ABILENE
KANSAS

**Abilene City Commission Meeting Minutes**
**Abilene Public Library – 209 NW Fourth Street**
**December 14, 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 Manager Foltz, City Clerk Soukup, City Attorney Martin, Finance Director Rothchild, and Convention and Visitors Bureau Director Roller-Weeks.

3. **Pledge of Allegiance**

**Consent Agenda**

4. **Agenda Approval for the December 14, 2020 City Commission Meeting**
5. **Meeting minutes: November 23, 2020 Regular Meeting**
6. **Meeting minutes: December 7, 2020 Special City Commission Meeting**
7. **Approval of the 2021 Cereal Malt Beverage applications**

Motion by Commissioner Marshall, seconded by Commissioner Rein to approve the Consent Agenda with the addition of item 10a, termination of Letter of Intent with New Horizon's Hemp and approve an agreement with Leith Enterprises, Midwest Meats. Roll call vote: Rein YES, Marshall YES, Shafer YES, Witt YES, Ostermann YES. Motion carried unanimously 5-0.

**Public Comments and Communications**

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

Kansas State Senator Randall Hardy presented Senate Resolution 1745 recognizing the 150th Anniversary of Abilene, Kansas.

**9. Recognition of Employees for Years of Service**

The following employees were recognized for their years of service with the City of Abilene:

Christopher Hocker – Firefighter II – 20 years of service
Kellee Timbrook – Parks and Recreation Director – 15 years of service
Christopher West – Volunteer Firefighter – 15 years of service
Mark Haaga – Police Sergeant – 15 years of service
Jason Wilkins – Assistant Police Chief – 15 years of service
Angela Wilkins – Recreation Specialist II – 10 years of service
Joseph Schrader – Police Officer II – 10 years of service
Marcus Rothchild – Finance Director – 5 years of service
Jonathan Wehling – Volunteer Firefighter – 5 years of service

**Old and New Business**

**10. Consider Ordinance 20-3396 AN ORDINANCE GRANTING TO KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC., AND ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS FOR THE USE OF PUBLIC RIGHTS-OF-WAY, REQUIRING ADVANCE NOTICE OF WORK AND DUTY TO REPAIR, PROVIDING FOR INDEMNIFICATION AND A HOLD HARMLESS AGREEMENT, PROVIDING FOR RULES AND REGULATIONS, PRESCRIBING INSURANCE REQUIREMENT, RESERVING CERTAIN RIGHTS, PROVIDING FOR REVOCATION AND TERMINATION, PROVIDING FOR AN ACCEPTANCE OF THE TERMS OF THE FRANCHISE, PROVIDING FOR A REOPENER, PROVIDING FOR NOTICE OF ANNEXATIONS, PRESCRIBING RELEVANT GOVERNING LAW, PROVIDING FOR TRANSFER AND ASSIGNMENT OF THE FRANCHISE, PROVIDING FOR POINTS OF CONTACT AND NOTIFICATIONS, PROVIDING FOR AN AGREEMENT TO RENEGOTIATE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THERE TERMS HEREOF.**

Motion by Commissioner Marshall, seconded by Commissioner Witt to adopt Ordinance No. 20-3396 **AN ORDINANCE GRANTING TO KANSAS GAS SERVICE, A DIVISION OF ONE GAS, INC., AND ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE, PRESCRIBING THE TERMS AND CONDITIONS FOR THE USE OF PUBLIC RIGHTS-OF-WAY, REQUIRING ADVANCE NOTICE OF WORK AND DUTY TO REPAIR, PROVIDING FOR INDEMNIFICATION AND A HOLD HARMLESS AGREEMENT, PROVIDING FOR RULES AND REGULATIONS, PRESCRIBING INSURANCE REQUIREMENT, RESERVING CERTAIN RIGHTS, PROVIDING FOR REVOCATION AND TERMINATION, PROVIDING FOR AN ACCEPTANCE OF THE TERMS OF THE FRANCHISE, PROVIDING FOR A REOPENER, PROVIDING FOR NOTICE OF ANNEXATIONS,**

**PRESCRIBING RELEVANT GOVERNING LAW, PROVIDING FOR TRANSFER AND ASSIGNMENT OF THE FRANCHISE, PROVIDING FOR POINTS OF CONTACT AND NOTIFICATIONS, PROVIDING FOR AN AGREEMENT TO RENEGOTIATE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THERE TERMS HEREOF.** Roll call vote: Marshall YES, Shafer YES, Witt YES, Ostermann YES, Rein YES. Motion carried unanimously 5-0.

**10a. Consideration of termination of Letter of Intent for New Horizon Hemp Processing and consider the approval of a letter intent for Leith Enterprises Midwest Meats for Meat Processing.**

Chuck Scott, Dickinson County Economic Development Council, presented information regarding the termination of the letter of intent for New Horizon Hemp Processing and the new letter of intent with Leith Enterprises, Midwest Meats for a meat processing facility.

Motion by Commissioner Witt, seconded by Commissioner Rein to rescind the offer from New Horizons Hemp Processing and accept the real estate offer from Midwest Mears for tract one and 12 month right of refusal for tract two. Roll call vote: Shafer YES, Witt YES, Ostermann YES, Rein YES, Marshall YES. Motion carried unanimously 5-0.

**11. Meet with and discuss City Manager search with Austin Peter's Group representative virtually.**

Beth Tatarko, Austin Peter's Group, virtually presented the proposal for the City Manager Search.

**12. Discussion regarding the last two meetings of 2020 with possible action.**

The City Commissioners agreed to not hold the last two meetings of 2020 due to no pressing projects or concerns.

**Reports**

**13. City Manager reports**

City Manager Foltz recognized the following who retired from the City of Abilene in 2020:

Kevin Stroda – Street Supervisor – 36 years of service
Ronnie Rein – Assistant Fire Chief – 35 years of service
Tim Davis – Street Laborer – 12 years of service
Brian Willis – Water Laborer – 15 years of service

Staff is continuing to do upgrades at the Water Treatment Plant.

The KDHE annual inspection of the Wastewater Treatment Plant was completed and everything was in compliance with the Water Pollution Control Permit. Congratulations Lone and staff members GD Hite and Kevin Clark for their work at the Wastewater Treatment Plant.

We currently have one staff member with COVID-19 and one more being tested.

We wish you all a safe and Happy Holiday season.

**Adjournment**

**14. Consideration of a motion to adjourn the December 14, 2020 City Commission meeting.**

Motion by Commissioner Marshall, seconded by Commissioner Witt to adjourn at 5:00 p.m. Roll call vote: Witt YES, Rein YES, Ostermann YES, Marshall YES, Shafer YES. Motion carried unanimously 5-0.

(Seal) THE CITY OF ABILENE STATE OF KANSAS

Chris Ostermann

Chris Ostermann, Mayor

ATTEST:

Penny L. Soukup, CMC

Penny L. Soukup, CMC
City Clerk