ABILENE CITY COMMISSION - REGULAR MEETING AGENDA

ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET

May 24, 2021 - 4:00 pm

DUE TO COVID-19 AND SOCIAL DISTANCING WE ARE ENCOURAGING VIEWING ALL MEETINGS VIRTUALLY ON THE LIVE STREAMED CITY OF ABILENE'S YOUTUBE PAGE AT https://www.youtube.com/channel/UCNURrU0ueP6_dRpHYu1wJEg

1. Call to Order
2. Roll Call: ____ Rein ____Marshall ____ Ostermann ____ 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 24, 2021 City Commission Meeting
5. Meeting Minutes: May 10, 2021 Regular Meeting

Public Comments and Communications

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

Old and New Business

7. Consider a motion to approve a real estate donation agreement with Ralph Viola for property located at 609 S. Washington Street.
8. Consider individual request for discharge of fireworks after a memorial service.

Reports

9. City Manager reports.

Adjournment

10. Consideration of a motion to adjourn the May 24, 2021 City Commission meeting.

Future Meeting Reminders:

- City Commission Study Session, June 7 at 4 pm
- City Commission Meeting, June 14 at 4 pm

Abilene City Commission Meeting Minutes
Abilene Public Library – 209 NW Fourth Street
May 10, 2021 @ 4:00 p.m.
Abilene, Kansas

1. **Call to Order**

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

Staff Present: Interim City Manager/Finance Director Rothchild, City Attorney Martin, Deputy City Clerk Mohr, Zoning Administrator Zook, and Public Works Director Schrader.

3. **Pledge of Allegiance**

Consent Agenda

4. **Agenda Approval for the May 10, 2021 City Commission Meeting**
5. **Meeting minutes: April 26, 2021 Regular Meeting**

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve the consent agenda as amended with the addition of items 7a and 7b and change item 7 to item 7c. Roll call vote: Marshall YES, Ostermann YES, Shafer YES, Witt YES, Rein YES. Motion carried unanimously 5-0.

Public Comments and Communications

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

Doug Smart, Smart Insurance presented the City with an insurance dividend check in the amount of $38,367.16, representing savings on insurance premiums the last year.

Old and New Business

7a. Consider acceptance of the dedication of streets and other public ways, service, and utility easements and any land dedicated for the public purposes in the proposed final plat for the American Addition.

Interim City Manager Rothchild and City Attorney Martin presented information regarding the proposed plat for the American Addition and discussed the changing of the name of the street to E. Hilltop Drive.

Motion by Commissioner Marshall, seconded by Commissioner Ostermann to approve the final plat for the American Addition with the condition the street name will be E. Hilltop Drive. Roll call vote: Ostermann YES, Shafer YES, Witt Yes, Rein YES, Marshall YES. Motion carried unanimously 5-0.

7b. Consider acceptance of public right-of-way deed from Highland Homes.

Motion by Commissioner Witt, seconded by Commissioner Marshall to accept the public right-of-way deed from Highland Homes. Roll call vote: Shafer YES, Witt YES, Rein YES, Marshall YES, Ostermann YES. Motion carried unanimously 5-0.

7c. Commercial Real Estate Development Agreement – Guffy Properties, LLC

Interim City Manager Rothchild presented information regarding the Commercial Real Estate Development Agreement with Guffy Properties, LLC.

Motion by Commissioner Ostermann, seconded by Commissioner Marshall to approve the Commercial Real Estate Development Agreement with Guffy Properties, LLC for the commercial development at 1709 N. Buckeye Avenue. Roll call vote: Witt YES, Rein YES, Marshall YES, Ostermann YES, Shafer YES. Motion carried unanimously 5-0.

8. Airport Environmental Assessment

Interim City Manager Rothchild presented information regarding work order for the Airport Environmental Assessment for the Abilene Municipal Airport.

Motion by Commissioner Witt, seconded by Commissioner Marshall to approve the Master Agreement Work Order No. 1 for the Airport Environmental Assessment for the Abilene Municipal Airport. Roll call vote: Marshall YES, Ostermann YES, Shafer YES, Witt YES, Rein YES. Motion carried unanimously 5-0.

<u>Reports</u>

9. City Manager reports

Abilene had another great weekend following the Eisenhower Marathon and Fly-In and pancake feed at the airport the prior weekend. This last weekend featured the Car Show at Holm Automotive, Antique Fest downtown, a baseball tournament in the park and even a sheep and goat show at the air grounds. The weather was great, and it was fun to see all the people out and feel a buzz back in Abilene. We have really come a long way from a year ago at this time.

I attended the Iron Horse Trail meeting last Wednesday evening and was able to hear from landowners and trail enthusiasts alike. It was a productive first meeting that will help the group continue planning. Another meeting will be scheduled to address questions presented.

The Parks and Recreation Department is ramping up with the end of the spring and beginning of summer sports. Preparation for upcoming swim season has begun also as the pool is set to open Memorial Day weekend.

The Fire Department and Public Works Department worked to finish up hydrant testing last week.

Midwest Meats has completed an application for a conditional use permit to construct a custom butcher/meat processing facility along NW 14th Street. This will go to the Planning Commission on June 1st before coming to the City Commission.

Adjournment

10. Consideration of a motion to adjourn the May 10, 2021 City Commission meeting.

Motion by Commissioner Marshall, seconded by Commissioner Witt to adjourn at 4:18 p.m. Roll call vote: Ostermann YES, Shafer YES, Witt YES, Rein YES, Marshall YES. Motion carried unanimously 5-0.

(Seal)

____
Brandon Rein, Mayor

ATTEST:

____
Shayla Mohr
Deputy City Clerk

CITY OF ABILENE
Item for City Commission Agenda

Meeting Date: 5/24/2021

Originating Department: Administration

Prepared By: Marcus Rothchild

Approved For Agenda By:
(Office Use Only)

AGENDA ITEM HEADING:

Consider a motion to approve a real estate donation agreement with Ralph Viola for property located at 609 S. Washington Street.

BACKGROUND:

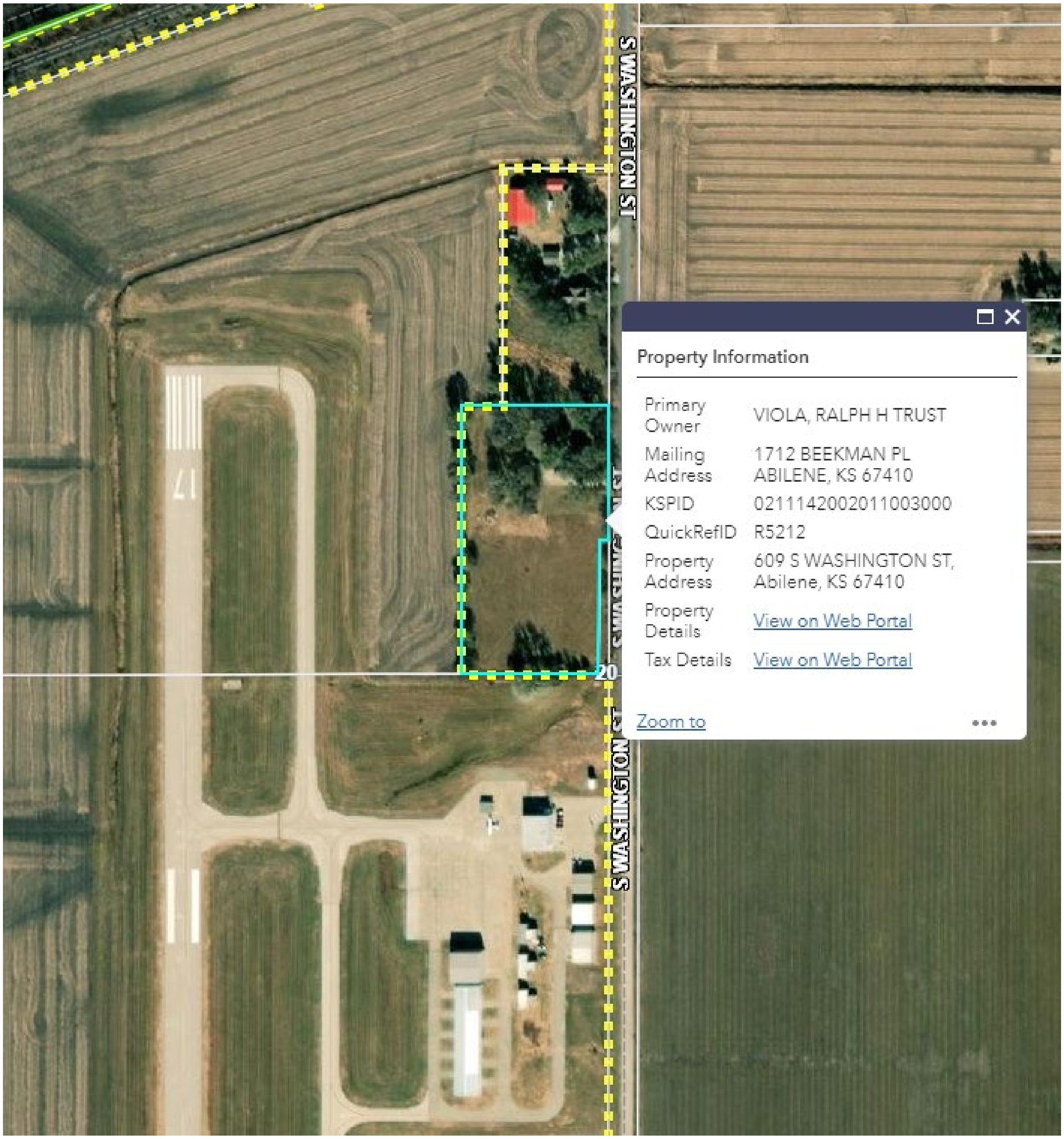
The City of Abilene was approached by Ralph Viola who was interested in donating the property located at 609 S. Washington Street to the City of Abilene for the purpose of future airport expansion. Ralph has been a board member for the Airport Board for many years and owns a personal hangar at the airport. This piece of land was identified in the Airport Master plan as a necessary future purchase option if the City were to expand the airport layout to the North. Ralph's generous donation will help the City continue to plan and improve the Abilene Municipal Airport in the future.

FISCAL NOTE:

This property does have a vacant house on the property that will need removed to prepare the land for future growth. Mr. Viola is donating the land but is asking that the City pay for remaining fees as noted in section three of the real estate donation agreement.

COMMISSION ACTION OPTIONS:

Consider approval of real estate donation agreement with Ralph Viola for property located at 609 S. Washington Street.


S WASHINGTON ST
S WASHINGTON ST
20
Property Information
Primary Owner
VIOLA, RALPH H TRUST
Mailing Address
1712 BEEKMAN PL
ABILENE, KS 67410
KSPID
0211142002011003000
QuickRefID
R5212
Property Address
609 S WASHINGTON ST,
Abilene, KS 67410
Property Details
View on Web Portal
Tax Details
View on Web Portal
Zoom to

City of Abilene

Item for City Commission Agenda

Meeting Date: 5/24/2021

Originating Department: Administration

Prepared By: Marcus Rothchild

Approved for Agenda By: *(Office Use Only)*

AGENDA ITEM HEADING:

Individual request to discharge fireworks after a memorial service

BACKGROUND:

A request has been submitted by Joann Hettenbach to discharge fireworks after a memorial service for Paul Hettenbach. The City has allowed fireworks at events with approval by the City Commission in the past. The City Code is as follows:

5-312. Possession and discharge of fireworks.

(a) Discharge of fireworks, which are defined as "Class C Fireworks," not including bottle rockets" by the Rules and Regulations of the Kansas State Fire Marshal, shall be permitted between the hours of 8:00 am and10:00 pm, from July 1through July 4 and between the hours of 8:00 am and 12:00 am, midnight, on July 4. Fireworks may be possessed June 27 through July 4.

(b) Fireworks may only be discharged in residential areas on private property, not within public rights-of-way including streets. Fireworks may not be discharged on business, commercial, industrial property or on public property. An officer observing reckless discharge of fireworks shall be authorized to confiscate all fireworks in the possession of the person recklessly discharging the same.

(c) It is prohibited to discharge or use fireworks in a reckless manner which creates a risk of injury, death or damage to property.

(d) The Fire Chief has the authority to ban the discharge or use of fireworks within the city limits due to weather conditions.

(Ord. 3134; Ord. 3294; 3365)

5-313. Fireworks; penalties.

Any person violating any of the sections of this article shall be guilty of a Class C Misdemeanor. Parents shall be responsible for supervising minor children (under the age of sixteen) who are discharging fireworks. Failure to properly supervise children discharging fireworks shall be punishable pursuant to this section.

(Ord. 3134)

5-314. Littering.

Littering is intentionally or recklessly depositing or causing to be deposited any object or substance into, upon or about:

(a) Any public street, highway, alley, road, right-of-way, park or other public place, or any lake, stream, watercourse, or other body of water, except by direction of some public officer or employee authorized by law to direct or permit such acts; or

(b) Any private property without the consent of the owner or occupant of such property. Littering is punishable by a fine not to exceed $500.00.

(Ord. 3014)

FISCAL NOTE:

N/A

COMMISSION ACTION:

Consider the request from Joann Hettenbach

From: Marcus Rothchild
To: Penny Soukup
Subject: Fwd: Special request for fireworks
Date: Thursday, May 20, 2021 8:24:53 AM

Get Outlook for iOS

From: Joann Hettenbach <jhettenbach@gmail.com>
Sent: Thursday, May 20, 2021 12:44:58 AM
To: Marcus Rothchild <marcus@abilenecityhall.com>
Subject: Special request for fireworks

Our family will be gathering this Memorial Day Weekend for the funeral service of Paul Hettenbach who died last fall after a prolonged illness. His service is planned on Saturday evening, the 29th, with a time of visitation following.

Hettenbach Construction Company owns a few acres of land on Portland Ave where equipment was parked. My children would like to end the evening by launching a few fireworks for our immediate family for a period of about 30 minutes. There are no homes in the area closer than a quarter of a mile, and we would leave the area quickly following.

We would appreciate special permission for this ending celebration of Paul's life. Thank you for consideration.

Sincerely,
The family of Paul Hettenbach

CITY OF ABILENE

*Check Summary Register©

Batch: 052421PAY

	Name	Check Date	Check Amt	
002000	**Astra Bank checking**			
31615	ABILENE MUNICIPAL COURT	5/24/2021	$497.25	CALE SWARTS 21-0053 BOND APPLY
31616	ABILENE TERMITE & PEST CO	5/24/2021	$280.00	YEARLY TERMITE CONTRACT RENEWAL
31617	ACCENT WIRE-TIE	5/24/2021	$609.44	WIRE FOR BALES
31618	AIR AND FIRE SYSTEMS INC	5/24/2021	$378.00	SCBA BOTTLE HYDRO TEST - 8 BOTTLES
31619	AIRPORT IFE SERVICES, INC	5/24/2021	$2,000.00	ENVIRONMENTAL ASSESSMENT PROJECT
31620	APAC, INC - SHEARS	5/24/2021	$3,327.29	HMA FOR STREET REPAIRS (MILLING)
31621	ARLAN CO INC	5/24/2021	$1,746.20	POOL CHEMICALS - 10 BUCKETS CHLORIN
31622	BRUCE MCMILLAN AIA ARCHITE	5/24/2021	$21,524.10	FEASABILITY STUDY FOR APD PROJECT #
31623	BSN SPORTS LLC	5/24/2021	$975.89	YOUTH BASEBALL EQUIPMENT
31624	CATLETT AUTOMOTIVE INC	5/24/2021	$57.32	TIRE GAUGE
31625	CFS INSPECTIONS	5/24/2021	$1,116.80	AERIAL & GROUND LADDER TESTING
31626	CILLESSEN & SONS, INC	5/24/2021	$1,450.00	EISENHOWER MARATHON SIGNAGE
31627	CNA SURETY	5/24/2021	$300.00	ANNUAL SURETY BOND - M. ROTHCHILD
31628	CORE & MAIN	5/24/2021	$9,926.74	WATER MAIN MATERIALS FOR N. BUCKEY
31629	CRUMP, JONEE	5/24/2021	$60.00	COOKIES FOR NATIONAL POLICE WEEK
31630	D S & O RURAL ELECTRIC COOP	5/24/2021	$144.56	ELECTRIC SERVICE @ LIGHT CLR GARTEN
31631	DK CTY EMS	5/24/2021	$183.00	MELINDA ROBBINS APD CASE #2021-1969
31632	DK CTY REGISTER OF DEEDS	5/24/2021	$17.00	RECORD COVER SHEET ON ORD. 21-3398
31633	DPC ENTERPRISES, LP	5/24/2021	$2,141.00	CHLORINE CYLINDERS, POTASSIUM PERM
31634	EAGLE BROADBAND, INC	5/24/2021	$419.95	EBS ADMIN & PD MAY 2021
31635	EAGLE TECHNOLOGY SOLUTIO	5/24/2021	$2,792.49	MONTHLY BILLING FOR MAY 2021
31636	EGOV STRATEGIES, LLC	5/24/2021	$1,311.40	EGOV TRANSACTION FEES APRIL 2021
31637	GALLS, LLC	5/24/2021	$25.50	K-9 PATCH
31638	HYLTON, KELLY	5/24/2021	$45.00	SOFTBALL REFUND
31639	IMAGE QUEST	5/24/2021	$268.08	CONTRACT BASE RATE - 2 HP PRINTERS
31640	J & K CONTRACTING	5/24/2021	$4,500.00	CONTRACTED BORING SERVICE LINES
31641	JERRY A. MILLER	5/24/2021	$490.00	MAY 2021 AWOS & REPAIR POWER SUPPL
31642	JOHNSON, LEANN	5/24/2021	$100.00	FFA PULLED PORK FOR NATIONAL POLICE
31643	KDHE BUREAU OF WATER	5/24/2021	$60.00	FAITH AVE. DETENTION BASIN ANNUAL ST
31644	MARK KINDERKNECHT	5/24/2021	$1,000.00	SIDEWALK REPLACEMENT PROGRAM FOR
31645	KS TREASURER	5/24/2021	$1,143.59	APRIL 2021
31646	LAST CHANCE GRAPHICS	5/24/2021	$591.25	DEPT T-SHIRTS
31647	LEAGUE KS MUNICIPALITIES	5/24/2021	$175.00	LEADERSHIP SUMMIT & MAYORS CONFER
31648	LINK MEDIA OUTDOOR	5/24/2021	$2,855.00	5 BILLBOARDS MONTHLY RENTAL
31649	LUMBER HOUSE TRUE VALUE	5/24/2021	$100.89	BOLTS FOR EXHAUST FANS
31650	INVORG INC	5/24/2021	$1,220.00	MAY 2021 MONTHLY HOSTING FEE
31651	NEW BOSTON CREATIVE GROU	5/24/2021	$287.50	WEBSITE UPDATES
31652	PACE ANALYTICAL SERVICES	5/24/2021	$501.20	EFFLUENT SAMPLES
31653	PICK ONE HOUR CLEANERS	5/24/2021	$32.25	PATCHES/SHIRTS
31654	PRAIRIE LANDWORKS, INC	5/24/2021	$21,808.88	FAITH AVE DETENTION BILLING #7
31655	QUADIENT FINANCE USA, INC	5/24/2021	$376.71	POSTAGE
31656	ROASTER JOES, INC	5/24/2021	$63.30	COFFEE
31657	SALINA SEPTIC-PORTABLE TOIL	5/24/2021	$520.00	4 PORTABLE TOILETS @ COMPLEX & 1 & 2
31658	SALINA SUPPLY CO	5/24/2021	$436.04	DKCO SERVICE SUPPLIES
31659	SAMS CLUB/GECF	5/24/2021	$223.96	BALL DIAMOND CONCESSIONS
31660	SCHULTE SUPPLY, INC	5/24/2021	$79.95	MANHOLE COVER LIFTER
31661	SOLID ROCK AUDIO VIDEO	5/24/2021	$210.00	TECH SUPPORT MAY 2021
31662	STANION WHOLESALE ELECTRI	5/24/2021	$12.50	INSULATED SCREW DRIVERS
31663	STEERMAN, TRAVIS	5/24/2021	$72.40	REIMB FOR STANDARDS & CODE ACADEM
31664	STREET DECOR INC	5/24/2021	$3,230.01	CHRISTMAS LIGHTS - BRIDGE POLES, LITT
31665	SWARTS, CALE	5/24/2021	$400.00	CALE SWARTS 21-0053 BOND REFUND
31666	US BANK EQUIPMENT FINANCE	5/24/2021	$574.40	CONTRACT COPIER 4/25-5/25/21
31667	US POST OFFICE	5/24/2021	$1,258.00	REGUALR BILLING JUNE 2021
31668	VALIDITY SCREENING SOLUTIO	5/24/2021	$80.00	BACKGROUND CHECK - MARSH

CITY OF ABILENE

*Check Summary Register©

Batch: 052421PAY

	Name	Check Date	Check Amt	
31669	VAN DIEST CHEMICAL CO	5/24/2021	$2,014.20	CHEMICALS
31670	VERIZON	5/24/2021	$1,931.51	CELL PHONE SERVICE
31671	VISA - UMB ADMINISTRATION	5/24/2021	$645.82	PRINTING & ADVERTISING
31672	VISA - UMB AIRPORT	5/24/2021	$74.90	INTERNET
31673	VISA - UMB COMMUNITY DEVEL	5/24/2021	$30.89	TOOLS & MINOR EQUIPMENT
31674	VISA - UMB CVB	5/24/2021	$6,578.01	PROMO/ADS/MARKETING
31675	VISA - UMB FIRE DEPT	5/24/2021	$1,446.69	BUILDING MAINT
31676	VISA - UMB MUNICIPAL COURT	5/24/2021	$68.58	PRINTING & ADS
31677	VISA - UMB PARKS	5/24/2021	$4,469.36	PRINTING & ADVERTISING
31678	VISA - UMB POLICE DEPT	5/24/2021	$1,875.66	TRAINING
31679	VISA - UMB PUBLIC WORKS	5/24/2021	$2,622.39	SIGN MAINT
31680	WAGEWORKS	5/24/2021	$160.00	APRIL 2021 MONTHLY ADMIN & COMPLIAN
31681	WEIS FIRE & SAFETY EQUIPME	5/24/2021	$537.50	WELDED CRACK IN WATERWAY FLANGE T
		Total Checks	$116,455.35	

FILTER: (([Act Year]='2021' and [period] in (5))) and (Source in ('052421PAY'))

City of Abilene
Payroll Expenditures Report
05/14/2021 PR #10

PAYROLL CODE		TOTALS			
	NET SALARIES	$	75,960.67		
051 & 501	OASDI - CITY/EMPLOYEE	$	13,375.68		
049 & 502	MEDICARE - CITY/EMPLOYEE	$	3,128.16		
001	FEDERAL WITHHOLDING - EMPLOYEE	$	9,037.40		
503	KPERS - CITY	$	6,021.34		
056, 057, 059	KPERS EMPLOYEE	$	3,660.41	**$**	**9,681.75**
505	KPERS RETIREE/EMPLOYER	$	-		
153	KPERS GROUP LIFE - EMPLOYEE	$	138.52		
504	KPF - CITY	$	10,940.35		
61	KPF EMPLOYEE	$	3,430.87	**$**	**14,371.22**
155	KPF GROUP LIFE- EMPLOYEE	$	54.03		
105 & 540	WADDELL & REED 457 - CITY/EMPLOYEE	$	1,195.00		
204	WADDELL & REED 529 - EMPLOYEE	$	50.00		
110	WADDELL & REED SAVINGS - EMPLOYEE	$	300.00		
130 & 530	ICMA 457 CITY/EMPLOYEE	$	-		
005	STATE TAX - EMPLOYEE	$	4,610.20		
120	AFLAC After Tax D&L - EMPLOYEE	$	127.68		
170	AFLAC Before Tax INSURANCE - EMPLOYEE	$	628.87		
102	VISION CARE DIRECT - EMPLOYEE	$	102.84		
104	VSP VISION PLANS - EMPLOYEE	$	95.64		
140	HEALTH INSURANCE - EMPLOYEE	$	5,900.26		
510	HEALTH INSURANCE - CITY	$	16,792.68	**$**	**22,692.94**
103	HEALTH SAVINGS ACCOUNT - EMPLOYEE	$	267.50		
506	HEALTH SAVINGS ACCOUNT - CITY	$	272.50		
111 & 520	IMPACT SPORTS & FITNESS- CITY/EMPLOYEE	$	273.04		
114 & 560	ABILENE PHYSICAL THERAPY - CITY/EMPLOYEE	$	-		
200	KS Support order- EMPLOYEE	$	168.46		
206	CA Support order - EMPLOYEE	$	369.23		
150	FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	$	1,201.17		
121	POLICE & FIREMENS INS. - EMPLOYEE	$	20.92		
211	GARNISHMENT - EMPLOYEE	$	219.97		
	TOTAL PAYROLL EXPENDITURES	**$**	**158,343.39**		