



Abilene City Commission Meeting Minutes
Abilene Public Library – 209 NW Fourth Street
December 13, 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, Human Resources Director/City Clerk Mohr, Finance Director Rothchild, City Attorney Martin, Convention and Visitors Bureau Director Roller-Weeks, Fire Chief Strunk, Planning and Zoning Administrator Zook, Street and Utility Superintendent Hawk, and Public Works Director Schrader.

3. Pledge of Allegiance

Consent Agenda

4. Agenda Approval for the December 13, 2021, City Commission Meeting
5. Meeting minutes: November 22, 2021, Regular Meeting
6. Approval of annual Cereal Malt Beverage License renewals
7. Accept resignation of Tony Whitehair from the Tree Board
8. Appoint Hayley Whitehair to the Tree Board to fill vacancy – term expiring 2023
9. Removal of Jeffrey Higgins from the Planning Commission

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

Public Comments and Communications

10. 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

11. Approve accepting the Right-of-Way Deeds, transferring ownership of the subject properties in the Hidden Meadow Addition to the City of Abilene.

Motion by Commission Marshall, seconded by Commissioner Shafer to approve the acceptance of the Right-Of-Way Deeds transferring ownership from the subject property owners in the Hidden Meadows Addition to the City of Abilene. Roll call vote: Ostermann YES, Shafer YES, Witt YES, Rein YES, Marshall YES. Motion carried unanimously 5-0.

12. Consider sending a request to the Planning Commission to review the amendment of Section 9-3 and the embedded table 9-1 of the Zoning Regulations to remove the option of a Conditional Use Permit for a first-floor dwelling in the C-4 district.

Motion by Commissioner Ostermann, seconded by Commissioner Marshall to send the request to review the amendment of Section 9-3 and the embedded table 9-1 of the Zoning Regulations to remove the option of a Conditional Use Permit for first floor dwelling in the C-4 district to the Planning Commission. Roll call vote: Shafer NO, Witt NO, Rein NO, Marshall YES, Ostermann YES. Motion failed 2-3.

13. Approve Resolution No. 121321-1, **A RESOLUTION OF THE CITY OF ABILENE, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.**

Motion by Commissioner Witt, seconded by Commissioner Marshall to approve Resolution No. 121321-11, **A RESOLUTION OF THE CITY OF ABILENE, KANSAS, APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT TO RELEASE AND ASSIGN THE CITY'S OPIOID CLAIMS TO THE KANSAS ATTORNEY GENERAL AND CERTIFYING COSTS ATTRIBUTABLE TO SUBSTANCE ABUSE AND ADDICTION MITIGATION IN EXCESS OF \$500.** Roll call vote: Witt YES, Rein YES, Marshall YES, Ostermann YES, Shafer YES. Motion carried unanimously 5-0.

14. Adopt Ordinance No. 21-3408, **AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS BY AMENDING EXISTING SECTIONS 4-101, 4-117 AND 4-118 TO REPEAL THE PROHIBITION OF OWING PIT BULL DOGS, AND TO CLASSIFY AND REGULATE RECKLESS DOG OWNERS, ALL WITHIN THE CITY OF ABILENE, KANSAS.**

Motion by Commissioner Witt, seconded by Commissioner Marshall to adopt Ordinance No. 21-3408, **AN ORDINANCE AMENDING CHAPTER 4 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS BY AMENDING EXISTING SECTIONS 4-101, 4-117 AND 4-118 TO REPEAL THE PROHIBITION OF OWING PIT BULL DOGS, AND TO CLASSIFY AND REGULATE RECKLESS ANIMAL OWNERS, ALL WITHIN THE CITY OF ABILENE, KANSAS**, with an amendment that all references to “dog owners” be amended to “animal owners”. Roll call vote: Marshall YES, Ostermann YES, Shafer YES, Witt YES, Rein YES. Motion carried unanimously 5-0.

15. Approve acceptance of the Airport Rescue Grant Agreement from the FAA in the amount of \$32,000.00 and authorize the City Finance Director or City Manager to sign said agreement.

Motion by Commissioner Marshall, seconded by Commissioner Witt to approve the acceptance of the Airport Rescue Grant Agreement from the FAA in the amount of \$32,000.00 and authorize the City Manager to sign said agreement. Roll call vote: Ostermann YES, Shafer YES, Witt YES, Rein YES, Marshall YES. Motion carried unanimously 5-0.

Reports

16. City Manager reports

Construction on the PD remodel continues. Most, if not all, of the demo is complete and the remodel work is beginning to take shape. If you would like to see the progress to date, let Anna, Marcus or myself know and we can make arrangements.

We met with the school district this afternoon for initial discussions on the 14th Street project. They are as excited as we are! The projected start date is Spring of 2023.

This Thursday I will be at the groundbreaking ceremony for the Holiday Inn Express at 11:30 a.m.

Construction of Well #23 has begun and is moving forward.

Kari and Shayla will finish up Leadership Dickinson County tomorrow. It's great to have two of our own go through that program.

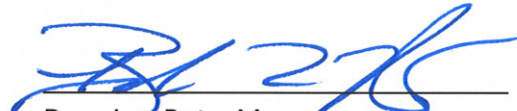
Reminder: City offices will be closed December 23rd and 24th for Christmas.

Thank you to those who were at the Christmas party last Saturday. A fun time was had by all.

Adjournment

17. Consideration of a motion to adjourn the December 13, 2021, City Commission meeting.

Motion by Commissioner Marshall, seconded by Commissioner Ostermann to adjourn at 4:19 p.m. Roll call vote: Shafer YES, Witt YES, Rein YES, Marshall YES, Ostermann YES. Motion carried unanimously 5-0.


Brandon Rein, Mayor

ATTEST:



Shayla L. Mohr
City Clerk