



Abilene City Commission Meeting Minutes
Abilene Public Library – 209 NW Fourth Street
August 26, 2024, @ 4:00 pm.
Abilene, Kansas

1. Call to Order

2. Roll Call – City Commission Present: Mayor Rein Commissioners, Kollhoff (via ZOOM), Witt, Miller and Meysenburg.

Staff Present: City Manager Marsh, City Clerk Mohr, Finance Director Johnson, City Attorney Martin, Parks and Recreation Director Timbrook, Fire Chief Strunk, Police Chief Hatter, Community Development Director Zook, Public Works Director Anderson, Convention and Visitors Bureau Director Roller-Weeks, Streets and Utilities Superintendent Hawk, Administrative Manager-Public Works Hiatt, Municipal Court Clerk/Office Manager Briand, and City Engineer Bachamp.

3. Pledge of Allegiance

Agenda

4. Approval of the Agenda for the August 26, 2024, City Commission Meeting

Motion by Commissioner Miller, seconded by Commissioner Witt, to approve the agenda as presented. Roll call vote: Miller YES, Witt YES, Kollhoff NO, Meysenburg YES, Rein YES. The motion carried 4-1.

Consent Agenda

5. Consent Agenda - Consent Agenda items are considered routine business items. The consent agenda can be acted upon by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.

a. Meeting Minutes for August 12, 2024, Regular Meeting

b. Consider approval of Ordinance No. 24-3451, AN ORDINANCE AMENDING CHAPTER 5, SECTION 5-401 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, BY ADOPTING AND INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, 51ST EDITION (2024); AND REPEALING EXISTING SECTION 5-401.

- c. Consider approval of Ordinance No. 24-3452, AN ORDINANCE AMENDING CHAPTER 5, SECTION 5-101 OF THE CITY CODE OF THE CITY OF ABILENE, KANSAS, BY ADOPTING AND INCORPORATING BY REFERENCE *THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES, 40TH EDITION (2024)*, WITH CERTAIN OMISSIONS AND AMENDMENTS THERETO; AND REPEALING EXISTING SECTION 5-101.

Motion by Commissioner Witt, seconded by Commissioner Miller, to approve the consent agenda as presented. Roll call vote: Witt YES, Kollhoff YES, Meysenburg YES, Miller YES, Rein YES. The motion carried 5-0.

6. Public Comments and Communications

- a. Public Forum: Persons who wish to address the City Commission regarding items outside the agenda may do so when called upon by the Mayor. Speakers will be allowed a three-minute time limit.

James Webb, 1409 N. Van Buren, spoke about the railroad crossings being blocked for several hours on Buckeye/K-15. He asked the city to look for a solution.

7. Business Items

- a. Public Hearing for the purpose of hearing and answering objections of taxpayers relating to the Revenue Neutral Rate and proposed tax rate, as required by 2021 Kansas Senate Bill 13.

Mayor Rein opened the public hearing at 4:06 pm.

Bob Biggs, 1207 NW 3rd, spoke against raising taxes, changing the mayor's appointment method, and giving city employee raises again.

Mayor Rein closed the public hearing at 4:09 pm.

- b. Consider approval of Resolution No. 082624-1, A RESOLUTION OF THE CITY OF ABILENE, KANSAS, APPROVING THE LEVY OF A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE.

Commissioner Kollhoff spoke against passing this resolution.

Commissioner Witt reemphasized that the passage of this resolution is a formality. It does not actually set the mill levy; it sets an amount not to exceed.

Motion by Commissioner Witt, seconded by Commissioner Miller, to approve Resolution No. 082624-1, A RESOLUTION OF THE CITY OF ABILENE, KANSAS APPROVING THE LEVY OF A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE. Roll call vote: Kollhoff NO, Meysenburg YES, Miller YES, Witt YES, Rein YES. The motion carried 4-1.

- c. Public Hearing for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of Ad Valorem Tax for the proposed 2025 Budget.

Mayor Rein opened the public hearing at 4:13 pm.

Jacque Webb, 1409 N. Van Buren, spoke against the 14th and Van Buren project, tax payer money is better spent on current projects in other areas of the city.

Mayor Rein closed the public hearing at 4:15 pm.

- d. Consider approval of Ordinance No. 24-3454, AN ORDINANCE ADOPTING AND APPROPRIATING THE 2025 ANNUAL BUDGET OF THE CITY OF ABILENE, KANSAS

Motion by Mayor Rein, seconded by Commissioner Witt, to approve Ordinance No. 24-3454, AN ORDINANCE ADOPTING AND APPROPRIATING THE 2025 ANNUAL BUDGET OF THE CITY OF ABILENE, KANSAS, with the removal of the proposed addition of the communications manager position and the part-time police department office position for a new mill levy of 45.654. Roll call vote: Meysenburg YES, Miller YES, Witt YES, Kollhoff NO, Rein YES. The motion carried 4-1.

- e. Consider approval of a design for the 14th and Van Buren Intersection Project.

Dickinson County District Three Commissioner Craig Chamberlain commented that Dickinson County will not contribute funds to the project for a four-way stop. If the project is going to be done, then it needs to be done right.

Motion by Commissioner Witt, seconded by Commissioner Kollhoff, to rescind the City of Abilene's intent to move forward with the 14th and Van Buren intersection project and leave it up to Dickinson County to improve the intersection. The City of Abilene will return the KDOT cost share funds to the State of Kansas with a letter signed by the City Commission. Roll call vote: Miller YES, Witt YES, Kollhoff YES, Meysenburg YES, Rein YES. The motion carried 5-0.

- f. **Executive Session:** Motion by Commissioner Witt, seconded by Commissioner Miller, for the city commission recess into executive session for 20 minutes to discuss the City's agreement with Rural Water District No. 2, and issues related to the water rates charged

thereunder, based upon the need for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 45-7319(b)(2). The open meeting will resume in this room at 4:50 p.m. Roll call vote: Witt YES, Kollhoff YES, Meysenburg YES, Miller YES, Rein YES. The motion carried 5-0.

Motion by Commissioner Witt, seconded by Commissioner Miller, to return to executive session for 8 minutes to discuss the City's agreement with Rural Water District No. 2, and issues related to the water rates charged thereunder, based upon the need for consultation with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to K.S.A. 45-7319(b)(2). The open meeting will resume in this room at 5:00 p.m. Roll call vote: Kollhoff YES, Meysenburg YES, Miller YES, Witt YES, Rein YES. The motion carried 5-0.

g. Action as a result of the Executive Session

No action was taken during the executive session.

8. Items for Discussion

- a. Discussion and recommended approval of a bid in the amount of \$122,284.00 for the replacement of the AWOS III at the Abilene Municipal Airport.**
- b. Discussion and recommended approval of a Master Agreement Work Order with Olsson, Inc. in the amount of \$57,700.00 for the Spruceway Waterline Replacement Project.**

Motion by Commissioner Witt, seconded by Commissioner Miller, to approve a Master Agreement Work Order with Olsson, Inc. in the amount of \$57,700.00 for the Spruceway Waterline Replacement Project. Roll call vote: Meysenburg YES, Miller YES, Witt YES, Kollhoff NO, Rein YES. The motion carried 4-1.

- c. Discussion and recommended approval of a bid from Vyve Business Services in the amount of \$27,701.91 for a server upgrade and storage options for the Abilene Police Department.**

Motion by Mayor Rein, seconded by Commissioner Miller, to approve a bid from Vyve Business Services in the amount of \$27,701.91 for a server upgrade and storage options for the Abilene Police Department with a detailed breakdown of the costs. Roll call vote: Miller YES, Witt YES, Kollhoff NO, Meysenburg YES, Rein YES. The motion carried 4-1.

- d. Discussion and recommended approval of Ordinance No. 24-3453, AN ORDINANCE AUTHORIZING THE SALE, CONSUMPTION AND POSSESSION OF ALCOHOLIC LIQUOR**

**AT SPECIFIED LOCATIONS ON THE PUBLIC RIGHT-OF-WAY, AND APPROVING THE
CLOSURE OF CERTAIN STREETS FOR THE ABILENE OKTOBERFEST.**

Motion by Commissioner Witt, seconded by Commissioner Miller, to approve Ordinance No. 24-3453, an ordinance authorizing the sale, consumption and possession of alcoholic liquor at specified locations on the public right-of-way, and approving the closure of certain streets for the Abilene Oktoberfest. Roll call vote: Witt YES, Kollhoff YES, Meysenburg YES, Miller YES, Rein YES. The motion carried 5-0.

9. Reports

a. City Manager's Report

- Construction Updates:
 - 14th St: Finishing up the Mulberry intersection, sidewalks on the north, and seeding.
- Reminder: This week, the front office of city hall will be closed each day from 8 am – 3 pm, and will open from 3 pm – 5 pm for walk-in -traffic. The new Utility Billing system is going live and staff is going through training and migration of date.
- The Fire Department has received a forestry grant match of up to \$5,000.

10. Recess of Regular Meeting

- a. Consider a motion to recess the August 26, 2024, City Commission Meeting.**

Motion by Commissioner Witt, seconded by Commissioner Miller, to recess the August 26, 2024, City Commission Meeting at 5:31 pm and move right into the City Commission Study Session. Roll call vote: The motion carried 5-0. The City Commission Study Session will begin immediately.

11. Call to Order – City Commission Study Session

The City Commission Study Session was called to order at 5:31 pm.

12. August 26, 2024, City Commission Study Session Agenda

- a. Discussion regarding voting delegates for the League of Kansas Municipalities Business Meeting on October 12, 2024.**

13. Adjournment

- a. Consider a motion to adjourn the August 26, 2024, City Commission Meeting

Motion by Commissioner Witt, seconded by Commissioner Miller, to adjourn the August 26, 2024, City Commission Meeting at 5:33 pm. Roll call vote: Meysenburg YES, Miller YES, Witt YES, Kollhoff YES, Rein YES. The motion carried 5-0.



ATTEST:

A blue ink signature of Shayla L. Mohr, written in a cursive style.

Shayla L. Mohr, CMC
City Clerk

A blue ink signature of Brandon Rein, written in a cursive style.

Brandon Rein, Mayor