



ABILENE CITY COMMISSION - REGULAR MEETING AGENDA
ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET
July 12, 2021 - 4:00 pm

**VIEW THIS CITY COMMISSION MEETING VIRTUALLY AT
www.abilenecityhall.com/watchlive**

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 July 12, 2021, City Commission Meeting
5. Meeting Minutes: June 28, 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 Ordinance No. 21-3399, AN ORDINANCE AUTHORIZING THE SALE, CONSUMPTION AND POSSESSION OF ALCOHOLIC LIQUOR AT A SPECIFIED LOCATION ON THE PUBLIC RIGHT-OF-WAY AND APPROVING THE CLOSURE OF PUBLIC PROPERTY FOR THE ABILENE OKTOBERFEST.
8. Consider Ordinance No. 21-3400, AN ORDINANCE AMENDING CHAPTER 3, SECTIONS 3-101, 3-111 AND 3-604 OF THE CITY CODE OF ABILENE, KANSAS PERTAINING TO THE SALE OF CEREAL MALT BEVERAGES, ENHANCED CEREAL MALT BEVERAGES AND ALCOHOLIC LIQUOR IN ITS ORIGINAL PACKAGING SOLD AT RETAIL, AND THE PERMISSIBLE HOURS AND DAYS FOR SALE OF THE SAME.
9. Consider Resolution No. 071221-1 A RESOLUTION OF INTENT TO EXCEED THE REVENUE NEUTRAL RATE FOR PURPOSES OF THE CITY OF ABILENE, KANSAS 2022 BUDGET, AND DIRECTING THE CITY MANAGER TO NOTIFY THE COUNTY CLERK OF SUCH INTENT.
10. 2022 Budget Discussion – Recreation Commission and Special Revenue Funds

Reports

11. City Manager's Reports

Adjournment

12. Consideration of a motion to adjourn the July 12, 2021, City Commission meeting.

Future Meeting Reminders:

- City Commission Study Session, July 19th at 4 p.m.
- City Commission meeting, July 26th at 4 p.m.



Abilene City Commission Meeting Minutes
Abilene Public Library – 209 NW Fourth Street
June 28, 2021 @ 4:00 p.m.
Abilene, Kansas

1. Call to Order

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

Staff Present: City Manager Marsh, Interim City Clerk Mohr, Finance Director Rothchild, City Attorney Martin, Parks and Recreation Director Timbrook, Interim Fire Chief Strunk, and Public Works Director Schrader.

3. Pledge of Allegiance

Consent Agenda

4. Agenda Approval for the June 28, 2021, City Commission Meeting.

5. Meeting minutes: June 14, 2021, Regular Meeting.

6. Appoint Barry Arp to the Heritage Commission to fill vacancy-term expiring in January 2023.

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve the Consent Agenda with the removal of item No. 9 as this can be approved by the City Manager and does not require the passage of an ordinance or resolution. Roll call vote: Marshall YES, Ostermann YES, Shafer YES, Witt YES, Rein YES. Motion carried unanimously 5-0.

Public Comments and Communications

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

There were no public comments or communications.

Old and New Business

8. Approval of Resolution No. 062821-1, A RESOLUTION ACCEPTING THE INDEPENDENT AUDIT OF THE FINANCIAL STATEMENT OF THE CITY OF ABILENE, KANSAS FOR YEAR ENDING DECEMBER 31, 2020, AS PREPARED BY VARNEY AND ASSOCIATES, CPAS, LLC.

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve Resolution No. 062821-1, **A RESOLUTION ACCEPTING THE INDEPENDENT AUDIT OF THE FINANCIAL STATEMENT OF THE CITY OF ABILENE, KANSAS FOR YEAR ENDING DECEMBER 31, 2020, AS PREPARED BY VARNEY AND ASSOCIATES, CPAS, LLC.** Roll call vote: Ostermann YES, Shafer YES, Witt YES, Rein YES, Marshall YES. Motion carried unanimously 5-0.

9. Approval of Ordinance No. 21-3399, AN ORDINANCE AUTHORIZING THE SALE, CONSUMPTION AND POSSESSION OF CEREAL MALT BEVERAGES ON THE EAST SIDE OF THE RODEO GRANDSTAND AT THE CITY FAIRGROUNDS.

This item was removed from the agenda.

10. Approval of the purchase of transmission water main materials for Well #23 from Wichita Winwater.

City Manager Marsh explained this is to build the main water line to connect to Well #23. This is being done early to secure the material needed so we have it when construction begins.

Public Works Director Schrader presented information regarding the bids received for the water main materials for the development of Well #23. The City is requesting that this be funded through the American Rescue Plan for infrastructure improvements.

Motion by Commissioner Marshall, seconded by Commissioner Shafer to approve the purchase of transmission water main materials for Well #23 for Wichita Winwater in the amount of \$91,016.43. Roll call vote: Shafer YES, Witt YES, Rein YES, Marshall YES, Ostermann YES. Motion carried unanimously 5-0.

11. 2022 Budget Discussion – Utility Funds.

Finance Director Rothchild presented information regarding the 2022 Budget for the Utility Funds – recycling, storm water, water, and sewer.

Finance Director Rothchild also presented information regarding the American Rescue Fund which the City will use to fund the Convention and Visitors Bureau due to lost revenue during the Covid Pandemic and to help fund the infrastructure for Well #23.

Reports

12. City Manager reports

As you may have seen via social media, with a significant contribution from the community the Convention and Visitors Bureau was able to purchase from auction a carved bulls head and longhorns from Ben Thompsons Bull Head Saloon. The piece will return to Old Abilene Town. Committed contributions are just over \$12,587; the purchase price was \$11,000 with an 18% buyer's premium for a total of \$12,980. The balance will be paid by the Convention and Visitors Bureau.

The Corp of Engineers levee remediation continues. Lon expects there is a little over 3 weeks of work left.

Public Works has had quite a bit of overtime the week before last; installing new telemetry remotes at the water plant and a communications issue made for some long days; repaired several water leaks and picking up storm debris.

Update on the status of the radiators for the police department remodel: once the tax credit application has been submitted and reviewed, we will know whether the radiators must stay.

The question was asked last meeting about our sales tax coming from the gas tax. The gas tax in Kansas is \$.24/gallon, but this is not directly received by the City of Abilene. The city does receive around \$150,000-\$160,000 in gas tax distributed from the state each year, but the rest is distributed to other communities or goes towards highways and roads throughout Kansas. The City's increase in sales tax was a combination of an increase in local shopping and online purchases in Abilene. In 2021 so far, our overall local sales tax is up \$56,778 or 10% compared to last year with \$27,880 of that made up by online sales which is currently up 33% year to date.

The question was also asked about our payment to the DKEDC in 2020. The payment was issued from a different line item in the budget and was \$10,000.

The library and CVB budget presentation scheduled for July 12th will now be July 19th due to schedule conflicts with both the library and Julie.

Reminder: starting with the next City Commission meeting on July 12th, all commissioners will be on the bench; and starting July 19th, study sessions will move back to the City Hall conference room.

We will not have a study session on July 5th due to the Independence Day Holiday

Adjournment

12. Consideration of a motion to adjourn the June 28, 2021, City Commission meeting.

Motion by Commissioner Marshall, seconded by Commissioner Ostermann to adjourn at 4:35 p.m. Roll call vote: Witt YES, Rein YES, Marshall YES, Ostermann YES, Shafer YES. Motion carried unanimously 5-0.

(Seal)

Brandon Rein, Mayor

ATTEST:

Shayla L. Mohr
Interim City Clerk



CITY OF ABILENE
Item for City Commission Agenda

Meeting Date:

7/12/2021

Originating Department

Prepared By:

Approved For Agenda By:
(Office Use Only)

Administration

Shayla Mohr, Interim City Clerk

AGENDA ITEM HEADING:

Ordinance No. 21-3399-Abilene Oktoberfest

BACKGROUND:

The Special Event paperwork for street closures has been completed and approved for Oktoberfest to be held downtown on N. Broadway Street between NW 3rd and NW 4th Streets on September 25, 2021.

They will be applying for a Temporary Alcohol Permit through the State of Kansas Alcohol and Beverage Control. Since this event will take place on the public right-of way, the state requires an Ordinance to be passed by the Governing Body before they will issue a temporary alcohol permit.

FISCAL NOTE:

none

COMMISSION ACTION:

Approve Ordinance No. 21-3399 AUTHORIZING THE SALE, CONSUMPTION AND POSSESSION OF ALCOHOLIC LIQUOR AT A SPECIFIED LOCATION ON THE PUBLIC RIGHT-OF-WAY AND APPROVING THE CLOSURE OF PUBLIC PROPERTY FOR THE ABILENE OKTOBERFEST.



TEMPORARY ALCOHOLIC LIQUOR PERMIT APPLICATION

TEMPORARY ALCOHOLIC LIQUOR Permit Application Fee: \$25.00 PER DAY

****STATE OF KANSAS ALCOHOLIC BEVERAGE CONTROL TEMPORARY PERMIT REQUIRED****

Name of Applicant: Hanna Nagely Date: 6/30/21

Name of Group for which the Event is planned: Abilene Oktoberfest LLC

Location of Event: Downtown Broadway between 3rd + 4th St.

Date(s) of Event: September 25, 2021

Time of Event: 4pm - midnight
(Alcoholic Beverages shall not be served or consumed between the hours of 2:00 a.m. and 6:00 a.m.)

Will the event be held on public streets, alleys, roads, sidewalks or highways? ☒ YES ☐ NO
(If yes, City Commission must approve by Ordinance or Resolution)

Is there any anticipated need for police, fire, or other municipal services? ☐ YES ☒ NO

If yes, please state what services will be needed.

Kari Zook
Approval of Zoning Official

6/30/21
Date

Shay Mohr
Approval of City Clerk

7-7-2021
Date

Debra Watter
Acknowledgement of Police Chief

7/6/21
Date

- All applications for Temporary Alcoholic Liquor permits must be submitted to the City Clerk not less than five (5) days prior to the event.
- The Temporary Alcoholic Liquor permits must be placed in plain view on any premises within the City where the holder of the temporary permit is serving alcoholic beverages for consumption on the premises.
- No Temporary Alcoholic Liquor permit holder shall allow the serving of alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. or consumed between the hours of 2:00 a.m. and 6:00 a.m. at any event for which a temporary Alcohol permit has been issued.
- No alcoholic beverages shall be given, sold or traded to any person under twenty-one (21) years of age.
- A copy of all Temporary Alcoholic Liquor permits will be given to the Police Chief.

Form #17

STATE OF KANSAS

ALCOHOLIC BEVERAGE CONTROL
109 SW 9th STREET
P.O. Box 3506
TOPEKA KS 66601-3506



DEPARTMENT OF REVENUE
PHONE: 785-296-7015
FAX: 785-296-7185
www.ksrevenue.org/abc.html

TEMPORARY PERMIT LOCATION AND ZONING

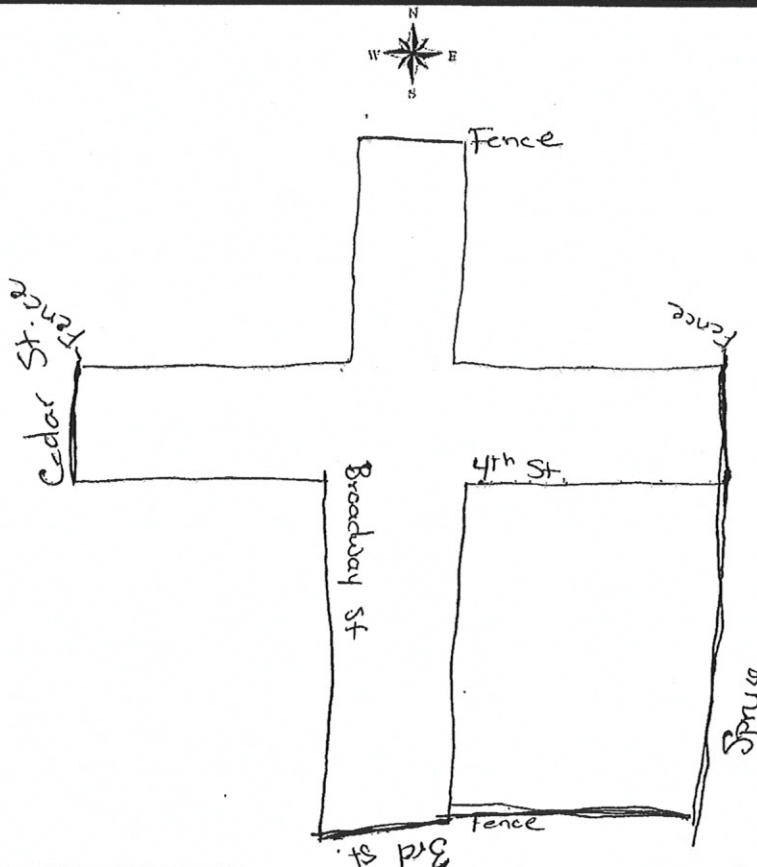
Organization Name or Individual Applicant Abilene OKtoberfest LLC Event Date(s) September 25, 2021

Event Type: ☐ Charitable Auction ☐ On-Premise ☐ Porcelain Container
☒ Special Event* - Number of Consecutive days (up to 30): _____

*A special event is held on public streets, alleys, roads, sidewalks or highways and must be approved, by ordinance or resolution, by the local governing body of any city, county or township where such special event is being held.

SECTION 1 – EVENT AREA: Complete this section for On-Premise and Special Events only.

In the space below, in ink, draw the floor plan and any outside areas included in the proposed event area where alcoholic liquor will be sold, served or consumed. If the area is outside, it must show where the three-dimensional barriers will be located to define the event area; and, include nearby streets for reference. Shade in the areas you DO NOT wish to be permitted.



SECTION 2 – CERTIFICATE OF CITY, TOWNSHIP OR COUNTY CLERK: (Completed by the clerk)

I HEREBY CERTIFY THAT THE PREMISES AT N. Broadway St. between 3rd & 4th Abilene
Location Street Address City

CITY LIMITS: ☒ Inside the incorporated city limits ☐ Outside the city limits

ZONING: ☒ within an area that complies with all applicable zoning regulations required by K.S.A. 41-2645(d)

☐ located outside an incorporated city, in a township or county that is not zoned

LOCATION: ☐ government property ☐ private property ☒ public property ☐ CMB licensed premise

I declare under penalties of perjury that to the best of my knowledge and belief that Section 2 is true, correct and complete.

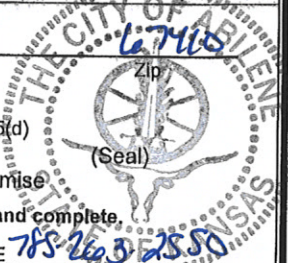
CLERK SIGNATURE Shayla L Mohr

DATE 6-30-2021

PHONE 785-263-2550

PRINTED NAME Shayla L Mohr

☒ City Clerk ☐ Township Clerk ☐ County Clerk



ORDINANCE NO. 21-3399

AN ORDINANCE AUTHORIZING THE SALE, CONSUMPTION AND POSSESSION OF ALCOHOLIC LIQUOR AT A SPECIFIED LOCATION ON THE PUBLIC RIGHT-OF-WAY AND APPROVING THE CLOSURE OF PUBLIC PROPERTY FOR THE ABILENE OKTOBERFEST.

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

Section 1. Authorization is given to barricade a portion of Broadway Avenue between NW Third Street and NW Fourth Street and portions of NW Fourth Street between the hours of 8:00 a.m. and 11:59 p.m. on September 25, 2021, and between the hours of 12:00 a.m. and 1:00 a.m. on September 26, 2021, for the Abilene Oktoberfest Event (the “Event”).

Section 2. The barricaded portion of Broadway Ave. and NW Fourth Street as set forth above shall be temporarily closed from 8:00 a.m. and 11:59 p.m. on September 25, 2021, and between 12:00 a.m. and 1:00 a.m. on September 26, 2021. Vendors holding the appropriate license from the State of Kansas to sell alcoholic liquor may in accordance with all applicable state laws and municipal ordinances sell alcoholic liquor in the specific area to be barricaded identified above and as approved and designated by the Division of Alcohol Beverage Control. The Abilene Oktoberfest, LLC shall provide security for the Event and conduct the Event in accordance with its plan submitted with the application, a copy of which plan is available for review at the City Office, 419 N. Broadway, Abilene, Kansas. It shall be the duty of the Event organizer and the vendor(s) to restrict access to alcoholic beverages to those persons twenty-one (21) or older.

Section 3. Event attendees twenty-one (21) and older may buy, possess, and consume alcoholic beverages in the specified area and during the times designated above.

Section 4. The Event is hereby approved by the Governing Body as a special event as required by K.S.A. 41-719(a)(2).

Section 5. 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. 21-3399 Summary

On July 12, 2021, the City Commission passed Ordinance No. 21-3399. The ordinance authorizes the sale, consumption, and possession of alcoholic liquor at a specified location on the public right-of-way and approves the closure of public property for the Abilene Oktoberfest, LLC. 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 12th day of July 2021.

Brandon Rein, Mayor

Attest:

Shayla L. Mohr, Interim City Clerk

The publication summary set forth above is certified this 12th day of July 2021.

Aaron O. Martin, City Attorney



CITY OF ABILENE
Item for City Commission Agenda

Meeting Date:

July 12, 2021

Originating Department

Prepared By:

Approved For Agenda By:
(Office Use Only)

Administration

Ron Marsh, City Manager

AGENDA ITEM HEADING:

Ordinance No. 21-4000

BACKGROUND:

Kansas House Bill 2137 authorizes the Sunday sales for Retail Liquor Stores and Cereal Malt Beverage (CMB) Retailers to begin as early as 9 a.m. in the cities or counties where Sunday sales have been authorized. The City must modify their existing ordinances in order to authorize Sunday sales before noon.

The only holidays that alcoholic liquor may not be sold on are Easter, Thanksgiving and Christmas. This has been in affect since the adoption of Ordinance 3145 in October of 2009.

This ordinance will also update the City code concerning the enhanced Cereal Malt Beverage laws that changed in 2019. This changed the definition of CMB from "any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute or any flavored malt beverage, as defined in K.S.A. 41-2729 and amendments thereto, and such term shall include beer, as defined by K.S.A. 41-102, containing not more than **three point two** percent alcohol by volume when such beer is sold by a retailer licensed under the Kansas Cereal Malt Beverage Act and the provisions of this chapter" to "not more than **six percent** alcohol by volume when such beer is sold by a retailer licensed under the Kansas Cereal Malt Beverage Act and the provisions of this chapter"

FISCAL NOTE:

none

COMMISSION ACTION:

Approve Ordinance 21-4000 authorizing the Sunday sales for Retail Liquor Stores and Cereal Malt Beverage Retailers to begin as early as 9 a.m. and approving changes to the city code concerning the 2019 enhanced Cereal Malt Beverage laws.

ORDINANCE NUMBER 21-3400

AN ORDINANCE AMENDING CHAPTER 3, SECTIONS 3-101, 3-111, AND 3-604 OF THE CITY CODE OF ABILENE, KANSAS PERTAINING TO THE SALE OF CEREAL MALT BEVERAGES, ENHANCED CEREAL MALT BEVERAGES AND ALCOHOLIC LIQUOR IN ITS ORIGINAL PACKAGING SOLD AT RETAIL, AND THE PERMISSIBLE HOURS AND DAYS FOR SALE OF THE SAME.

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

SECTION ONE. Section 3-101 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

3-101. Definitions.

For the purposes of this article, the following words and phrases shall mean:

- (a) *Person* means individuals, firms, partnerships, corporations, and associations.
- (b) *Sale at retail and Retail sale* means sale for use or consumption and not for resale in any form.
- (c) *Place of business* means any place at which cereal malt beverages are sold.
- (d) *Wholesaler or Distributor* means individuals, firms, partnerships, corporations, and associations engaged in the business of selling or offering for sale any cereal malt beverage referred to in this article to any person, corporation, partnership, and association authorized by this article to sell such cereal malt beverage at retail.
- (e) *Cereal malt beverage* means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute or any flavored malt beverage, as defined in K.S.A. 41-2729 and amendments thereto, and such term shall include beer, as defined by K.S.A. 41-102, containing not more than six percent alcohol by volume when such beer is sold by a retailer licensed under the Kansas Cereal Malt Beverage Act and the provisions of this chapter.
- (f) *Licensee* means a person as defined in subsection (a) hereof, who has a license as is herein required.
- (g) *On-premises retailer* means a licensee who has a license to sell at retail cereal malt beverages for consumption on the premises of the licensee.
- (h) *Off-premises retailer* means a licensee who has a license to sell at retail cereal malt beverages in original and unopened containers and not for consumption on the premises of the licensee.

(i) *Special event* means an event that is open to the public where the consumption of cereal malt beverages may occur on public streets, alleys, sidewalks, or property.

(j) *Retailer* means a person who sells or offers for sale any cereal malt beverage for use or consumption and not for resale in any form. A retailer may only sell cereal malt beverages at the place of business specified on their license or the location of a special event permit.

SECTION TWO. Section 3-111 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

3-111. Business Regulations.

It shall be the duty of every licensee to observe the following regulations:

(a) The license issued by the city shall be posted in a conspicuous place in the place of business for which the license is issued.

(b) The place of business licensed and operating under this article shall have front and rear exits unlocked during all times while open for business.

(c) The premises and all equipment used in connection with such business shall be kept clean and in a sanitary condition and shall at all times be open to inspection by public safety and health officers of the city, county, and state.

(d) Except as provided by subsection (e):

- (1) No cereal malt beverages may be sold in the original package at retail between the hours of 12:00 midnight and 6:00 a.m., Monday through Saturday; or (2) before 9:00 a.m. or after 8:00 p.m. on Sunday; or (3) on Easter Sunday.
- (2) No cereal malt beverages may be sold or dispensed for consumption on premises between the hours of 12:00 midnight and 6:00 a.m., or on Sunday, except in a place of business which is licensed to sell cereal malt beverage for consumption on the premises, which derives not less than thirty percent (30%) of its gross receipts from the sale of food for consumption on the licensed premises. Closing hours for clubs shall conform to K.S.A. 41-2614 and any amendments thereto

(e) Cereal malt beverages may be sold at any time alcoholic liquor is allowed by law to be served on premises which are licensed pursuant to K.S.A. 41-2701 *et seq.* and licensed as a club by the State of Kansas.

(f) The place of business shall be open to the public at all times during business hours, except premises licensed as a club under a license issued by the State of Kansas.

(g) No licensee, agent, or employee of the licensee shall become intoxicated in the place of business for which such license has been issued.

(h) No licensee or agent or employee of the licensee shall permit any intoxicated person to remain in the place of business for which such license has been issued.

(i) No licensee or agent or employee of the licensee shall sell or permit the sale of cereal malt beverage to any person under the legal age for consumption.

(j) No licensee or agent or employee of the licensee shall permit any gambling in the place of business for which such license has been issued.

(k) No licensee or agent or employee of the licensee shall permit any person to mix alcoholic drinks with materials purchased in said place of business or brought in for such purpose.

(l) No licensee shall employ any person who has been adjudged guilty of a felony.

SECTION THREE. Section 3-604 of the City Code of the City of Abilene, Kansas is hereby amended to read as follows:

3-604. Business Regulations.

It shall be the duty of every licensee to observe the following regulations:

(a) Every licensee shall cause the alcoholic liquor retailer license to be placed in plain view on the premises.

(b) No person shall sell any alcoholic liquor at retail: (1) before 9:00 a.m. or after 11:00 p.m. Monday through Saturday; or (2) before 9:00 a.m. or after 8:00 p.m. on Sunday; or (3) on Thanksgiving Day, Christmas Day, or Easter Sunday.

(c) No alcoholic beverages or cereal malt beverages shall be given, sold, or traded to any person under twenty-one (21) years of age.

SECTION FOUR. Existing Sections 3-101, 3-111, and 3-604 are hereby repealed.

SECTION FIVE. 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. 21-3400 Summary

On July 12, 2021, the City Commission passed Ordinance No. 21-3400. The ordinance amends Chapter 3, Sections 3-101, 3-111, and 3-604 of the City Code of the City of Abilene, Kansas to authorize the sale of beer containing not more than 6% alcohol by volume, and to modify the authorized hours and days for sale of cereal malt beverages and alcoholic liquor in the original packaging at retail. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 12TH day of July 2021.

City of Abilene, Kansas

By: _____
Brandon Rein, Mayor

Attest:

Shayla Mohr, Interim City Clerk

The publication summary set forth above is certified this 12TH day of July 2021.

Aaron O. Martin, City Attorney



CITY OF ABILENE
Item for City Commission Agenda

Meeting Date:

07/12/21

Originating Department

Prepared By:

Approved For Agenda By:
(Office Use Only)

Administration

Ron Marsh – City Manager

AGENDA ITEM HEADING:

Resolution 21- Notifying County Clerk of City of Abilene's intent to exceed the Revenue Neutral Rate for 2022

BACKGROUND:

SB 13 requires taxing entities to hold a separate public hearing if they intend to exceed the Revenue Neutral Rate (RNR) for the next budget year. The RNR is determined by current city valuation and 2021 mill levy. Part of that requirement is to notify their County Clerk NLT July 20th with the date/time/location of the hearing and the amount of the mill levy the city is proposing.

The League of Kansas Municipalities has strongly recommended that all municipalities plan to hold a RNR hearing. This is to protect the municipality in the event of changes/fluctuations in the assessed value between June 15th and October 1st.

The League has also recommended that the governing body pass a resolution as notification to the County Clerk of our intent to exceed the RNR.

The resolution of notice still allows the city to levy less than the listed amount. We cannot exceed the published amount.

Abilene's mill levy for 2021 is 51.005, our targeted mill levy for 2022 is 49.855 which is the RNR.

FISCAL NOTE:

COMMISSION ACTION:

Approve Resolution 21- Intent to Exceed the RNR for the 2022 Budget, and Notify the County Clerk of such Intent.

RESOLUTION NO. 071221-1

A RESOLUTION OF INTENT TO EXCEED THE REVENUE NEUTRAL RATE FOR PURPOSES OF THE CITY OF ABILENE, KANSAS 2022 BUDGET, AND DIRECTING THE CITY MANAGER TO NOTIFY THE COUNTY CLERK OF SUCH INTENT.

WHEREAS, pursuant to Kansas municipal budget laws applicable to the City of Abilene, Kansas, the Governing Body may not levy a tax rate in excess of the revenue neutral rate calculated by the county clerk, unless the Governing Body complies with certain statutory procedures, commencing with notification to the county clerk, on or before July 20, of its proposed intent to exceed the revenue neutral rate and specifying the proposed date, time, and location of the public hearing and the proposed tax rate; and

WHEREAS, the Governing Body wishes to notify the county clerk of its intent to levy a tax rate in excess of the revenue neutral rate, for the 2022 budget year.

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

SECTION 1. The Governing Body hereby determines that it intends to levy a tax rate in excess of the revenue neutral rate for purposes of the 2022 budget. The public hearing will be held on Monday, August 23, 2021, at 4:00 p.m., in the City Commission meeting room located in the Abilene Public Library, 209 NW Fourth Street, Abilene, Kansas. The proposed tax rate is 51.005 mills.

SECTION 2. The Governing Body hereby directs and authorizes the City Manager to cause this resolution to be delivered to the county clerk, and to cause notice of the August 23, 2021 hearing to be published as required by law.

PASSED AND APPROVED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS, ON THIS 12th DAY OF JULY, 2021.

CITY OF ABILENE, KANSAS

By: _____
Brandon Rein, Mayor

ATTEST:

Shayla Mohr, Interim City Clerk

City of Abilene

2022

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget	Prior Year	Current Year	Proposed Budget
Special Highway	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	248,909	257,196	315,398
Receipts:			
State of Kansas Gas Tax	162,673	160,330	159,460
County Transfers Gas	0	0	0
KDOT - Federal Fund Exchange	128,717	83,872	80,000
Transfer from 8th Street Project Fund			238,610
Miscellaneous	8,465	2,000	2,000
Does miscellaneous exceed 10% Total Rec			
Total Receipts	299,855	246,202	480,070
Resources Available:	548,764	503,398	795,468
Expenditures:			
Operations	42,885	48,000	48,000
Contractual Services	86,778	75,000	75,000
Capital Outlay	161,905	65,000	650,000
Cash Forward (2022 column)			22,468
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	291,568	188,000	795,468
Unencumbered Cash Balance Dec 31	257,196	315,398	0
2020/2021/2022 Budget Authority Amount	478,874	507,180	795,468

Adopted Budget

	Prior Year	Current Year	Proposed Budget
Sales Tax Street	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	523,671	722,856	647,856
Receipts:			
Sales Tax Distribution	359,058	375,000	375,000
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	359,058	375,000	375,000
Resources Available:	882,729	1,097,856	1,022,856
Expenditures:			
Street Projects	159,873	450,000	1,000,000
Cash Forward (2022 column)			22,856
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	159,873	450,000	1,022,856
Unencumbered Cash Balance Dec 31	722,856	647,856	0
2020/2021/2022 Budget Authority Amount	766,975	988,671	1,022,856

CPA Summary

City of Abilene

2022

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget 8th Street Project	Prior Year Actual for 2020	Current Year Estimate for 2021	Proposed Budget Year for 2022
Unencumbered Cash Balance Jan 1	1,479,091	238,599	238,610
Receipts:			
Interest Income	128	11	0
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	128	11	0
Resources Available:	1,479,219	238,610	238,610
Expenditures:			
Capital Outlay	1,240,620	0	0
Transfer to other funds			238,610
Cash Forward (2022 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	1,240,620	0	238,610
Unencumbered Cash Balance Dec 31	238,599	238,610	0
2020/2021/2022 Budget Authority Amount	1,479,091	256,235	238,610

Adopted Budget

ARPA Fund	Prior Year Actual for 2020	Current Year Estimate for 2021	Proposed Budget Year for 2022
Unencumbered Cash Balance Jan 1	0	0	470,366
Receipts:			
American Rescue Plan Funding	0	470,366	470,366
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	0	470,366	470,366
Resources Available:	0	470,366	940,732
Expenditures:			
ARPA Eligible Expenses	0	0	940,732
Cash Forward (2022 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	0	0	940,732
Unencumbered Cash Balance Dec 31	0	470,366	0
2020/2021/2022 Budget Authority Amount	0	470,366	940,732

CPA Summary

City of Abilene

2022

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget	Prior Year	Current Year	Proposed Budget
Special Parks & Recreation	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	48,229	58,667	55,167
Receipts:			
Alcohol Tax	10,037	10,000	10,000
Gifts and Donations	1,306	0	0
Miscellaneous	4	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	11,347	10,000	10,000
Resources Available:	59,576	68,667	65,167
Expenditures:			
Capital Outlay	909	13,500	65,167
Cash Forward (2022 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	909	13,500	65,167
Unencumbered Cash Balance Dec 31	58,667	55,167	0
2020/2021/2022 Budget Authority Amount	47,413	76,229	65,167

Adopted Budget

	Prior Year	Current Year	Proposed Budget
Special Alcohol & Drug	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	7,454	10,037	10,037
Receipts:			
Alcohol Tax	10,037	10,000	10,000
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	10,037	10,000	10,000
Resources Available:	17,491	20,037	20,037
Expenditures:			
Awards and Contributions	7,454	10,000	10,000
Cash Forward (2022 column)			10,037
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	7,454	10,000	20,037
Unencumbered Cash Balance Dec 31	10,037	10,037	0
2020/2021/2022 Budget Authority Amount	21,316	28,000	20,037

CPA Summary

City of Abilene

2022

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget	Prior Year	Current Year	Proposed Budget
Special Revenue Comm Ctr	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	114,186	67,496	0
Receipts:			
Interest	9	0	0
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	9	0	0
Resources Available:	114,195	67,496	0
Expenditures:			
Capital Outlay	46,699	0	0
Transfer to General Fund and Close Fund	0	67,496	0
Cash Forward (2022 column)			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	46,699	67,496	0
Unencumbered Cash Balance Dec 31	67,496	0	0
2020/2021/2022 Budget Authority Amount	124,931	67,496	0

Adopted Budget

	Prior Year	Current Year	Proposed Budget
Special Revenue Library/Pool	Actual for 2020	Estimate for 2021	Year for 2022
Unencumbered Cash Balance Jan 1	79,962	79,266	72,196
Receipts:			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	0	0	0
Resources Available:	79,962	79,266	72,196
Expenditures:			
Capital Outlay	696	7,070	72,196
Cash Forward (2022 column)			0
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	696	7,070	72,196
Unencumbered Cash Balance Dec 31	79,266	72,196	0
2020/2021/2022 Budget Authority Amount	28,368	79,962	72,196

CPA Summary

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget Recreation Commission	Prior Year Actual for 2020	Current Year Estimate for 2021	Proposed Budget Year for 2022
Unencumbered Cash Balance Jan 1	463,146	579,138	542,352
Receipts:			
RECREATION COMMISSION			
Property Tax	338,245	280,800	281,450
License & Fees	106,968	192,625	188,550
Interest Income	42	0	0
Grants	17,450	15,000	15,000
EMPLOYEE BENEFIT			
Property Tax		71,222	71,388
Miscellaneous	2,711	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	465,416	559,647	556,388
Resources Available:	928,562	1,138,785	1,098,740
Expenditures:			
RECREATION COMMISSION			
Administration	179,763	221,396	224,730
Aquatics	64,930	81,450	83,629
Athletics	37,653	109,650	110,900
Community Education	16,248	33,400	33,400
Community Center	50,830	75,500	76,500
Special Projects		0	165,000
Capital Improvements		0	250,000
Employee Benefit		75,037	144,129
Cash Forward (2022 column)			10,452
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	349,424	596,433	1,098,740
Unencumbered Cash Balance Dec 31	579,138	542,352	0
2020/2021/2022 Budget Authority Amount	842,514	921,585	1,098,740

CPA Summary

City of Abilene

NON-BUDGETED FUNDS (A)
(Only the actual budget year for 2020 is to be shown)

2022

Non-Budgeted Funds-A

(1) Fund Name:		(2) Fund Name:		(3) Fund Name:		(4) Fund Name:		(5) Fund Name:		
Equipment Reserve		Water Equipment Reserve		Sewer Equipment Reserve		Special Law Enforcement				
Unencumbered		Unencumbered		Unencumbered		Unencumbered		Unencumbered		Total
Cash Balance Jan 1	311,592	Cash Balance Jan 1	3,199	Cash Balance Jan 1	432,764	Cash Balance Jan 1	0	Cash Balance Jan 1		747,555
Receipts:		Receipts:		Receipts:		Receipts:		Receipts:		
Interest Income	26			Interest Income	34	Asset Seizure	6,863			
Grants	7,000									
Transfers	376,000									
Total Receipts	383,026	Total Receipts	0	Total Receipts	34	Total Receipts	6,863	Total Receipts	0	389,923
Resources Available:	694,618	Resources Available:	3,199	Resources Available:	432,798	Resources Available:	6,863	Resources Available:	0	1,137,478
Expenditures:		Expenditures:		Expenditures:		Expenditures:		Expenditures:		
Equipment Purchase	362,252			Capital Outlay	97,658	Capital Outlay	946			
Total Expenditures	362,252	Total Expenditures	0	Total Expenditures	97,658	Total Expenditures	946	Total Expenditures	0	460,856
Cash Balance Dec 31	332,366	Cash Balance Dec 31	3,199	Cash Balance Dec 31	335,140	Cash Balance Dec 31	5,917	Cash Balance Dec 31	0	676,622
										676,622

City of Abilene
Payroll Expenditures Report
07/09/2021 PR #14

PAYROLL CODE		TOTALS	
	NET SALARIES	\$	94,873.83
051 & 501	OASDI - CITY/EMPLOYEE	\$	15,972.38
049 & 502	MEDICARE - CITY/EMPLOYEE	\$	3,735.48
001	FEDERAL WITHHOLDING - EMPLOYEE	\$	8,693.94
503	KPERS - CITY	\$	5,714.43
056, 057, 059	KPERS EMPLOYEE	\$	3,865.44
		\$	9,579.87
505	KPERS RETIREE/EMPLOYER	\$	-
153	KPERS GROUP LIFE - EMPLOYEE	\$	158.30
504	KPF - CITY	\$	10,491.34
61	KPF EMPLOYEE	\$	3,290.07
		\$	13,781.41
155	KPF GROUP LIFE- EMPLOYEE	\$	56.28
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	\$	5,306.57
120	AFLAC After Tax D&L - EMPLOYEE	\$	127.68
170	AFLAC Before Tax INSURANCE - EMPLOYEE	\$	607.42
102	VISION CARE DIRECT - EMPLOYEE	\$	80.39
104	VSP VISION PLANS - EMPLOYEE	\$	169.04
140	HEALTH INSURANCE - EMPLOYEE	\$	6,095.56
510	HEALTH INSURANCE - CITY	\$	17,089.25
		\$	23,184.81
103	HEALTH SAVINGS ACCOUNT - EMPLOYEE	\$	367.50
506	HEALTH SAVINGS ACCOUNT - CITY	\$	322.50
111 & 520	IMPACT SPORTS & FITNESS- CITY/EMPLOYEE	\$	256.76
114 & 560	ABILENE PHYSICAL THERAPY - CITY/EMPLOYEE	\$	-
215	KS Support order- EMPLOYEE	\$	392.25
206	CA Support order - EMPLOYEE	\$	369.23
150	FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	\$	1,092.84
121	POLICE & FIREMENS INS. - EMPLOYEE	\$	20.92
211	GARNISHMENT - EMPLOYEE	\$	-
	TOTAL PAYROLL EXPENDITURES	\$	180,694.40

CITY OF ABILENE

07/06/21 3:40 PM

Page 1

***Check Summary Register©**

Batch: 071221PAY

Name		Check Date	Check Amt	
002000 Astra Bank checking				
31863	ABILENE GIRLS FASTPITCH	7/12/2021	\$2,146.00	PLAYER FEES
31864	ABILENE HIGH SCHOOL	7/12/2021	\$3,240.00	CODY WHITEHAIR CAMP
31865	ABILENE TERMITE & PEST CO	7/12/2021	\$620.00	YEARLY PEST CONTOL
31866	APAC, INC - SHEARS	7/12/2021	\$4,803.48	ASHALT
31867	ARROW PRINTING CO, INC	7/12/2021	\$246.35	PRINTING 4TH OF JULY PAMPHLET FOR RO
31868	BASE, PARKER LEE	7/12/2021	\$320.00	8 - PONY TOURNEY
31869	BURGETT, MEGHAN	7/12/2021	\$10.00	REFUND CODY WHITEHAIR CAMP
31870	CATLETT AUTOMOTIVE INC	7/12/2021	\$157.22	CHIPPER BELT
31871	CLARK, KENTON D.	7/12/2021	\$940.00	11 PONY TOURNEY - FEE FOR SETTING UP
31872	CLARK, MIZE & LINVILLE CHART	7/12/2021	\$2,309.00	MAY 2021 LEGAL SERVICES
31873	CONSOLIDATED PRINTING	7/12/2021	\$8,808.23	JUNE COPY MACHINE BILL
31874	COOPER, KELLY	7/12/2021	\$2,100.00	JUNE 2021 CLEANING
31875	B & H INVESTMENTS INC.	7/12/2021	\$32.00	RO SYSTEM RENTAL 6/23-7/27/21
31876	DESIGN CENTRAL, INC	7/12/2021	\$1,328.99	2 OFFICE CHARIS & REPAIR 3 CHAIRS
31877	DK CTY ADMINISTRATION	7/12/2021	\$1,392.78	DIESEL
31878	DK CTY SHERIFF	7/12/2021	\$770.00	JUNE 2021
31879	DON'S TIRE & SUPPLY	7/12/2021	\$21.50	FLAT REPAIR UNIT 8
31880	DOWNTOWN DANCE LLC	7/12/2021	\$324.00	DANCE & TUMBLING CAMPS FEES
31881	DPC ENTERPRISES, LP	7/12/2021	\$1,160.00	CHLORINE CYLINDERS
31882	EAGLE BROADBAND, INC	7/12/2021	\$419.95	EBS ADMIN & PD JULY 2021
31883	EAGLE TECHNOLOGY Solutio	7/12/2021	\$332.50	CAR CAMERA ASSISTANCE
31884	EVERGY	7/12/2021	\$74,805.58	ELECTRIC SERVICE
31885	FIRST AMERICAN TITLE CO.	7/12/2021	\$687.00	TITLE CHARGES/CLOSING FEE ESCROW/R
31886	FOUR SEASONS INC	7/12/2021	\$686.43	AC MAINT & REPAIRS
31887	FRY & ASSOCIATES, INC	7/12/2021	\$19,367.00	16 TRASH CANS FOR DOWNTOWN ABILEN
31888	GINDER HYDRAULIC, L.C.	7/12/2021	\$392.01	SEWER TRUCK REEL HOSE
31889	HAMM, INC	7/12/2021	\$549.60	AB-3
31890	HELLER, RICHARD SCOTT	7/12/2021	\$135.00	BRONCO 3 @ 35 & 1 @ 30
31891	HILLSBORO REC COMMISSION	7/12/2021	\$217.00	LEAGUE SWIM MEET FEES - 31 SWIMMERS
31892	HOLM AUTOMOTIVE CENTER	7/12/2021	\$3,953.77	BODY & REPAIR T35 FROM WRECK
31893	BRAD HOMMAN	7/12/2021	\$164.00	PAGER & BATTERY REPAIR
31894	JERRY A. MILLER	7/12/2021	\$375.00	JULY 2021 AWOS
31895	JOHN'S SERVICE	7/12/2021	\$65.00	UNIT 12 TOWING
31896	KANSAS GAS SERVICE	7/12/2021	\$1,004.75	GAS SERVICE
31897	KDOR-MISCELLANEOUS TAX SE	7/12/2021	\$3,375.47	APR MAY JUNE 2021 WATER PROTECTION
31898	KRWA	7/12/2021	\$920.00	2021 ANNUAL MEMBERSHIP
31899	KS EMPLOYMENT SECURITY FU	7/12/2021	\$796.55	2ND QTR 2021 UNEMPLOYMENT
31900	KS TREASURER	7/12/2021	\$975.11	JUNE 2021
31901	LEAGUE KS MUNICIPALITIES	7/12/2021	\$150.00	MTI: CRISIS COMMUNICATIONS & MEDIA R
31902	LINK MEDIA OUTDOOR	7/12/2021	\$1,655.00	JULY BILLBOARD RENT
31903	LUMBER HOUSE TRUE VALUE	7/12/2021	\$570.23	FLAGS & PAINT
31904	JOY MAAS	7/12/2021	\$710.18	REIMB PLANTS FOR FRONT OF CITY BUILD
31905	MAHASKA	7/12/2021	\$977.40	BD & POOL CONCESSION DRINKS
31906	INK SHARKS, LLC	7/12/2021	\$2,127.30	ROCKET RUN/VB CAMP & CHEER CAMP/ST
31907	MICHELLE WRIGHT	7/12/2021	\$9,906.37	CID ROSEROCK LESS 2% ADMIN FEE - JUN
31908	MIDWEST CONCRETE MATERIA	7/12/2021	\$537.00	STORM DRAIN REPAIR/WATER LEAK REPA
31909	MOSS, DANIEL T.	7/12/2021	\$120.00	3 PONY TOURNEY
31910	INVORG INC	7/12/2021	\$1,220.00	JUNE 2021 MONTHLY HOSTING FEES
31911	NARAYAN, INC	7/12/2021	\$2,201.00	CID HOLIDAY I LESS 2% ADMIN FEE - JUNE
31912	NEW BOSTON CREATIVE GROU	7/12/2021	\$200.00	FINAL DESIGN FOR VISITORS GUIDE
31913	NEX-TECH RURAL TELEPHONE	7/12/2021	\$465.56	PHONE SERVICE
31914	PACE ANALYTICAL SERVICES	7/12/2021	\$501.20	EFFLUENT SAMPLES
31915	PRAIRIE FIRE COFFEE	7/12/2021	\$47.90	WWTP COFFEE
31916	PLP-CTI HOLDINGS, LLC	7/12/2021	\$968.98	#94C HYDRAULIC BOX REBUILD

CITY OF ABILENE

07/06/21 3:40 PM

Page 2

***Check Summary Register©**

Batch: 071221PAY

	Name	Check Date	Check Amt	
31917	PRECISION ELECTRIAL CONTRA	7/12/2021	\$808.60	WPT BREAKER
31918	JAMES PRICE	7/12/2021	\$428.50	KAA CONF - MILEAGE, HOTEL & REGISTRA
31919	REIN, BRANDON	7/12/2021	\$125.68	REIMB HOTEL FOR LKM LEADERSHIP SUM
31920	ROASTER JOES, INC	7/12/2021	\$85.00	COFFEE
31921	ROBSON OIL CO, INC	7/12/2021	\$8,282.30	FUEL
31922	RYAN & MULLIN, PA	7/12/2021	\$2,916.67	CITY PROSECUTRO JULY 2021
31923	SALINA SUPPLY CO	7/12/2021	\$6,632.98	PLUMBING PARTS
31924	SAMS CLUB/GEFC	7/12/2021	\$654.49	POOL CONCESSIONS
31925	SECURE SHRED OF N.C.K.	7/12/2021	\$100.00	ADMIN SHREDDING JUNE 2021
31926	SHERWIN WILLIAMS	7/12/2021	\$386.70	WHITE TRAFFIC PAINT
31927	SMITH & LOVELESS INC	7/12/2021	\$1,757.36	LIFT STATION REPAIRS
31928	SMITH, JEDEDIAH J.	7/12/2021	\$30.00	MUSTANG 1 @ 30
31929	STANARD & ASSOCIATES, INC	7/12/2021	\$485.50	LEO TESTS
31930	STICK IT IN STONES, INC	7/12/2021	\$291.00	KANSAS PINS
31931	SUPERIOR SANITATION SERVIC	7/12/2021	\$503.00	JULY 2021 TRASH SERVICE & CVB, RECYC
31932	TRAILS END CAR WASH	7/12/2021	\$9.00	TRUCK WASH
31933	TRIPLETT, INC	7/12/2021	\$6,273.36	CID PROPERTY 6 LESS 2% ADMIN FEE - JU
31934	UNIFIRST CORPORATION	7/12/2021	\$1,505.19	UNIFORM SERVICE
31935	US BANK EQUIPMENT FINANCE	7/12/2021	\$772.13	COPIER USAGE
31936	UTILITY SERVICE CO, INC	7/12/2021	\$16,623.62	3RD QTR WATER TOWER MAINT
31937	WEIS FIRE & SAFETY EQUIPME	7/12/2021	\$1,154.63	PUMP TEST TRUCK
Total Checks			\$212,135.10	

FILTER: ((([Act Year]='2021' and [period] in (7))) and (Source in ('071221PAY')))