**
General Partner

By: _____
Dan Hopkins, Co-Manager

By: _____
Albert D. Huddleston, Co-Manager

ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT

CITY OF ABILENE, KANSAS

Chris Ostermann, Mayor

ATTEST:

Penny L. Soukup, CMC, City Clerk

ACKNOWLEDGEMENTS

STATE OF _____, COUNTY OF _____, ss:

This instrument was acknowledged before me on _____, 2020, by Dan Hopkins and Albert D. Huddleston, as Co-Managers of Highland Builders, LLC, a Kansas limited liability company, and general partner of Highland Homes, LP, a Nevada limited partnership.

My appointment expires:

Notary Public
Printed name: _____

STATE OF KANSAS, COUNTY OF DICKINSON, ss:

This instrument was acknowledged before me on _____, 2020, by Chris Ostermann as Mayor and Penny L. Soukup, CMC, as City Clerk of the City of Abilene, Kansas.

My appointment expires:

Notary Public

Printed name: _____

[A real estate sales validation questionnaire is not required pursuant to K.S.A. 79-1437e(a)(13)]

EXHIBIT A
DESCRIPTION AND DEPICTION OF REAL ESTATE

POINT OF COMMENCEMENT

NE CORNER, NW 1/4, SE 1/4
SECTION 9, T-13-S, R-2-E

HIGHLAND HOMES, LP

POINT OF BEGINNING

HIGHLAND HOMES, LP

S89°47'42"W 375.00'

S89°47'42"W 222.15'

N00°33'33"W
664.57'

N00°04'05"W 330.84'

HIGHLAND HOMES, LP

S00°04'05"E 331.74'

HIGHLAND HOMES, LP

S89°55'55"W 375.00'

TEMPORARY CONSTRUCTION EASEMENT

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DICKINSON COUNTY, KANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER;
THENCE ON AN ASSUMED BEARING OF S00°33'33"E ALONG THE EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 664.57 FEET TO THE NORTHEAST CORNER OF SAID NORTH HALF;
THENCE S89°47'42"W ALONG THE NORTH LINE OF SAID NORTH HALF A DISTANCE OF 222.15 FEET TO THE POINT OF BEGINNING;
THENCE S00°04'05"E A DISTANCE OF 331.74 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTH HALF;
THENCE S89°55'55"W ALONG SAID SOUTH LINE A DISTANCE OF 375.00 FEET;
THENCE N00°04'05"W A DISTANCE OF 330.84 FEET TO A POINT ON THE NORTH LINE OF SAID NORTH HALF;
THENCE N89°47'42"E ALONG SAID NORTH LINE A DISTANCE OF 375.00 FEET TO THE POINT OF BEGINNING.
CONTAINS 124,234 SQUARE FEET, 2.852 ACRES MORE OR LESS.
SUBJECT TO ANY EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.



Scale: 1"=100'

OLSSON[®]
ASSOCIATES
May 11, 2020

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FAX 785.539.6901

www.olssonassociates.com

POINT OF COMMENCEMENT

NE CORNER, NW 1/4, SE 1/4
SECTION 9, T-13-S, R-2-E

POINT OF BEGINNING

S89°39'30"W
90.00'

S00°33'33"E
332.28'

N89°39'30"E 504.31'

205.62'

S00°04'05"E

N00°04'05"W 330.86'

S89°55'55"W 129.30'

S00°04'05"E
126.75'

S89°47'42"W 375.00'

TEMPORARY CONSTRUCTION EASEMENT

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 13 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DICKINSON COUNTY, KANSAS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
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THENCE S89°39'30"W ALONG SAID NORTH LINE A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING;
THENCE S00°04'05"E A DISTANCE OF 205.62 FEET;
THENCE S89°55'55"W A DISTANCE OF 129.30 FEET;
THENCE S00°04'05"E A DISTANCE OF 126.75 FEET TO A POINT ON THE SOUTH LINE OF SAID SOUTH HALF;
THENCE S89°47'42"W ALONG SAID SOUTH LINE A DISTANCE OF 375.00 FEET;
THENCE N00°04'05"W A DISTANCE OF 330.86 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTH HALF;
THENCE N89°39'30"E ALONG SAID NORTH LINE A DISTANCE OF 504.31 FEET TO THE POINT OF BEGINNING.
CONTAINS 150,788 SQUARE FEET, 3.462 ACRES MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.



Scale: 1"=100'

OLSSON
ASSOCIATES

302 S. 4th Street, Suite 110
Manhattan, Kansas 66502

TEL 785.539.6900
FAX 785.539.6901

www.olssonassociates.com

May 11, 2020



Dickinson County
Economic Development Corporation
P.O. Box 462
203 NW 15th
Abilene, KS 67410
785-200-3518
785-200-3820 Fax

April 30, 2020

City Commissioners
City of Abilene, KS
P.O. Box 519
Abilene, KS 67410

Commissioners:

I have reviewed the request from New Horizon Hemp Processing, LLC and believe that it meets the requirements for the City of Abilene's Industrial Land Funding Policy based on the following minimum policy requirements:

1. Estimated capital investment of \$850,000.00
2. 5 new full-time employees.
3. Base wage for each of the 5 new employees of at least \$20.00 per hour.

New Horizon Hemp Processing, LLC is a fully integrated manufacturing company in an emerging industry. They have been able to build a vertical operation and supply chain located entirely in the State of Kansas and mostly within Dickinson County. They are just beginning to introduce products to the market which can be distributed nationally and potentially internationally, which will benefit the City of Abilene through increased employment and capital investment as well as increased sales and ad valorem tax revenue.

Based on New Horizon Hemp Processing, LLC, meeting the minimum requirements of the City of Abilene's Industrial Land Funding Policy and having provided all documents requested in the policy, I would recommend that the City Commission for the City of Abilene, Kansas consider approving the free land benefit request from the company.

Sincerely,

Chuck Scott, Executive Director



City of Abilene
Eisenhower Municipal Building
419 N. Broadway • PO Box 519
Abilene, KS 67410

Voice: (785) 263-2550
Fax: (785) 263-2552
www.abilenecityhall.com

May 12, 2020

New Horizon Hemp Processing, LLC
Attn: Jeffrey J. Wilkens and Tina M. Kelly
2768 Indy Rd.
Abilene, KS 67410

Re: City of Abilene – Request for Land Under Industrial Land Funding Policy

Dear Mr. Wilkens and Ms. Kelly:

On May 11, 2020, the Abilene City Commission considered New Horizon Hemp Processing, LLC's ("New Horizon") request for free land pursuant to the City of Abilene's Industrial Land Funding Policy, in connection with New Horizon's proposed development and operation of a commercial hemp processing facility on the following land within the City of Abilene ("Land"):

Industrial Park Addition No. 1, Block 1, Lots 1 and 2 (7.90 acres)

The purpose of this letter is to inform you that the City Commission indicated its preliminary approval and commitment to convey the Land to New Horizon pursuant to the City of Abilene's Industrial Land Funding Policy. The conveyance of the Land for your project is subject to approval of a development agreement between the City and New Horizon, which describes the proposed project and New Horizon's agreement to comply with the terms and requirements of the Industrial Land Funding Policy.

In addition, the development agreement shall condition the City's obligation to convey the Land upon the City's receipt of the following documents and information on or before May 1, 2022:

- Documents evidencing that New Horizon has obtained financing adequate to construct and develop the project; and
- Copy of an executed contract between New Horizon and its general contractor for the imminent construction and completion of the project.

Please contact me at your convenience to confirm New Horizon's willingness to proceed on these terms. Upon receipt of your confirmation, I will direct the City's legal counsel to prepare a short development agreement for review and approval by New Horizon and the City Commission.

Thank you for your interest in pursuing this economic development project within the City of Abilene, and we look forward to working with you.

Very truly yours,

CITY OF ABILENE, KANSAS

Jane Foltz, City Manager



In response to the spread of COVID-19 and following state and county orders, using the State of Ks reopening plan and Kansas Parks and Recreation Assoc. reopening plan it is suggested these recommendations be followed.

It must be understood that this will be on a "trial and error" basis. There will be an increased risk of exposure to our patrons and thus, increased risk of serious consequences. We must realize that we may need to again implement the same or even stricter measures if we find evidence that wide-spread transmission is detected.

The following are key points that will affect the recommendations moving forward:

1. There is a lot about the COVID-19 that is still unknown. This plan is based on the best information that is currently available and may change as our knowledge improves.
2. Social distancing is still required in all phases through phase out.
3. Facilities and activities will open according to plan as long as there are adequate supplies and staff for sanitizing and cleaning to meet requirements and guidelines.
4. Phases and plans for re-opening can change depending on state and county orders.

Facility	Earliest possible date			
	Phase 1 - May 4, 2020	Phase 2 - May 18, 2020	Phase 3 - June 1, 2020	Phase Out - June 15, 2020
	10 or less	30 or less	90 or less	No restrictions
EISENHOWER MUNICIPAL BUILDING	CLOSED to walk in traffic. Office open for phone calls from 8am-5pm Mon-Fri.	CLOSED to walk in traffic. Office open for phone calls from 8am-5pm Mon-Fri.	Open with social distancing.	Open to public with social distancing.
ABILENE FIRE DEPARTMENT	CLOSED to the public.	CLOSED to the public.	Open with social distancing.	Open with social distancing.
ABILENE POLICE DEPARTMENT	CLOSED to walk in traffic. Office open for phone calls from 8am-5pm Mon-Fri.	CLOSED to walk in traffic. Office open for phone calls from 8am-5pm Mon-Fri.	Open with social distancing.	Open with social distancing.
ABILENE PUBLIC WORKS	CLOSED to the public	CLOSED to the public	Open with social distancing.	Open with social distancing.
CITY COMMISSION MEETINGS	VIRTUAL	VIRTUAL	Return to Commission Chambers with social distancing.	Open with social distancing.
MUNICIPAL COURT	OPEN monitored by Police Staff.	OPEN monitored by Police Staff.	Open with social distancing.	Open with social distancing.

ABILENE RECYCLE CENTER	CLOSED to the public.	Opening May 19th with social distancing and restrictions.	Open with social distancing and restrictions.	Open with social distancing and restrictions.
ABILENE SENIOR CENTER	CLOSED to the public.	CLOSED to the public.	CLOSED to the public.	Open with social distancing, lunch, programs and rentals continue
ABILENE COMMUNITY CENTER	CLOSED: Office open for phone calls from 8am-5pm Mon-Fri.	CLOSED: Office open for phone calls from 8am-5pm Mon-Fri.	CLOSED: Office open for phone calls from 8am-5pm Mon-Fri.	Open to public. Programs continue with open gym, pickleball, camps, rentals
ABILENE SWIMMING POOL	CLOSED	CLOSED	CLOSED	Open to public. Programs continue : Swimming Lessons, Aquasize, Lap Swimming, Swim Team, Rentals.
BALL DIAMONDS	CLOSED	Open for controlled non-contact practices, limit size to 30 including coaches, players and spectators per scheduled field.	Open for controlled non-contact practices, limit size to 90 including coaches, players and spectators per scheduled field.	Open to full capacity and regular governing rules.
PLAYGROUNDS	CLOSED	Open with social distancing.	Open with social distancing.	Open with no restrictions.

OUTDOOR RESTROOMS	CLOSED	Open only if daily sanitation is available.	Open only if daily sanitation is available.	Open with no restrictions.
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CITY OF ABILENE
Item for City Commission Agenda

Meeting Date:

4/23/2020

Originating Department

Prepared By:

Approved For Agenda By:
(Office Use Only)

Planning and Zoning

Clinton J. Franey – Director

AGENDA ITEM HEADING:

Raising Backyard Chickens within Abilene City Limits

BACKGROUND:

Currently it is prohibited to raise poultry in the City of Abilene. On October 12, 2018 the city Held a meeting to discuss a potential change to allow poultry. 355 people attended this forum.

- 57.3% expressed interest in raising chickens, 42.7% did not express interest
- 72.5% were in favor of allowing their neighbors to raise chickens, 24.4% were not in favor.
- Food sustainability, education, and environmental stability were the top three reasons people wanted to raise chickens.
- People have concerns over, odor, unsightly coops, the attraction of wildlife and varmints, and noise.
- Roosters will not be allowed
- Communities around Abilene allow backyard chickens and have not had many issues according to their nuisance officers.
- A draft ordinance has been prepared.

FISCAL NOTE:

The allowance of backyard chickens should not have a noticeable impact on the budget or staffing.

COMMISSION ACTION OPTIONS:

1. The commission can approve the ordinance.
2. Approve the ordinance with amendments.
3. Deny the ordinance.
4. Table the ordinance.

ORDINANCE NO. 20-3387

AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS BY AMENDING EXISTING SECTION 4-117 AND ADDING A NEW SECTION 4-124 TO PERMIT THE KEEPING OF CHICKENS WITHIN THE CITY OF ABILENE, KANSAS.

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

SECTION 1. Section 4-117 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows: **Prohibited animals.**

It shall be unlawful to keep, harbor, own or in any way possess:

- (a) Any domestic livestock or fowl, including but not limited to cattle, swine, horses, mules, sheep, goats, chickens, ducks, geese and turkeys, except that:
 - (1) registered purebred miniature Vietnamese pot-bellied pigs and other similar registered purebred miniature pigs may be maintained within the city limits, subject to the conditions stated in Section 4-123 below; and
 - (2) permitted chickens may be maintained within the city limits, subject to the conditions stated in Section 4-124 below.
- (b) Any warm-blooded, carnivorous, or omnivorous, wild or exotic animals (including, but not limited to nonhuman primates, raccoons, skunks, foxes and wild and exotic cats but excluding fowl, ferrets and small rodents or varieties used for laboratory purposes).
- (c) Any animal having poisonous bites.
- (d) Any pit bull dog.

SECTION 2. Article 1 of Chapter 4 of the City Code of the City of Abilene, Kansas is hereby amended by adding a new Section 4-124, to read as follows:

4-124. Exception; chickens.

The provisions of this article are not applicable to owners, keepers, or harborers of permitted chickens which may be maintained within the city limits, subject to the requirements of this section:

- (a) Definitions.
 - (1) *Permittee* means a person to whom a permit has been issued by the city under this section.
 - (2) *Chicken* means an individual animal of the species *Gallus gallus domesticus*.
 - (3) *Hen* means the female chicken.
 - (4) *Rooster* means a male chicken.
- (b) Permit required. No person shall own, keep, or harbor a chicken within the city limits without a permit issued pursuant to this section.
- (c) Locations permitted. Only persons residing in residential zoning districts shall be eligible for a permit under this section.

- (d) Number allowed. A permittee shall not own, keep, or harbor more than six (6) hens, unless the permittee's dwelling is situated upon more than one (1) acre, in which case the permittee shall be allowed to own, keep, and harbor an additional three (3) hens for each full additional one (1) acre of property that is under the permittee's control and possession.
- (e) Roosters prohibited. It shall be unlawful to own, keep, or harbor a rooster within the city limits.
- (f) Setbacks. Coops and cages housing hens shall not be located within:
- (1) twenty-five (25) feet from the door or window of any dwelling or occupied structure other than the permittee's dwelling;
 - (2) five (5) feet of a side or rear yard lot line;
 - (3) in a front yard; or
 - (4) ten (10) feet of the permittee's principal dwelling.
- (g) Enclosures. Hens shall be provided with a covered, predator-proof coop or cage that is well ventilated and designed to be easily accessed for cleaning. The coop or cage shall allow at least two (2) square feet of space per hen. Any coop or cage exceeding 100 square feet in size shall be considered an accessory structure as defined in the Zoning Regulations and must meet all standards outlined therein. Hens shall have access to an outdoor enclosure that is adequately fenced to contain the birds on the permittee's property and to prevent predators from accessing the birds.
- (h) Sanitation. The coop or cage, and the outdoor enclosure, must be kept in a sanitary condition and free from offensive odors. The coop or cage, and the outdoor enclosure, must be cleaned at least once each week to prevent the accumulation of waste.
- (i) Slaughtering. No person shall engage in the outdoor slaughtering of chickens. The remnants from slaughtering shall be properly disposed of, in accordance with applicable laws.
- (j) Permit applications.
- (1) Each applicant seeking to obtain a permit under this section shall apply for a permit in writing on such form as the city clerk may prescribe, and shall pay a non-refundable fee to the city clerk in the amount of \$25.00.
 - (2) Each application for a permit shall be signed by the applicant, who shall be at least eighteen (18) years old, and who shall be in actual control or possession of the dwelling on the subject property. The application shall include or be accompanied by the following information:
 - i. The name, address, telephone number, and date of birth of the applicant.
 - ii. A description of the location and size of the subject property.
 - iii. The number of hens the applicant proposes to keep on the subject property.
 - iv. A description and precise dimensions of the coop(s) or cage(s) and outdoor enclosure(s) to be maintained on the subject property, along with a description or depiction of the precise location(s) of these enclosures in relation to the property lines and adjacent properties.
 - v. If the applicant proposes to keep hens in the yard of a multi-family dwelling, the applicant must include a signed statement from the owner(s) and all tenants of the multi-family dwelling, indicating their consent to the applicant's proposal for keeping hens on the premises.

- vi. Such other information as is required by this chapter or reasonably required by the city to determine the applicant's eligibility and qualifications for a permit in accordance with the criteria, standards, and qualifications set forth in this section.
- (k) Issuance or denial of permit.
 - (1) The city clerk shall process each valid and administratively complete application for a permit within ten (10) business days.
 - (2) No permit shall be approved for any person ineligible pursuant to the provisions of this section.
 - (3) No permit shall be approved for any person who has been convicted, or who resides with any person in the subject property who has been convicted, of a crime related to maltreatment, mistreatment, neglect, or cruelty to any animal.
- (l) Duration of initial permit; renewal.
 - (1) Any permit issued pursuant to this article shall be for a term of the remainder of the calendar year in which the permit is issued. A permit may be renewed by making timely payment of an annual renewal fee in the amount of \$25.00 to the city clerk on or before December 31 of each calendar year. If the annual renewal fee is not made during the time provided herein, the permit shall expire on December 31 and a new application shall be required.
 - (2) A permit issued under this section may be revoked or temporarily suspended by the city manager for any of the following reasons:
 - i. Violation of or failure to comply with any provision of this section, or any other provision in this code or applicable city ordinances; or
 - ii. Fraud, misrepresentation, or false statement contained in the application for the permit.
- (m) Appeal. Any person aggrieved by the city clerk's denial of an initial permit application, or a decision of the city manager to suspend or revoke a permit, shall have the right to appeal such decision to the city commission within ten (10) days after the notice of the action or decision has been mailed to the applicant or the permittee, as applicable. An appeal to the city commission shall be taken by filing with the city clerk a written statement setting forth the grounds for the appeal. An appeal shall be considered by the city commission at a regular meeting to be held within fifteen (15) days of receipt of the written appeal. The city commission may affirm, overrule, or modify the decision. Any person aggrieved by the city commission's decision on appeal may seek judicial review in a manner provided by law.
- (n) Inspection. As a condition of the permit, the permittee agrees to the entry and inspection of any premises, building, enclosure, or other premises where the hens are kept or allowed to inhabit. Such inspection shall be conducted at reasonable times, with or without notice, by such city representatives designated by the city manager as being responsible for administration of this section.
- (o) Transferability. A permit issued under this section shall not be assignable or transferable under any circumstances from one person to another person.
- (p) Penalty. A violation of this section shall constitute a class C violation. Any person who shall be convicted in municipal court of violating any provision of this section shall be punished by a fine of not more than \$500.00. Each day that a violation occurs shall constitute a separate offense and shall be punishable hereunder as a separate violation.

SECTION 3. Existing Section 4-117 is hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No. _____ Summary

On _____, 2020, the City Commission passed Ordinance No. _____. The ordinance amends Chapter 4 of the City Code of the City of Abilene, Kansas by amending existing Section 4-117 and adding a new Section 4-124 to permit the keeping of chickens within the City of Abilene, Kansas, subject to a permitting requirement and regulations as set forth in the ordinance. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 11th day of May, 2020.

Chris Ostermann, Mayor

Attest:

Penny L. Soukup, CMC, City Clerk

The publication summary set forth above is certified this ____ day of _____, 2020.

Aaron O. Martin, City Attorney

From: [Karla Efurd](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Thursday, May 7, 2020 9:59:16 AM
Attachments: [Outlook-hnzoewhl.png](#)

Hey,

I had to phone calls about the chicken ordinance. Dick & Maurita Millner couldn't get your email to work. She said that they would like to both be put down as NO!

Arlie Janzen does not have email but would like it put on the November ballot to vote. She also said she would be voting no as the city inspector cannot keep up with trash and houses that need to be torn down. So she doesn't see how he can keep up with the chickens.

Thanks,

Karla Efurd
Deputy Finance Director
City of Abilene, Kansas
785-263-2550
karla@abilenecityhall.com



"Pursuant to K.S.A. 45-215 et seq., all records maintained by the City of Abilene, Kansas must be open for inspection by the public. This message and its contents are subject to public disclosure as are any responses to this message. If you have questions pertaining to the application of KORA to this message or its contents or have additional questions concerning KORA, please contact City Clerk Penny Soukup at (785) 263-2550."

Name: Mary Ann Bond

Address: 412 Charles Rd

Notes: Opposed to chickens in city limits

Extremely Opposed to having chickens and is concerned that a number of her neighbors would have them if possible.

From: [Robert Bow](#)
To: [Penny Soukup](#)
Subject: Chickens.. a pro vote
Date: Wednesday, May 6, 2020 6:47:58 PM

I don't know that I will have any chickens, but I live on 3 acres on the edge of town without close neighbors and would like to be able to have chickens if I so desire, or if I sell my property I would like the new owner to have the option. I vote FOR backyard chickens. Keepers of chickens should have to maintain them in a safe, secure, and non offensive to neighbors manner.

Bob Bow
785-263-7166
921 S Buckeye
Abilene, KS 67410

From: [Liz Bryant](#)
To: [Penny Soukup](#)
Subject: Chickens in city limits
Date: Thursday, May 7, 2020 10:12:02 PM

(This message is per the Reflector-Chronicle article)

I am in favor of chickens being allowed in city limits.

--Liz Bryant
Abilene resident

From: [Gailen and Phyllis](#)
To: [Penny Soukup](#)
Subject: chickens
Date: Friday, May 8, 2020 12:40:41 PM

Please do not allow chickens inside the city limits of Abilene. They are dirty messy birds and will attract other undesirable animals and reptiles. They belong in the country.

Phyllis Budden
411 NE 16th St

From: [Patricia Cormack](#)
To: [Penny Soukup](#)
Subject: chickens
Date: Friday, May 8, 2020 9:20:48 AM

I never knew there was ever a consideration of having chickens inside the city limits. I think this would be a very bad decision on the part of the city commissioners. I hope this never happens as it would devalue neighboring properties. If people want livestock of any kind they need to move to a rural area.

Pat Cormack, property owner

From: [Joan Dawson](#)
To: [Penny Soukup](#)
Subject: a no vote on chickens
Date: Thursday, May 7, 2020 2:43:09 PM

We do not want an ordinance passed that allow “chickens” in the city. We have enough places that need clean-up already.

Joan and Glen Dawson
609 NW 10th Street
Abilene, Ks 57410-2380
785-280-3062

From: [Jenn Dawson](#)
To: [Penny Soukup](#)
Subject: Chickens!
Date: Thursday, May 7, 2020 10:26:43 AM

Dear Penny,

I am emailing a forward I had originally sent to the editor of our towns lovely newspaper on the matter of chickens and want to make my voice heard as well on the matter. I am in full support of the idea of having chickens raised in the community but do have concerns as well and would like to know in more detail what the cities plans are if it should be allowed.

As sent to editor:

Dear Editor,

In the wake of Covid19 I can see why some would like this security back from their local government and would like to know about how to have my voice heard as well on this matter. I'm a mother of 5 with elder parents with homesteading background who understands the fear and the vision of a solution. I think it would be a positive movement for families to learn and keep chickens. Yes roosters can be annoying and at times aggressive but are not required for hens to lay eggs or being raised for fryer. I would like to see certain types be allowed that would be proper for the space the majority of us have in our yards. As well as a regulated quantity to these spaces as well. I can see it being an added stress for animal control as well if we should have those who abuse the privealidge of keeping chickens.

This is the site I used to research when we first moved to Abilene not knowing we weren't able to bring our 3 hens with us to make the space we had be comfortable for us and them,
https://www.omlet.us/shop/chicken_keeping/?gclid=CjwKCAjw4871BRAjEiwAbxXi27f-XDmj6yh3tFKQrGBY-bS9dKTqTytsZM9vNItlZtupe3bUj0odgRoCj4AAQAvD_BwE It can be done in a stylish and affordable manner for families and I am in full support.

J. A. Dawson
Jadawson1983@gmail.com

Sent from [Mail](#) for Windows 10

From: [teresagriffin](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Thursday, May 7, 2020 1:13:19 PM

I am fully against back yard chickens. They are loud, dirty, and draw unwanted wild animals into a neighborhood. Farm animals belong on farms. I live in the poor neighborhood!

Sent from my Verizon, Samsung Galaxy smartphone

From: [Joanne Miles](#)
To: [Penny Soukup](#)
Subject: Backyard chickens - Yes!
Date: Wednesday, May 6, 2020 7:47:03 PM

Hi Penny,

Here is a link as well as the old WWI posters that encouraged everyone to have a few chickens. Click on the blue link to see the complete article and WWI advertisements

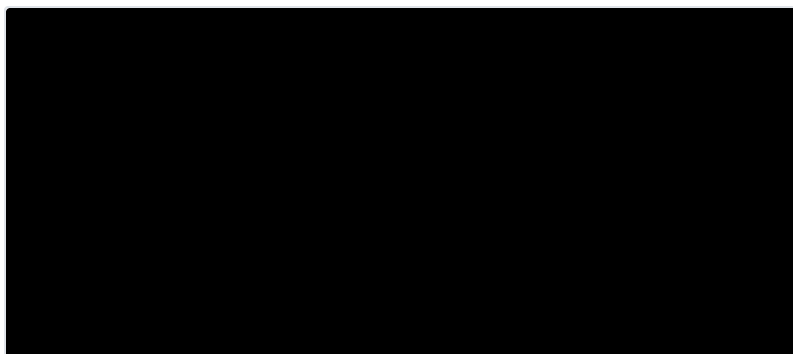
http://www.chickensandyou.com/model_code.html

I say YES to backyard chickens. I live right on Buckeye Ave. and if it was concern for my neighbors for me to have 3 chickens in my backyard, I would bring a signature page to my surrounding neighbors asking whether or not they approve or disapprove. I would also ask them for a 3 month testing period to see if they find the sounds or smells offensive. I think I would take very good care of them and the neighbors would not be bothered at all. . .but you never know. I would probably convert a portion of my old garage into the chicken coup, and a small fenced in area around that to feed the chickens and allow them to have some area to roam.

I also think it is foolish to think that these "unprecedented" times are over. No matter where you stand on the World Virus issue, it makes sense for Abilene to encourage people to be able to take care of themselves. . .Just like in War Times.

I would also encourage Victory Gardens. There is no time like the present.

[Uncle Sam Expects You To Keep Hens and Raise Chickens !!](#)

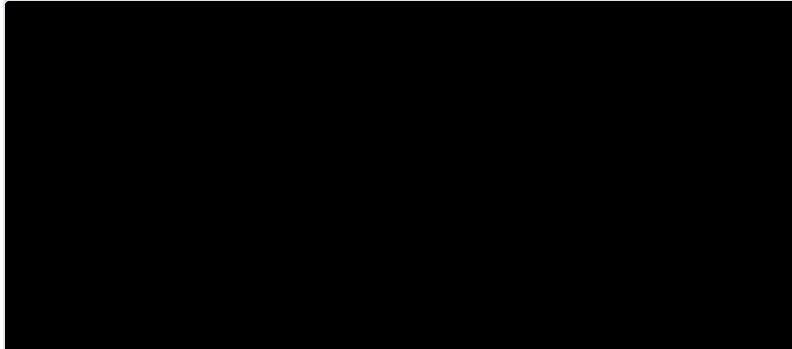


Uncle Sam Expects You To Keep Hens and Raise Chickens !!

Back in the early part of the last century (1917 - 1918) the following was published in multiple poultry magazin...

Click on the link to see the old posters during WWI.

[Victory Gardens: the Antidote to Uncertainty - Off Grid World](#)



**Victory Gardens: the Antidote to Uncertainty -
Off Grid World**

During World Wars I & II, the government urged people to grow their own food to supplement rations. These garden...

Let's make Abilene, KS self-sustaining!

Joanne Hamilton
814 N. Buckeye Ave.
Abilene, KS 67410
541-749-8275

From: [Marilyn Holt](#)
To: [Penny Soukup](#)
Subject: chickens
Date: Thursday, May 7, 2020 3:29:14 PM

Comment regarding chickens allowed within city limits. No! The newspaper article said that commission will limit number, but it says nothing about rules for keeping chickens cooped up. Or are these to be free-range, which means that eventually they could range around a neighborhood. And, although it is low-risk, I would point out that in 2015 the Kansas State Fair banned all poultry and birds from being shown because of avian flu, and in 2017, K-State Research warned Kansas poultry farmers to be vigilant after an outbreak in Tennessee. With the current virus, does the city commission really want to deal with another potential problem, no matter how low-risk it might be?

Marilyn Holt

From: [Marty Holt](#)
To: [Penny Soukup](#)
Subject: Chickens I think chickens in Abilene would be great. Guideline for coops should be in place maybe a yearly permit and inspection.
Date: Thursday, May 7, 2020 7:13:56 AM

From: [Samuel Kleinbeck](#)
To: [Penny Soukup](#)
Subject: happy about the chickens
Date: Thursday, May 7, 2020 7:58:52 PM

Penny,

I'm Sam Kleinbeck I live at 103 Xavier Dr in Abilene. When I heard the possibility of laying hens within the city of Abilene I was ecstatic. During this time of uncertainty it is refreshing to see the city of Abilene is attempting to take care of its citizens. This will help with so many issues, First and foremost this gives a good source of protein for young children whom families are not within the financial means to help feed their children. Second it is a way to help children learn about caring for and raising their own food source and especially chicken fertilizer is great for home gardens. This is also a great plan to help people stay at home during these times where we need to social distance. I have read the draft for the chickens and would suggest we right in they can not use the eggs and chickens for financial means and only for personal use. I believe this would help stop the people from trying to overcrowd their stock. Good job Abilene Proud of you.

Samuel Kleinbeck, CW5 (retired) US Army
Professor, Kansas State University Polytechnic
520-220-7339 cell

From: [Betty Krenger](#)
To: [Penny Soukup](#)
Subject: Chickens in Abilene
Date: Thursday, May 7, 2020 2:41:01 PM

Hi - I am opposed to allowing chickens within the city limits of Abilene.

Betty Krenger

Sent from my iPad

From: [Michael Linenberger](#)
To: [Penny Soukup](#)
Subject: No chickens
Date: Wednesday, May 6, 2020 9:46:45 PM

If people want to have chickens, they should live in the country. I have a feeling that many people who want chickens have never had them before. Chickens need to be cared for, not when you feel like taking care of them. Every day. When the novelty wears off, what then? People will probably be tired of the chickens before they even get any eggs. What about the mice and rats that are attracted by the feed? As for code enforcement, that's laughable. Overgrown yards, unsafe structures, inches of snow covering sidewalks in the winter; do I need to continue. Many of these things are discussed a lot, but nothing is ever done about them. Why would nuisance chickens be any different? It was mentioned that people with homes on the "higher end" might not want chickens. Well our house is not on the higher end and I don't want chickens next door.

Unfortunately people don't seem to care how they might be negatively impacting others. How many maskless people have you seen in places where it is difficult to socially distance?

Michael Linenberger
1008 N Kuney
Sent from my iPhone

From: [Don's Tire and Supply](#)
To: [Penny Soukup](#)
Subject: chickens
Date: Thursday, May 7, 2020 7:32:25 AM

I would totally be against having chickens within the city limits. Would not want them next to our home. Resale? Property Value? Nuisance? What is next? Horses, Cows? Pigs? Once you start, where do you stop? If they want animals, they need to live in the country. Don Nebelsick

From: Klbr@eaglecom.net
To: [Penny Soukup](#)
Subject: Chickens!
Date: Thursday, May 7, 2020 3:01:10 PM

I don't think we need chickens in our city. Let them get a farm!

Sent from my iPhone

From: [Tim Horan](#)
To: [anna.schamberger](#)
Cc: [Penny Soukup](#)
Subject: Re: Chickens in abilene
Date: Thursday, May 7, 2020 12:51:32 PM

I am forwarding your comments to the commissioners.

Tim Horan
editor@abilene-rc.com
785 263-1000

On May 7, 2020, at 12:38 PM, anna.schamberger
<annalisa_noelle@hotmail.com> wrote:

To Whom it may concern,

It has been brought to my attention that the city of Abilene is reconsidering allowing its residents to have chickens on their properties. I'm highly in favor of this action. The more we can allow our people to move toward healthy and sustaining practices, the greater the peace of mind of its citizens can be. This would particularly be an engaging and productive activity for the many children who are not allowed activities outside of their own homes at this time. It would also be a wonderful lesson in entrepreneurship and strengthening our community as families give and/or sell eggs to one another. I do not recommend roosters, as there would be a lot of noise pollution that would come with that. Thank you for considering this.

Sincerely,
Annalisa Schamberger

From: [Adrianne Russell-Pestinger](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Wednesday, May 6, 2020 1:15:22 PM

To Whom It May Concern:

I am a long time resident of Abilene and am in favor of allowing backyard chickens inside of the city limits. I personally feel that it is a great learning experience for families with children as well as a food source. My family is also interested in having our backyard chickens.

Thank you for the consideration!

Adrianne Russell-Pestinger

From: [roberta.robertson](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Wednesday, May 6, 2020 11:59:55 AM

Please allow chickens
(Hens) in the city limits.

What an awesome opportunity for
families to have this experience. We are a rural town and this is an awesome idea. Our children would love this.
We have 7 children. There are not very many things in this town
to do. This would be an awesome way for kids to experience some
animals and get eggs. This would not be bad for this town. We are behind the times on this. Many towns allow
chickens.

James and Roberta Robertson
504 NE 6th
Abilene, Kansas 67410
785-209-0078

From: [Pat Robson](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Thursday, May 7, 2020 5:37:13 PM

Commissioners,

I am against allowing chickens in the city limits! They can carry disease such as e-coli, salmonella, listeria etc. Chickens belong in the country not in my neighbors back yard!

Pat Robson

Sent from my iPhone

From: [Jane Foltz](#)
To: [Penny Soukup](#)
Subject: FW: Chickens in the City
Date: Wednesday, May 6, 2020 11:58:45 AM
Attachments: [image001.png](#)

FYI

Jane Foltz
City Manager
City of Abilene, Kansas
785-263-2550
Jane@abilenecityhall.com



From: Robert Royer <royerlaw@sbcglobal.net>
Sent: Wednesday, May 6, 2020 11:14 AM
To: Dee Marshall <dee@abilenecityhall.com>; Tim Shafer <tims@abilenecityhall.com>; Brandon Rein <brandonrein@gmail.com>; Trevor Witt <trevor@abilenecityhall.com>; Chris Ostermann <chriso@abilenecityhall.com>
Cc: Jane Foltz <jane@abilenecityhall.com>
Subject: Chickens in the City

Having lived in Abilene for more than 70 years, I can remember when chickens were permitted in the city limits. Early on, when we were more agricultural, they were usually taken care of and were only a minor nuisance. Later when we became more mobile, both parents started working, etc., they became a real problem. Those who followed the rules and tried to keep them cooped up had issues when they went on vacation or just stopped thinking they were a neat project. I can remember when the birds were ignored and either baked in the summer or froze in the winter, were allowed to perish from lack of food or water and sometimes were just turned loose to fend for themselves. You think animal control is busy now, try and envision the days that he will inevitably end up chasing chickens around town. Where is he going to take them ? Is their going to be a fine for allowing them to wander ? How do you prove whose chickens they were ? I strongly oppose the thought of allowing them into our city limits. We have about a dozen red foxes who hunt the creek in our neighborhood every night. Is the next request going to be to eliminate all these foxes who will probably keep any permitted chicken population down in our area ? Common sense should prevail to not open this Pandora's box, but if seriously considered, there should be a city wide referendum on the issue....Hank Royer

From: [sherri.kleinbeck](#)
To: [Penny Soukup](#)
Subject: Chicken vote
Date: Thursday, May 7, 2020 7:52:51 PM

I would like to express my support of chicken in the city limits of Abilene.
Sherri Kleinbeck
103 Xavier drive

Sent from my iPhone

From: [Karen Smith](#)
To: [Penny Soukup](#)
Subject: Chicken coops
Date: Thursday, May 7, 2020 11:25:01 AM

I vote yes!!!

Sent from my iPhone

From: [Bev Stroud](#)
To: [Penny Soukup](#)
Subject: chickens
Date: Thursday, May 7, 2020 11:14:00 AM

I grew up on a farm with chickens and I moved to the city because I don't want chickens in my backyard or my neighbors backyard. Covid-19 is just an excuse to allow it in. We have local grocery stores that need our support. Unless you bring in other farm animals in like cows, pigs, etc., this isn't going to keep you from going to the store for milk and other necessities. Besides that, they do smell bad, especially downwind. If you want a project for kids, join 4-H. There's endless possibilities, but don't bring farm animals in to town.

Bev Stroud/Cooper

Sent from [Mail](#) for Windows 10

From: [Jena Swihart](#)
To: [Penny Soukup](#)
Subject: Chickens in Abilene
Date: Thursday, May 7, 2020 11:19:19 AM

Hello,

I would like to express my great excitement that Abilene is considering allowing residents to have chickens. I gave my chickens away when we moved to town in December and have really missed having them. I would love the opportunity to have some again. I hope the new law is passed.

Thank you,
Jena Swihart
Resident of 413 NW 7th St, Abilene

From: [Cheryl Tyler](#)
To: [Penny Soukup](#)
Subject: Chicken in Abilene
Date: Wednesday, May 6, 2020 4:53:27 PM

Yes it would be nice to have chickens in town. I'm for it.

From: [Vicki Wade](#)
To: [Penny Soukup](#)
Subject: Chickens
Date: Wednesday, May 6, 2020 11:05:21 AM

No chickens.

Sent from my iPad

From: [Chris West](#)
To: [Penny Soukup](#)
Date: Wednesday, May 6, 2020 3:52:46 PM

Hi penny. I think chickens in the city limits is dumb. ♂ ♂ Then it will snowball and someone will want a miniature horse or small goat. Tell mark to get to work too!

Have a great day penny! Glad they posted your email on the front page of the paper!!! ♂

Christopher S. West
West's Country Mart

Sent from my iPhone

From: [Tom Whitehair](#)
To: [Penny Soukup](#)
Subject: No chickens in town
Date: Thursday, May 7, 2020 7:53:17 PM

We would vote "NO" to having chickens in town. They would not make good neighbors with their odor, wandering, and attraction to varmints and disease.

Tom and Janet Whitehair

City of Abilene
Payroll Expenditures Report
05/01/2020 PR #9

PAYROLL CODE		TOTALS	
	NET SALARIES	\$	72,135.89
051 & 501	OASDI - CITY/EMPLOYEE	\$	12,922.20
049 & 502	MEDICARE - CITY/EMPLOYEE	\$	3,022.22
001	FEDERAL WITHHOLDING - EMPLOYEE	\$	8,726.84
503	KPERS - CITY	\$	6,344.58
056, 057, 059	KPERS EMPLOYEE	\$	3,961.23
		\$	10,305.81
505	KPERS RETIREE/EMPLOYER	\$	-
153	KPERS GROUP LIFE - EMPLOYEE	\$	239.53
504	KPF - CITY	\$	9,440.65
61	KPF EMPLOYEE	\$	3,077.98
		\$	12,518.63
155	KPF GROUP LIFE- EMPLOYEE	\$	80.08
105 & 540	WADDELL & REED 457 - CITY/EMPLOYEE	\$	1,825.00
204	WADDELL & REED 529 - EMPLOYEE	\$	50.00
110	WADDELL & REED SAVINGS - EMPLOYEE	\$	465.00
130 & 530	ICMA 457 CITY/EMPLOYEE	\$	-
005	STATE TAX - EMPLOYEE	\$	4,432.62
120	AFLAC After Tax D&L - EMPLOYEE	\$	264.35
170	AFLAC Before Tax INSURANCE - EMPLOYEE	\$	687.78
102	VISION CARE DIRECT - EMPLOYEE	\$	118.14
104	VSP VISION PLANS - EMPLOYEE	\$	132.11
140	HEALTH INSURANCE - EMPLOYEE	\$	5,728.46
510	HEALTH INSURANCE - CITY	\$	17,063.96
		\$	22,792.42
103	HEALTH SAVINGS ACCOUNT - EMPLOYEE	\$	300.00
506	HEALTH SAVINGS ACCOUNT - CITY	\$	262.50
111 & 520	IMPACT SPORTS & FITNESS- CITY/EMPLOYEE	\$	212.35
114 & 560	ABILENE PHYSICAL THERAPY - CITY/EMPLOYEE	\$	-
200	KS PAYMENT CENTER SUPPORT - EMPLOYEE	\$	168.46
206	CALIFORNIA CHILD SUPPORT - EMPLOYEE	\$	369.23
150	FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	\$	1,423.76
121	POLICE & FIREMENS INS. - EMPLOYEE	\$	20.92
211	GARNISHMENT - EMPLOYEE	\$	210.04
	TOTAL PAYROLL EXPENDITURES	\$	153,685.88

CITY OF ABILENE

05/05/20 3:34 PM

Page 1

***Check Summary Register©**

Batch: 051120PAY

Name		Check Date	Check Amt	
002000 Astra Bank checking				
29615	ABILENE PRINTING & OFFICE	5/11/2020	\$184.36	CCR MESSAGE PRINTED ON BACK OF WA
29616	ABILENE REFLECTOR-CHRONIC	5/11/2020	\$284.55	POOL AD, TREAS. REPORT
29617	AIR AND FIRE SYSTEMS INC	5/11/2020	\$45,122.00	BREATHING AIR COMPRESSOR & FILL STA
29618	ALFRED BENESCH & CO	5/11/2020	\$1,803.50	PROFFESIONAL SERVICES 3/16-4/12/20
29619	AMOS, MEGAN	5/11/2020	\$37.50	REFUND FOR BASEBALL
29620	APAC, INC - SHEARS	5/11/2020	\$1,146.16	HMA FOR STREET REPAIR
29621	BOBCAT OF SALINA	5/11/2020	\$977.00	EXCAVATOR BUCKET
29622	BOYD EXCAVATING INC	5/11/2020	\$500.00	TEMP. DRIVEWAY RECYCLING CENTER - 8
29623	CHENEY DOOR COMPANY	5/11/2020	\$169.00	WWTP SOUTH DOOR
29624	CINTAS	5/11/2020	\$100.55	1ST AID SUPPLIES
29625	CONSOLIDATED PRINTING	5/11/2020	\$43.58	APRIL COPY BILL FOR CVB & CHAMBER
29626	COOPER CLEANING SERVICE	5/11/2020	\$2,100.00	APRIL 2020 CLEANING
29627	COYLE, JAMIE	5/11/2020	\$50.00	BASEBALL REFUND
29628	CULLIGAN OF SALINA	5/11/2020	\$30.00	MAY 2020 R.O. SYSTEM RENTAL
29629	DK CTY ADMINISTRATION	5/11/2020	\$509.44	DIESEL
29630	DK CTY REGISTER OF DEEDS	5/11/2020	\$1.50	LUMBER HOUSE DEED
29631	DK CTY SHERIFF	5/11/2020	\$175.00	APRIL 2020 PRISONER CARE
29632	DON'S TIRE & SUPPLY	5/11/2020	\$96.22	FLAT REPAIR #10B
29633	EAGLE BROADBAND, INC	5/11/2020	\$350.00	MAY 2020 EBS ADMIN & PD
29634	EAGLE TECHNOLOGY Solutio	5/11/2020	\$166.25	EMAIL SET BACK UP
29635	EGOV STRATEGIES, LLC	5/11/2020	\$501.65	FEES FOR EGOV PAYMENTS 3/24-4/30/20
29636	EVERGY	5/11/2020	\$39,439.69	ELECTRICAL SERVICE
29637	FOLEY EQUIPMENT COMPANY	5/11/2020	\$267.72	LOADER SEAT REPAIRS
29638	GASTON, JOYCE	5/11/2020	\$25.00	REFUND DK CO LEAGUE - BRONCOS
29639	GORACKE, EMILY	5/11/2020	\$105.00	REFUND FOR T-BALL, SOCCER, BASEBALL
29640	HAMM INC	5/11/2020	\$2,597.93	STONE
29641	HOMMAN ELECTRONICS	5/11/2020	\$145.00	FACTORY REPAIR MIN V PAGER GABLE
29642	HYDRO OPTIMIZATION & AUTO	5/11/2020	\$892.50	WELL #19 & #13
29643	HYLTON, NATHAN	5/11/2020	\$50.00	REFUND FOR BASEBALL
29644	IMAGE QUEST	5/11/2020	\$176.67	COPIES
29645	JACKSON, SARAH	5/11/2020	\$66.00	DANCE RECITAL REFUND & 2 SHIRTS
29646	JERRY MILLER ELECTRONICS	5/11/2020	\$325.00	MAY 2020 AWOS
29647	JOYCELYN LUCAS RANDLE LAW	5/11/2020	\$500.00	MARTIN 19-0469, 19-0471
29648	KANSAS GAS SERVICE	5/11/2020	\$2,297.64	GAS SERVICE
29649	KANSAS ONE-CALL SYSTEM, IN	5/11/2020	\$180.00	APRIL LOCATES
29650	KS MUNICIPAL INSURANCE TR	5/11/2020	\$4,500.00	2019 WORKERS' COMP - ADDITIONAL PRE
29651	KS TREASURER	5/11/2020	\$862.25	MUNICIPAL COURTS CHARGES - APR 20
29652	LACAL EQUIPMENT, INC	5/11/2020	\$1,000.22	SWEEPER PARTS - DIRTS SHOES & LEAF
29653	LINDER ELECTRIC	5/11/2020	\$795.25	WELL #17
29654	LINK MEDIA OUTDOOR	5/11/2020	\$4,010.00	MAY BOARD RENT (6 BOARDS)
29655	LUMBER HOUSE TRUE VALUE	5/11/2020	\$326.67	WELL #6 PLUMBING SUPPLIES
29656	MARSTALL, JAMIE	5/11/2020	\$50.00	REFUND FOR BASEBALL
29657	MAYER SPECIALTY SERVICES,	5/11/2020	\$800.00	SIDE TAP FOR AIRPORT PROJECT
29658	MCKINNEY, RHONDA	5/11/2020	\$125.00	REFUND FOR BASEBALL
29659	MEMORIAL HOSPITAL	5/11/2020	\$146.28	DANA GLESSNER PD#20-1349
29660	MES, INC	5/11/2020	\$849.00	EMT RECERT PREMIER MEMBERSHIP
29661	MICHELLE WRIGHT	5/11/2020	\$6,786.42	CID ROSEROCK LESS 2% ADMIN FEE - APR
29662	MIDWEST CONCRETE MATERIA	5/11/2020	\$715.50	CONCRETE & FLOWABLE FILL FOR WATER
29663	NEX-TECH RURAL TELEPHONE	5/11/2020	\$3,094.25	PHONE SERVICE
29664	O.C.C.K., INC	5/11/2020	\$3,317.25	1ST QTR TRANSPORTATION TO SR CENTE
29665	OLSSON	5/11/2020	\$25,961.13	14TH STR IMPROVEMENTS VINE TO BUCK
29666	PACE ANALYTICAL SERVICES	5/11/2020	\$240.60	EFFLUENT SAMPLES
29667	POTTERS SWEEL	5/11/2020	\$250.00	VISIT ABILENE KS HANDMADE MUGS FOR
29668	PRAIRIE FIRE COFFEE	5/11/2020	\$46.90	COFFEE WWTP

CITY OF ABILENE

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***Check Summary Register©**

Batch: 051120PAY

	Name	Check Date	Check Amt	
29669	PRESLEY, LYNN	5/11/2020	\$50.00	REFUND BASEBALL
29670	PROSCAPE, INC	5/11/2020	\$55.99	SPRAY WEED AROUND CITY COMPOUND
29671	REIFF, MARCY	5/11/2020	\$93.75	REFUND FOR BASEBALL
29672	ROASTER JOES, INC	5/11/2020	\$193.19	COFFEE
29673	ROBSON OIL CO, INC	5/11/2020	\$2,725.79	FUEL
29674	ROCKING M MEDIA	5/11/2020	\$70.00	POOL AD
29675	RUSSELL STOVER CHOCOLATE	5/11/2020	\$7,184.68	REFUND TWO PAYMENTS FOR APRIL WAT
29676	RYAN & MULLIN, PA	5/11/2020	\$2,916.67	CITY PROSECUTOR MAY 2020
29677	SALINA SUPPLY CO	5/11/2020	\$308.56	LOCK KEY/LOCK CAP
29678	SAMS CLUB/GECF	5/11/2020	\$26.96	COVID-19 ALCOHOL SWABS/TOILET PAPE
29679	SECURE SHRED OF N.C.K.	5/11/2020	\$122.86	APRIL SERVICE PD
29680	SHORT, BILL	5/11/2020	\$55.00	REFUND FOR BASEBALL
29681	SMART INSURANCE	5/11/2020	\$718.00	LIABILITY INSURANCE @ 511 NW 2ND
29682	SUPERIOR SANITATION SERVIC	5/11/2020	\$410.00	TRASH SERVICE @ CVB, RECYCLE & WWT
29683	TRIPLETT, INC	5/11/2020	\$2,450.81	CID PROPERTY 6 LESS 2% ADMIN FEE APR
29684	UNIFIRST CORPORATION	5/11/2020	\$459.95	UNIFORM SERVICE
29685	US BANK EQUIPMENT FINANCE	5/11/2020	\$433.41	COPIER LEASE
29686	US POST OFFICE-POSTMASTER	5/11/2020	\$240.00	1ST CLASS PRESORT - PERMIT #1
29687	VAN DIEST CHEMICAL CO	5/11/2020	\$3,069.65	VESSEL HERBICIDE
29688	WICKS, ERIC	5/11/2020	\$50.00	REFUND FOR BASEBALL
Total Checks			\$176,928.40	

FILTER: ((([Act Year]='2020' and [period] in (5))) and (Source in ('051120PAY')))