

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of February 1, 2012**

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Director of Finance Scott Bird.

Members of Cub Scout Pack 3079 and Boy Scout Troop 74 presented the flags, lead the Pledge of Allegiance, and recited the Scout Oath. Den Leader Jason Circle read a Scout poem and Adult Leader Greg Kenn read a Scout letter written by a young John F Kennedy to his father.

Consent Agenda

Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the consent agenda. The consent agenda included the agenda and minutes from the January 4, 2012 Special Call meeting; the January 4 and January 18, 2012 Regular Meetings; and the January 9 and January 23, 2012 Study Sessions. The Mayor declared the Consent Agenda duly approved.

Public Comments

None offered at this time.

Declaration

The Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

Proclamation-Boy Scout Week

Mayor Ramsey read a proclamation recognizing Boy Scout Week. The Boy Scouts of America were incorporated on February 8, 1910. Each year this anniversary is commemorated with Scout Week. Boy Scouts provide an educational program for boys and young adults to build character, to train in the responsibilities of participating citizenship, and to develop personal fitness. Den Leader Pack 3079 Jason Circle accepted the proclamation.

Public Hearing – Demolition of 124 S Main

The Mayor explained a public hearing on the impact of demolition of the structure located at 124 S Main is needed. As required by state preservation statute K.S.A. 75-2724, a request for demolition of the structure located at 124 S Main was reviewed by the State Historical Preservation Officer, and was deemed to “encroach upon, damage or destroy” the Downtown Historic District. This public hearing will consider all relevant factors and will determine if the demolition of the structure represents the only reasonable and prudent alternative.

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Mayor Ramsey opened the Public Hearing at 7:13 pm.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the findings from the engineering reports. Ms. Lee explained staff recommends the finding that no reasonable, prudent alternative exists due to the urgency and risk of collapse.

The Governing Body heard from CrossFirst Bank representative Dave Alley who explained the bank is going to cooperate with the City and would like to complete the project as economically as possible. Mr. Alley explained the bank had no plans to repair the building due to the cost. In response to a question from Doug Lloyd, Mr. Alley gave an overview of two bids he had received for total demolition of the structure.

The Governing Body heard from the following who spoke in opposition of the demolition and had questions answered: Main Street Director Becki Shisler; Nancy Lillie Barger; Ken Davidson, Ottawa Properties LLC (by email); Deana Bond, 404 E 11th; Freon Hollinger, 3090 Neosho Rd; Richard Wright, 128 S Main; Doug Loyd, 901 N Main; Rose Rice, Prairie Rose Store.

The Governing Body heard from the following who spoke in favor of partial or complete demolition and had questions answered: Larry Skeet, 120 S Main; Russell Thomas, 122 S Main; Mary Thomas, 122 S Main; Helen Hood, 1119 N Hickory.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who explained a change in weather, including rain or snow, could alter the condition of the structure.

There being no one else to speak to this issue Mayor Ramsey closed the Public Hearing at 8:21 pm.

Resolution – Demolition of 124 S Main

The Governing Body reviewed a resolution providing for the demolition of the commercial structure at 124 S Main. Commissioner Reed made a motion, seconded by Mayor Ramsey, to adopt the resolution.

During discussion it was explained after careful consideration of the information presented in the public hearing, this resolution provides for the complete demolition of the commercial structure at 124 S Main. The Governing Body agreed more evidence was needed to determine if there were no reasonable and prudent alternatives to the complete demolition and requested evidence be brought back in a timely manner for further review. The motion was considered and upon being put, all present voted nay. The Mayor declared the resolution duly defeated by a 0-5 vote.

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Public Hearing – Stormwater Easement at 1110 Enterprise Street

The Mayor explained a public hearing on the vacation of a portion of the stormwater easement located at 1110 Enterprise Street is needed. A public hearing is called during this City Commission meeting to consider the vacation of about one foot of stormwater easement located at the Mac Fasteners, Inc site located at 1110 Enterprise Street.

Mayor Ramsey opened the Public Hearing at 8:28 pm.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the details of the requested easement vacation.

There being no one else to speak to this issue Mayor Ramsey closed the Public Hearing at 8:31 pm.

Ordinance – Stormwater Easement at 1110 Enterprise Street

The Governing Body reviewed an ordinance vacating a portion of the stormwater easement located at 1110 Enterprise Street. Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained after consideration of the information presented in the hearing, this ordinance allows the vacation of a portion of the stormwater easement at the Mac Fasteners Inc site at 1110 Enterprise Street. The Planning Commission recommended the approval of the stormwater easement vacation request by a 6-0 vote. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3810-12.

Resolution – Improvements to Park Place II Apartments

The Governing Body reviewed a resolution supporting improvements to the Park Place II Apartments. Commissioner Richards made a motion, seconded by Commissioner Caylor, to adopt the resolution.

During discussion it was explained the City has been informed by Commercial Group, Inc that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the development of affordable rental housing at Park Place II Apartments, located at 1519 S Elm. This resolution is a procedural step in the application and expresses the City's endorsement of the improvements, contingent on the successful satisfaction of all zoning and codes requirements. The motion was considered and upon being put, all present voted aye. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1563-12.

Resolution – Ottawa University Private Lanes

The Governing Body reviewed a resolution identifying private lanes within the campus of Ottawa University and building addresses for the purpose of clear identification for 911 responses and location finding. Commissioner Richards made a motion, seconded by Commissioner Reed, to adopt the resolution.

During discussion it was explained in order to facilitate phone upgrades and 911 response times, this resolution provides for some addresses on the Ottawa University campus to be established using private lanes. The motion was considered and upon being put, all present voted aye. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1564-12.

Resolution – Sanitary Sewer Improvements

The Governing Body reviewed a resolution finding the advisability of and ordering the adoption of applicable rates, charges, rules and regulations, conditions and availability of the services rendered by the wastewater department of the City of Ottawa, Kansas and establishing an effective date, and providing for the enforcement thereof. Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to adopt the resolution.

During discussion it was explained in order to provide for improvements to sanitary sewer lines in areas of current need and future and continued growth for the City in both the east and northeast areas of the community, this resolution establishes an increase in sanitary sewer rates of 4% for each of the next five years, 2012 through 2016.

The Governing Body heard from Director of Finance Scott Bird who provided an overview of rates per household.

The Governing Body heard from Director of Utilities Jim Bradley who provided a presentation showing video by City crews of conditions of sanitary sewer lines.

The Governing Body heard from Assistant Director of Utilities Jeff Oleson who provided a presentation that gave an overview of the sanitary sewer line improvement plan.

The motion was considered and upon being put, passed by the following vote: Commissioner Caylor aye, Commissioner Reed aye, Commissioner Richards aye, Commissioner Jorgensen aye, Mayor Ramsey nay. The Mayor declared the resolution duly adopted by a 4-1 vote and the resolution was duly numbered Resolution No. 1565-12.

Swearing In a 2011-2012 Youth in Government Member

The Mayor announced Kiersten Eads joins the 2011-2012 Youth in Government representatives and is to be sworn in this evening.

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Director of Finance Scott Bird administered the Loyalty Oath to Ms. Eads.

The Governing Body congratulated the new member.

Youth in Government Report

Youth Delegate Alex Reed Library Board representative reported on the following:

- Advertising to fill permanent Library Director position
- Program for collecting fines over \$25
- Reviewing and editing the personnel manual

Youth Delegate Brooke Sage Ottawa Recreation Commission Board representative reported on the following:

- Finances and distributing funds
- Improvements to Goppert Building

Youth Delegate Abagael Pruitt Ottawa Recreation Commission (ORC) Board representative reported on the following:

- ORC Board members ask for input from Youth in Government members
- Thanked the Governing Body for the opportunity to go to Washington DC in March

Director of Ottawa Volunteer Center Lisa Rivers reported on the following:

- Four Youth in Government members and herself will be going to Washington DC in March

City Manager's Report

The City Manager reported on the following:

- Reminder to complete Ottawa Survey
- Survey participation has exceeded that of 3 years ago

Commissioner's Report

Commissioner Caylor reported on the following:

- Thanked citizens for attending tonight

Commissioner Reed reported on the following:

- Wonderful to have a full room at Commission Meeting
- Met with representatives at City Hall Day, February 1, 2012

Commissioner Richards reported on the following:

- Legislators heard from Commissioners on how we'll be impacted by proposed legislation
- Appreciates opportunity to take concerns to Topeka

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Commissioner Jorgensen reported on the following:

- Responded publically to Phil Messenger's letter to the editor regarding future plans to notify the public more effectively when the City must respond to emergency situations
- Overview of Ottawa's growth compared to other areas
- Looking for new ways to handle perception and will reach out to Mr. Messenger for his participation

Mayor's Report

The Mayor reported on the following:

- Mayor and Commissioners attended City Hall Day at the Capitol in Topeka, Kansas
- City Manager Richard Nienstedt was recognized by Senator Pat Apple on Senate Floor for receiving the Buford Watson Jr. award.

Announcements

The Mayor announced the following:

- February 6, 2012: Study Session at 4 pm
- February 13, 2012: Study Session at 4 pm
- February 15, 2012: Next Regular Meeting at 9:30 am

Adjournment

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 9:19 pm.

Carolyn S. Snethen, City Clerk