

TO: Mayor and City Commissioners
RE: **Study Session Agenda**
FROM: Richard U. Nienstedt, City Manager

A Study Session is scheduled for **April 2, 2012 at 4:00 pm** in the conference room on the first floor of City Hall, 101 S. Hickory. The following items will be presented:

I. Public Comments

II. Items to be Placed on the Regular City Commission Agenda

- a. Minutes from February 20, February 27, March 5, March 12, March 19 and March 26, 2012 Study Sessions; the March 1, 2012 Special Call Meeting; and the March 7 and March 21, 2012 Regular Meetings.
- b. Recognition of Arbor Day poster contest school winners and announcement of City-wide winner.
- c. Discussion continues regarding a resolution for the Stormwater Utility Fee.

III. Items for Presentation and Discussion

- a. City Manager's Report
Update on Commercial Building Inspections
- b. Commissioners' Reports
- c. Mayor's Report

IV. Announcements

- April 4, 2012 **NEXT REGULAR MEETING**, 7:00 pm
- April 9, 2012 Study Session, 4:00 pm
- April 9, 2012 Commission Retreat, immediately following Study Session
- April 16, 2012 Study Session, 4:00 pm
- April 18, 2012 Regular Meeting, 9:30 am
- April 18, 2012 City/County/USD 290 Luncheon, USD 290 Offices, 1404 S. Ash
- April 23, 2012 Study Session, 4:00 pm
- April 30, 2012 Study Session, 4:00 pm

V. Adjourn

VI. Items Already Placed

- a. Minutes from the February 15, 2012 Special Call meeting.
- b. A proclamation recognizing April 27, 2012 Arbor Day.
- c. A proclamation recognizing April 2012 as Fair Housing Month.
- d. An ordinance to rezone the property located at 321 Dundee. The Planning Commission recommends approval of the rezone with a 6-0 vote.
- e. An ordinance to approve a conditional use permit for the property located at 122 Tecumseh. The Planning Commission recommends approval of the conditional use permit with a 6-0 vote.
- f. An ordinance for the adoption of amendments to Zoning Regulations Article 5, Agricultural District, Article 8, Countryside District, Article 23, Home Occupation Regulations, & Article 24 Accessory Uses. The Planning Commission recommends approval of the zoning regulation amendments with a 6-0 vote.

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 20, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Reed and Commissioner Jorgensen. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Ordinance-Urban Growth Area Rezone

The Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City Zoning. Addresses in this Phase 26 rezone include: 2730, 2641, 2804, 2340, 2550, 2530, 2441, 2740, 2410, 2739, 2450, 2640, 2510, 2715, 2729, 2316, 2341, 2435, 2621, 2720, 2631, 2427, 2719, 2710, 2449, 2411, 2315 Greenwood Dr., 2721, 2736, 2740, 2726, 2716, 2711 Maple Terrace, 2446, 2439, 2440, 2435 Autumn Court, and 2350 Labette Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. The Governing Body agreed to place this item on the next Regular Meeting Agenda for March 7, 2012.

Ordinance-Urban Growth Area Rezone

The Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning. Addresses in this Phase 27 rezone include: 2615 Louisiana Road, 2679 Louisiana Road, 2671 Louisiana Road, 2350 Labette Road, 2326 Labette Road, 2635 Louisiana Road, 2354 Labette Road, 2320 Labette Road, 2663 Louisiana Road, 2641 Louisiana Road and 2344 Labette Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

Resolution-NCCC Property

The Governing Body reviewed a resolution approving the final plat and accepting the dedication of all easements within the Neosho County Community College (NCCC) property located at 900 E Logan and agreed to place this item on the next Regular Meeting Agenda.

Resolution-NCCC Property

The Governing Body reviewed a resolution accepting public improvements within the NCCC property located at 900 E Logan and agreed to place this item on the next Regular Meeting Agenda.

Request-Ottawa Municipal Airport Priorities

The Governing Body reviewed a request to approve the annual updates to the recommended list of priorities for improvements to the Ottawa Municipal Airport in order for these projects to be considered for funding from the Federal Aviation Administration. Commissioner Richards made a motion, seconded by Commissioner Caylor, to approve the request. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

Grant Funds-Neighborhood Stabilization Program

The Governing Body heard from Susan Galemore, Southeast Kansas Regional Planning Commission, who provided an overview of the Neighborhood Stabilization Program and available grant funds.

Presentation-AT&T

The Governing Body heard from Michael Scott, AT&T, who provided an overview of the AT&T U-Verse product and the availability to the City of Ottawa. Mr. Scott indicated this service should be available to most of the community starting the end of March.

OFCED-2012 Goals

The Governing Body heard from Ottawa/Franklin County Economic Development (OFCED) Inc President Blaine Finch, who discussed the "Action Plan for Economic Development Goals 2012" developed by OFCED.

City Manager's Report

The City Manager reported on the following:

- Discussion will continue at the next study session regarding Stormwater Utility and fees

Commissioner's Reports

Commissioner Reed reported on the following:

- Pleased with the bike route signs on West 15th

Mayor's Report

The Mayor reported on the following:

- Legislature is voting this week on the concealed carry bill
- Mayor Ramsey requested an executive session for attorney-client privilege with the City Attorney and City Manager present.

Executive Session

Recess

Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to recess into Executive Session to discuss Attorney Client Privilege, with the City Attorney and City Manager present, for a period of 20 minutes. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed at 5:18 pm.

Reconvene

Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to reconvene into Regular Study Session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 5:38 pm.

Open Agenda

The Governing Body discussed the possibility of meeting with the County regarding the Interlocal Agreement.

Adjournment

There being no further business to come before the Governing Body, Commissioner Caylor made a motion, seconded by Commissioner Reed, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 5:46 pm.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 27, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, and Commissioner Reed. Commissioner Jorgensen was absent. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Walk Kansas

The Governing Body heard a request for assistance to facilitate a Walk Kansas event from Rebecca McFarland and agreed by consensus to approve the request.

Ordinance-Stormwater Utility

The Governing Body heard from City Manager Richard Nienstedt, Director of Public Works Andy Haney and Bruce Kimmel, Ehlers and Associates, who provided a presentation and overview of an ordinance establishing a stormwater management program and a stormwater utility fee. The Governing Body agreed to place this item on the next Study Session agenda for March 5, 2012.

Resolution-Stormwater Utility Fee

The Governing Body reviewed a resolution establishing a stormwater utility fee and agreed to bring this item back to the next Study Session.

Urban Growth Agreement

The Governing Body reviewed the Memorandum of Understanding regarding the Interlocal Agreement.

Commissioner Caylor excused herself from the meeting.

Amendment-South 59 TIF District

The Governing Body reviewed a request to approve the second amendment to the first redevelopment agreement for the South 59 TIF District Redevelopment Project Area I. Staff requested action at this study session. Commissioner Reed made a motion, seconded by Commissioner Richards, to approve the request.

Director of Finance Scott Bird provided an overview of the amendment. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

February 27, 2012

Unofficial Until Approved

Airspace Protection Planning Grant

The Governing Body reviewed a request to approve the Airspace Protection Planning Grant application and heard from Director of Public Works Andy Haney who provided an overview of the grant offer. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

City Manager's Report

The City Manager reported on the following:

- Upcoming Sherriff's sale: Fairway Addition on Pebble Beach Lane

Commissioner's Reports

Commissioner Richards reported on the following:

- Status of 124 S Main demolition
- Watch Dog Dads at Lincoln Elementary was a success
- Encouraged Governing Body to discuss the School Resource Officer position in the future

Commissioner Reed reported on the following:

- National League of Cities meetings offer free 20 minute consultations on economic development, public safety, and healthcare

Mayor's Report

The Mayor reported on the following:

- Impact of concealed carry to schools and cities
- Tax relief bill

Announcements

The Mayor announced the following:

- March 1, 2012: Joint Study Session with Franklin County Commissioners at 7 pm at Franklin County Commission Chambers, Franklin County Annex, 1428 S Main
- Mayor Ramsey requested an executive session for attorney-client privilege with the City Attorney and City Manager present.

Executive Session

Recess

Commissioner Richards made a motion, seconded by Commissioner Reed, to recess into Executive Session to discuss Attorney-Client Privilege, with the City Attorney and City Manager present, for a period of 10 minutes. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed at 5:13 pm.

Reconvene

Commissioner Reed made a motion, seconded by Commissioner Richards, to reconvene into Regular Study Session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 5:23 pm.

February 27, 2012

Unofficial Until Approved

Open Agenda

The Governing Body discussed the upcoming Joint Study Session with the Franklin County Commissioners meeting on March 1, 2012 at 7 pm.

The Governing Body discussed the Memorandum of Understanding between the City of Ottawa and Franklin County.

Adjournment

There being no further business to come before the Governing Body, Commissioner Reed made a motion, seconded by Commissioner Richards, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 5:38 pm.

Carolyn S. Snethen, City Clerk

City Commission
Special Call Minutes
March 1, 2012
County Commission Chambers, 1428 S Main
Ottawa, Kansas

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

Purpose

The Governing Body was in attendance at this Special Call meeting in order to participate in a Joint Study Session with the Franklin County Commissioners to discuss the Interlocal Agreement between Franklin County and the City of Ottawa.

Public Comments

The Commissioners heard from Leonard Cheasbro who spoke in favor of the opportunity to vote on the issue.

The Commissioners heard from Butch Riddle, 2237 Old Highway 50, who spoke in favor of increased communication between the County, City, and residents.

The Commissioners heard from Gene Hirt, Williamsburg, who expressed concerns about the growth of the City and the County.

The Commissioners heard from Lloyd McClure, 2007 Iowa Rd, who discussed the lack of public participation during public hearings when the County Planning Commission had previously considered this issue.

Discussion

The Franklin County Commissioners and City Commissioners discussed the Interlocal Agreement between Franklin County and the City of Ottawa.

Adjournment

Upon motion and second the meeting was duly adjourned at 7:43 p.m.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 5, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Reed, and Commissioner Jorgensen. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

The Governing Body heard from Shawn Dickinson who provided details on a recent request to use the Municipal Auditorium. Director of Finance Scott Bird personally pledged \$100 toward the cost of the event and the Governing Body agreed by consensus to allow staff to move forward with the details of the request.

Urban Growth Agreement

The Governing Body reviewed a request to approve the Urban Growth Agreement and the Memorandum of Understanding between the City of Ottawa and Franklin County and agreed to bring this item back after the County approves the agreement.

Ordinance-Stormwater Utility

The Governing Body reviewed a Constitutional Charter ordinance providing for the creation of an ordinance establishing a stormwater management program and a stormwater utility fee and agreed to place this item on the next Regular Meeting Agenda for March 7, 2012.

During discussion, City Attorney Bob Bezek explained this ordinance allows the City to charter out of certain state laws and provides the ability to create the Stormwater Utility.

Ordinance-Stormwater Utility

The Governing Body continued discussion from the February 27, 2012 Study Session regarding an ordinance establishing a stormwater management program and stormwater utility fee and agreed to place this item on the next Regular Meeting Agenda.

Resolution-Stormwater Utility

The Governing Body continued discussion from the February 27, 2012 Study Session regarding an ordinance establishing a stormwater utility fee and credits and agreed to place this item on the next Regular Meeting Agenda.

Ordinance & Resolution-Refunding 2003 River Levee Improvement Bonds

The Governing Body reviewed an ordinance and resolution related to the refunding (refinancing) of the 2003 River Levee Improvement bonds and agreed to place these items on the next Regular Meeting Agenda.

March 5, 2012

Unofficial Until Approved

Ordinance & Resolution-Refunding Airport Improvement Bonds

The Governing Body reviewed an ordinance and resolution related to the refunding (refinancing) of the Airport Improvement Bonds and agreed to place these items on the next Regular Meeting Agenda.

Policy-IRS Bond Regulations

The Governing Body reviewed a request to adopt a policy related to new IRS regulations related to bonds and agreed to place this item on the next Regular Meeting Agenda.

During discussion, Director of Finance Scott Bird explained our Bond Attorney Dottie Riley prepared the policy for the City with a suggestion to adopt the policy.

Resolution-Mac Fasteners Property Tax Exemption

The Governing Body reviewed a resolution authorizing a contract with Mac Fasteners Inc to establish a property tax exemption and agreed to place this item on the next Regular Meeting Agenda.

Ordinance-Mac Fasteners Property Tax Exemption

The Governing Body reviewed an ordinance detailing the terms and conditions of a property tax exemption for Mac Fasteners Inc and agreed to place this item on the next Regular Meeting Agenda.

Contract-Mac Fasteners Property Tax Exemption

The Governing Body reviewed a contract detailing the terms and conditions of a property tax exemption for Mac Fasteners Inc.

Update-Levee Certification Project

The Governing Body heard from Assistant Planner Tom Yahl who provided an update on the levee certification project.

Youth in Government

Youth Delegate Jordan Gray reported on the following:

- Youth in Government delegates have spent time at ORC interviewing middle and high school students regarding the programs they attend
- Youth Delegates attending National League of Cities Conference include Abagael Pruitt, Ciera Gardner, and Brooke Sage

Interview-Crystal Camis

The Governing Body interviewed Crystal Camis for the vacant position on the Fourth Judicial District Community Corrections Advisory Board and agreed to place the results on the next Regular Meeting Agenda.

Monthly Financial and Activity Report-January

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of January.

At 5:09 pm, Commissioner Richards excused himself from the meeting.

City Manager's Report

The City Manager reported on the following:

- He proposed a Harveyville, Kansas Storm Donation for \$2,500 and the Governing Body agreed to place this item on the next Regular Meeting Agenda.
- Provided an update on the demolition of 124 S Main

Commissioners' Reports

Commissioner Reed reported on the following:

- Recent Legislative Coffee

Commissioner Jorgensen reported on the following:

- He asked for an update from Ottawa Recreation Commission representatives

Mayor's Reports

The Mayor reported on the following:

- Legislative update
- Airport Advisory Board meeting tomorrow, March 6, 2012

Announcements

The Mayor announced the following:

- March 12, 2012: Study Session at 4 pm
- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th

Adjournment

There being no further business to come before the Governing Body, Commissioner Reed made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 5:38 pm.

Carolyn S. Snethen, City Clerk

March 5, 2012

Unofficial Until Approved

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of March 7, 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.

Consent Agenda

Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the consent agenda. The consent agenda included the agenda.

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.

Ordinance-Series 2012A General Obligation Bonds

The Governing Body reviewed an ordinance authorizing the issuance and delivery of \$840,000 principal amount of general obligation bonds, Series 2012A, of the City of Ottawa, Kansas, and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the ordinance.

The Governing Body heard from David Arteberry, George Baum and Associates, who provided an overview of the financing plan for the Ottawa Municipal Airport Temporary Notes. 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. 3811-12.

Resolution- Series 2012A General Obligation Bonds

The Governing Body reviewed a resolution prescribing the form and details of and authorizing the delivery of \$840,000 principal amount of general obligation bonds, Series 2012A, of the city of Ottawa, Kansas, previously authorized by an ordinance of the City and approving certain policies and procedures relating to compliance with federal tax law and disclosure obligations. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the resolution.

March 7, 2012

Unofficial Until Approved

During discussion it was explained this resolution is a procedural step in the issuance of the bonds named in the Refunding Bonds ordinance, Series 2012A. 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. 1572-12.

Ordinance-Series 2012B General Obligation Bonds

The Governing Body reviewed an ordinance authorizing the issuance and delivery of \$825,000 principal amount of general obligation refunding bonds, Series 2012B, of the City of Ottawa, Kansas, for the purpose of providing funds to refund certain outstanding general obligation bonds, and making certain covenants with respect thereto. Commissioner Caylor made a motion, seconded by Commissioner Richards, to adopt the ordinance.

The Governing Body heard from Mr. Arteberry who provided an overview of the financing plan and refunding (refinancing) of Series 2003 Bonds. 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. 3812-12.

Resolution-Series 2012B General Obligation Bonds

The Governing Body reviewed a resolution prescribing the form and details of and authorizing the delivery of \$825,000 principal amount of general obligation refunding bonds, Series 2012B, of the City of Ottawa, Kansas, previously authorized by an ordinance of the City and approving certain policies and procedures relating to the City's general obligation debt. Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained this resolution is a procedural step in the issuance of the bonds named in the Refunding Bonds ordinance, Series 2012B. 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. 1573-12.

Policies-Tax Compliance

The Governing Body reviewed a request to adopt policies related to post-issuance tax compliance and continuing disclosure undertaking policies and procedures for governmental and airport exempt facility operations. Commissioner Reed made a motion, seconded by Commissioner Caylor, to adopt the policies.

During discussion it was explained as a result of new IRS regulations, this policy is recommended for adoption by the City's Bond Counsel. The motion was considered and upon being put, all present voted aye. The Mayor declared the request to adopt the policies duly approved.

Resolution-Mac Fasteners Contract

The Governing Body reviewed a resolution authorizing the City of Ottawa, Kansas to create and enter into a contract with Mac Fasteners Inc for the purpose of granting a property tax exemption pursuant to Article 11, Section 13, of the Constitution of the State of Kansas and the Tax Exemption Policy of the City of Ottawa, Kansas. Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained items regarding Mac Fasteners Inc, including this resolution, are procedural steps in issuing a tax exemption for Mac Fasteners Inc. Director of Finance Scott Bird provided an overview explaining this proposed tax exemption allows a 55% abatement for 10 years, which are front loaded in the first 6 years.. 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. 1574-12.

Ordinance-Ad Valorem Taxation Exemption

The Governing Body reviewed an ordinance exempting certain property from ad valorem taxation for economic development purposes in the City of Ottawa, Franklin County, Kansas, specifically for a 28,000-square-foot manufacturing and warehouse facility. Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained this ordinance is a procedural step in the issuance of the tax exemption named in the resolution for Mac Fasteners Inc. 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. 3813-12.

Annual Updates-Project List

The Governing Body reviewed a request to approve annual updates to the Ottawa Municipal Airport project list. Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the request.

During discussion it was explained each year the Airport Improvement Program project list is reviewed and updated and sent to the Federal Aviation Administration for consideration for grant funding. This review and submission process provides an updated list of priorities and does not commit the City to any of the projects listed. Director of Public Works Andy Haney provided an overview of six projects planned from 2013 – 2018. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

Airspace Protection Planning Grant Application

The Governing Body reviewed a request to approve the Airspace Protection Planning Grant application. Commissioner Reed made a motion, seconded by Commissioner Caylor, to approve the request.

During discussion it was explained this project protects approaches to the Ottawa Municipal Airport. This Kansas Department of Transportation Kansas Airport Improvement Program grant is for 95% of the total project cost of \$18,865. Total estimated expenses to the City are \$943.25. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

Resolution-Neosho County Community College Public Improvements

The Governing Body reviewed a resolution accepting public improvements with Neosho County Community College Addition in the City of Ottawa, Kansas. Commissioner Richards made a motion, seconded by Commissioner Caylor, to adopt the resolution.

During discussion it was explained this resolution accepts public improvements such as public streets, storm drainage system, sanitary sewer system, water lines and electrical service as approved by the City Engineers. 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. 1575-12.

Resolution- Neosho County Community College Final Plat

The Governing Body reviewed a resolution approving the final plat and accepting the dedication of all easements within Neosho County Community College Addition in the City of Ottawa, Kansas. Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the resolution.

During discussion it was explained the final plat dedications include new utility, storm water and pedestrian easements along with street right-of-way. The Planning Commission recommended approval of the final plat with a 6-0 vote. 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. 1576-12.

Ordinance-Urban Growth Area Phase 26 Rezone

The Governing Body reviewed an ordinance rezoning an area within the Urban Growth Area, Franklin County, Kansas and updating the section of the zoning map which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas.

During discussion it was explained addresses in this Phase 26 rezone include: 2730, 2641, 2804, 2340, 2550, 2530, 2441, 2740, 2410, 2739, 2450, 2640, 2510, 2715, 2729, 2316, 2341, 2435, 2621, 2720, 2631, 2427, 2719, 2710, 2449, 2411, 2315 Greenwood Dr., 2721, 2736, 2740, 2726, 2716, 2711 Maple Terrace, 2446, 2439, 2440, 2435 Autumn Court. The Planning Commission recommended approval of this rezone with a 6-0 vote. The motion was considered and upon being put, passed with a 4-1 vote (Commissioner Richards nay). The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3814-12.

Ordinance-Urban Growth Area Phase 27 Rezone

The Governing Body reviewed an ordinance rezoning an area within the Urban Growth Area, Franklin County, Kansas, and updating the section of the zoning map which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas.

During discussion it was explained addresses in this Phase 27 rezone include: 2615, 2679, and 2671 Louisiana Road, 2350 Labette Road, 2320, 2326, 2344, and 2354 Labette Road, 2635, 2641, and 2663 Louisiana Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. The motion was considered and upon being put, passed with a 4-1 vote (Commissioner Richards nay). The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3815-12.

Charter Ordinance-Stormwater Utility

The Governing Body reviewed a Constitutional charter ordinance exempting the City of Ottawa, Kansas from the provisions of the Kansas Water Pollution Act, K.S.A. 12-3101 et seq. and providing for the creation of an ordinance establishing a Stormwater Management Program and a Stormwater Utility Fee.

During discussion it was explained this charter ordinance is the first procedural step in the establishment of a Stormwater Management Program, stormwater utility fee and credit system. City Attorney Bob Bezek provided an overview of the publication and approval process of the charter ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the Constitutional charter ordinance duly adopted and the ordinance was duly numbered Charter Ordinance No. 19-12.

Ordinance-Stormwater Management Program

The Governing Body reviewed an ordinance establishing a Stormwater Management Program and a Stormwater Utility Fee for the City of Ottawa, Kansas. Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

The Governing Body heard from Director of Public Works Andy Haney who provided an overview of the proposed stormwater utility. 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. 3816-12.

Resolution-Stormwater Utility Fee and Credit System

The Governing Body reviewed a resolution finding the advisability of and ordering the adoption and establishment of a Stormwater Utility Fee and establishment of a Stormwater Utility Credit System, and providing for the enforcement thereof and establishing an effective date thereof. Commissioner Reed made a motion, seconded by Commissioner Caylor, to adopt the resolution. Commissioner Caylor made a subsidiary motion, seconded by Commissioner Richards, to add the effective date of January 1, 2013 to the resolution.

The Governing Body requested additional information to be brought back for further discussion at a later date. The subsidiary motion was considered and upon being put, all present voted aye. The Mayor declared the request to add the effective date to the resolution duly approved. The original motion was considered and upon being put, failed by a 2-3 vote as follows: Commissioners Jorgensen and Richards nay; Mayor Ramsey nay; Commissioners Reed and Caylor aye . The Mayor declared the resolution duly defeated.

Appointment-Fourth Judicial Community Corrections Advisory Board

The Governing Body reviewed an appointment to the Fourth Judicial Community Corrections Advisory Board. Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the appointment.

During discussion it was explained upon receipt of application and interview of Crystal Camis, Ms. Camis is recommended for appointment to the Fourth Judicial Community Corrections Advisory Board. The motion was considered and upon being put, all present voted aye. The Mayor declared the appointment duly approved.

Donation-Harveyville, Kansas

The Governing Body reviewed a request to provide financial assistance to the City of Harveyville, Kansas. Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to approve the request.

During discussion it was explained a tornado destroyed an estimated 40% of the community of Harveyville, Kansas on February 28, 2012. As an act of good will and neighborliness, a request to support the restoration efforts in Harveyville with a donation of \$2,500 has been made. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

City Manager's Report

The City Manager reported on the following:

- Thanked the Commissioners for their efforts in reaching a decision on the Stormwater Utility
- Provided an update on the status of 124 S Main

Commissioners' Reports

Commissioner Caylor reported on the following:

- Next week is Spring Break at local schools
- More credit is deserved for Franklin County Children's Coalition volunteers who put on free activities for the youth of our community.

Commissioner Reed reported on the following:

- Upcoming trip to National League of Cities to Washington, DC with 4 Youth Delegates

Commissioner Richards reported on the following:

- Urban Growth Area program was not a program put in place by the City, the County reached out to the City for our participation
- Other boards will have upcoming vacancies
- Encouraged citizens who are willing to serve on those boards to contact City Hall for more information

Commissioner Jorgensen reported on the following:

- Recent problems the City of Basehor faced with their Commission
- Thanked our Governing Body for the way they conduct themselves and respect each other even when they disagree.

Mayor's Report

The Mayor reported on the following:

- Agreed with Commissioner Jorgensen regarding our Governing Body
- Congratulated Ottawa High School boys' and girls' basketball teams and wished them well on behalf of the City
- Commissioner Reed will represent the City of Ottawa at an upcoming National League of Cities conference in Washington, DC

Announcements

The Mayor announced the following:

- March 12, 2012: Study Session at 4 pm
- March 19, 2012: Study Session at 4 pm
- March 21, 2012: Next Regular Meeting at 9:30 am
- March 21, 2012: Joint City/County/USD 290 Luncheon Canceled
- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th

Adjournment

There being no further business to come before the Governing Body, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 9:03 pm.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 12, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, and Commissioner Jorgensen. Commissioner Reed was absent. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Review of Minutes

The Governing Body reviewed minutes from the February 1, 2012 Regular Meeting and the February 6, 2012 Study Session and agreed to place these items on the next Regular Meeting Agenda for March 21, 2012.

Quarterly Recognition

The Governing Body reviewed a request to place the quarterly recognition of City employees recently completing professional development programs and introduction of new employees on the next Regular Meeting Agenda. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

Resolution No 1569-12-Re-approval

The Governing Body reviewed Substitute Resolution No. 1577-12, which replaces Resolution No. 1569-12 approved on February 15, 2012, and includes identifying the City Manager and City Clerk by name in order to fulfill the requirements of the application as determined by KDHE policy. Staff requested action at this Study Session. Commissioner Caylor made a motion, seconded by Commissioner Richards, to adopt Substitution Resolution No. 1577-12.

Director of Utilities Jim Bradley explained the KDHE representative requested names and titles rather than titles only. The motion was considered and upon being put, all present voted aye. The Mayor declared Substitution Resolution No. 1577-12 duly adopted.

Report-Workers Compensation Plan

The Governing Body heard from Thomas McGee representative Ed Reasoner who provided a report on the City's workers compensation plan in 2011.

Public Communications Initiatives

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview on public communication initiatives in the Planning and Codes Department which include brochures, newsletters, public appearances, and educational workshops.

March 12, 2012

Unofficial Until Approved

City Manager's Report

The City Manager reported on the following:

- Discussed April City Commission meeting times. The Governing Body agreed meeting times would remain as first Wednesday, April 4, 2012 at 7 pm and Wednesday, April 18, 2012 at 9:30 am.
- Executive Session needed for attorney-client privilege with the City Manager, City Attorney, and Director of Finance Scott Bird present for a period 10 minutes

Executive Session

Recess

Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to recess into Executive Session to discuss attorney-client privilege with the City Attorney, City Manager, and Director of Finance Scott Bird present for a period of 10 minutes and to reconvene into open session at 4:41 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed at 4:31 pm.

Reconvene

Commissioner Caylor made a motion, seconded by Commissioner Richards, to reconvene into open session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 4:41 pm.

Commissioner Caylor made a motion, seconded by Commissioner Richards, to enter into a contract with the Old Granddad LLC to purchase 54 acres, more or less, at 2040 Montana Road, contingent upon the FAA approval, in the amount of \$173,000, with \$5,000 earnest money. The motion was considered and upon being put, all present voted aye. The Mayor declared the execution of the contract duly approved.

Mayor's Report

The Mayor reported on the following:

- City Survey update
- Renewing efforts for Playful City grants
- Sent letter to State representative regarding concealed carry bill and tax issue under own name
- Recognized the high school boys and girls basketball teams for placing 2nd and 3rd place in their respective state tournaments this winter

Announcements

The Mayor announced the following:

- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th
- Executive Session needed for attorney-client privilege with the City Manager, City Attorney, and Director of Finance Scott Bird present for a period 20 minutes

March 12, 2012

Unofficial Until Approved

Executive Session

Recess

Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to recess into executive session to discuss attorney-client privilege with the City Attorney, City Manager, and Director of Finance Scott Bird present for a period of 20 minutes and to reconvene into open session at 5:14 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed at 4:54 pm.

Reconvene

Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to reconvene into open session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 5:14 pm.

Open Agenda

The Governing Body discussed open positions for Boards and Commissions. The Governing Body agreed to place the open positions and expiring terms for City Boards and Commissions on the Study Session Agenda for March 19, 2012.

Adjournment

There being no further business to come before the Governing Body, Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 5:38 pm.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 19, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Review of Minutes

The Governing Body reviewed minutes from the February 13, 2012 Study Session and the February 15, 2012 Regular Meeting and agreed to place these items on the next Regular Meeting agenda for March 21, 2012.

Urban Growth Area-Memorandum of Understanding

The Governing Body reviewed a Memorandum of Understanding regarding the Urban Growth Area, as approved by Franklin County at their March 7, 2012 Regular Meeting and agreed to place this item on the next Regular Meeting agenda.

Kansas Department of Wildlife & Parks

The Governing Body reviewed a request to complete the 2012 Annual Operation and Maintenance Assurance Statement for the Kansas Department of Wildlife and Parks and agreed to place this item on the next Regular Meeting agenda.

Stormwater Utility Fees

The Governing Body continued discussion regarding fee structures for the Stormwater Utility Fee and reviewed a resolution revised to include the effective date of January 1, 2013 and the amount of the monthly ERU fee undetermined.

After discussion, the Governing Body agreed to place this item on the Study Session agenda for further discussion on April 2, 2012 and tentatively place this item on the Regular Meeting agenda for April 4, 2012 with a proposed ERU of \$4.

Reappointments-City Boards & Commissions

The Governing Body reviewed reappointments and appointments to City Boards and Commissions and agreed to place this item on the Consent Agenda for the Regular Meeting on March 21, 2012.

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Open Positions-City Boards & Commissions

The Governing Body discussed open positions on City Boards and Commissions including the Board of Zoning Appeals, Ottawa Recreation Commission, and the Tree Board, and agreed to advertise for the openings.

2012 Street Rehabilitation

The Governing Body reviewed the 2012 Street Rehabilitation Recommendations and agreed to place the Slurry Seal projects on the next Regular Meeting agenda. The Governing Body agreed to bring the overlay discussion back to the Study Session agenda for March 26, 2012.

Commissioners' Reports

Commissioner Richards reported on the following:

- Status of group to inspect downtown buildings
- Status of potential buyers of old City Hall building

Commissioner Reed reported on the following:

- Preparing report on National League of Cities Conference she recently attended in Washington, DC
- Recent news article on Victor Ojeleye

Commissioner Caylor reported on the following:

- Main Street Ottawa meets Wednesday, March 21, 2012 at 5:45 pm
- Play Taskforce hosting Special Olympics the afternoon of Wednesday, March 21, 2012

Commissioner Jorgensen reported on the following:

- Recent article in Wichita paper regarding Park City Program offering rebate incentives

Mayor's Report

The Mayor reported on the following:

- Legal notice publication bill passed through both houses
- Helping with Meals on Wheels Wednesday, March 21, 2012
- Limited tickets remain for Mayor's Prayer Breakfast on March 27, 2012
- Ottawa High School is providing the meal for Mayor's Prayer Breakfast as a fundraiser

Announcements

The Mayor announced the following:

- March 21, 2012: Next Regular Meeting at 9:30 am
- March 21, 2012: Joint City/County/USD 290 Luncheon Canceled
- March 26, 2012: Study Session at 4 pm
- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th

Adjournment

There being no further business to come before the Governing Body, Commissioner Richards 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.

Carolyn S. Snethen, City Clerk

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of March 21, 2012**

The City Governing Body met at 9:30 am 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.

Consent Agenda

Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the consent agenda.

The consent agenda included:

- The agenda
- Minutes from the February 1 and February 15, 2012 Regular Meetings, and the February 6 and February 13, 2012 Study Sessions
- A request to reappoint sitting members of City Boards and Commissions
- A request to appoint members to the Construction Board of Appeals

The motion was considered and upon being put, all present voted aye. 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.

First Quarter Recognition of City Employees

The Governing Body acknowledged first quarter recognition of city employees. Employees recognized have been promoted or have recently completed educational and professional development programs, and those who are new to the City. The following employees were recognized:

Adam Weingartner – Police

Adam has been selected to become a 2012-2015 Trustee of the Leadership Franklin County program.

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Tim Matthias - Fire

Tim has been selected to become a 2012-2015 Trustee of the Leadership Franklin County program.

Rick Oglesby – Fire

Rick has completed a three-year appointment as 2009-2012 Trustee of the Leadership Franklin County program.

Leslie Quillen – City Manager’s Office

Leslie has completed a three-year appointment as 2009-2012 Trustee of the Leadership Franklin County program. She also recently completed the University of Kansas Emerging Leaders program.

Amy Finch – Finance

Amy completed a Bachelors of Arts degree, with Highest Honors and double majors in Business Administration and Management from Ottawa University.

Chad Bentley – Public Works/Streets

Chad has been promoted to the position of Crew Chief, Public Works/Streets

Mike Higbie – Public Works/Parks

Mike has been promoted to the position of Crew Chief, Public Works/Parks

Sam Alsbrooks – Police

Sam joined the Ottawa Police Department in September 2011.

Barb Nelson – Police

Barb Nelson is leaving the City after 22 years of service.

Reggie Silvey – Public Works/Parks

Reggie is retiring after 25 years of service to the City of Ottawa.

2012 Street Rehabilitation Project List

The Governing Body reviewed a request to approve a portion of the 2012 Street Rehabilitation Project list. Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to approve a portion of the 2012 Street Rehabilitation Project list.

During discussion it was explained the 2012 Street Rehabilitation program is being developed. Staff requested approval of the proposed slurry seal projects estimated at \$60,434. The Governing Body heard from Director of Public Works Andy Haney who provided an overview of the slurry seal projects. The motion was considered and upon being put, all present voted aye. The Mayor declared the slurry seal projects estimated at \$60,434 duly approved.

Statement-Kansas Department of Wildlife & Parks

The Governing Body reviewed a request to complete the 2012 Annual Operation and Maintenance Assurance Statement for the Kansas Department of Wildlife and Parks. Commissioner Reed made a motion, seconded by Commissioner Richards, to approve the request.

During discussion it was explained this annual assurance statement is part of grant compliance that helped fund improvements to the Forest Park Pool and recreational facilities. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

Urban Growth Area-Memorandum of Understanding (MOU) Interlocal Agreement

The Governing Body reviewed a request to approve the Memorandum of Understanding regarding the Urban Growth Area. Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to approve the Memorandum of Understanding regarding the Urban Growth Area.

During discussion it was explained this MOU details operational matters involving the City and County Interlocal Agreement. It was previously approved by the Franklin County Commission at their March 7, 2012 Regular Meeting.

The Governing Body heard from City Attorney Bob Bezek who provided an overview of the modification to the Interlocal Agreement. The motion was considered and upon being put, all present voted aye. The Mayor declared Memorandum of Understanding duly approved.

Commissioners' Reports

Commissioner Caylor reported on the following:

- Joint City/County/USD 290 Luncheon Canceled
- Play Task Force is hosting Ottawa Olympics today at 1 pm at Ottawa University Mabee Center

Commissioner Reed reported on the following:

- Recently attended National League of Cities meeting with 4 Youth Delegates and Director of Ottawa Volunteer Center Lisa Rivers

Commissioner Richards reported on the following:

- Encouraged citizens to be involved in the Spring Fling activities
- Discussion of group to inspect historic downtown buildings
- Provided information on the 911 Interlocal Agreement with the County

Commissioner Jorgensen reported on the following:

- Yesterday was first day of Spring
- Encouraged citizens to take pride in their yards and reminded listeners of the upcoming free dump day at the County Landfill in April

Mayor's Report

The Mayor reported on the following:

- Chief Carner will meet with Ottawa Main Street Association to discuss the group to inspect historic downtown buildings
- The City Attorney is working with the County Administrator on the 911 Interlocal Agreement with the County

Announcements

The Mayor announced the following:

- March 21, 2012: Joint City/County/USD 290 Luncheon Canceled
- March 26, 2012: Study Session at 4 pm
- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th
- April 2, 2012: Study Session at 4 pm
- April 4, 2012: Next Regular Meeting at 7 pm

Adjournment

There being no further business to come before the Governing Body, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 10 am.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 26, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

Public Comments

The Governing Body heard from Ottawa/Franklin County Economic Development (OFCED) Inc President Blaine Finch who discussed the recent resignation of Ottawa Area Chamber of Commerce President and CEO Tom Weigand and their future plans to evaluate the structure of the OFCED and the Chamber of Commerce.

ECKAN-Community Garden Plots

The Governing Body heard from ECKAN representatives Richard Jackson, Jake Howard, and Deana Bond who presented a proposal to pilot a community garden program and asked the City to provide water for the garden plots on City-owned land located on North Hickory, between West Wilson and East Grant Streets, West 11th and South Locust Street.

City Manager Richard Nienstedt recommended approval of this pilot program and said the City is prepared to install water accessibility to both lots and help offset the cost of watering the gardens. The Governing Body agreed by consensus to move forward with this project.

Review of Minutes

The Governing Body reviewed minutes from the February 15, 2012 Special Call Meeting and agreed to place this item on the next Regular Meeting agenda for April 4, 2012.

Proclamation-Arbor Day

The Governing Body reviewed a proclamation recognizing April 27, 2012 as Arbor Day and agreed to place this item on the next Regular Meeting agenda.

Proclamation-Fair Housing Month

The Governing Body reviewed a proclamation recognizing April 2012 as Fair Housing Month and agreed to place this item on the next Regular Meeting agenda.

Resolution-KDOT Corridor Project

The Governing Body reviewed a resolution to approve the Kansas Department of Transportation (KDOT) Corridor Project Application Form. Staff requested action at this study session. Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to adopt the resolution.

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The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the project. 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. 1578-12.

Ordinance-Rezone 321 Dundee

The Governing Body reviewed an ordinance to rezone the property located at 321 Dundee. The Planning Commission recommended approval of this rezone with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the rezone of the property. The Governing Body agreed to place this item on the next Regular Meeting agenda.

Ordinance-Conditional Use Permit at 122 Tecumseh

The Governing Body reviewed an ordinance to approve a conditional use permit for the property located at 122 Tecumseh. The Planning Commission recommended approval of the conditional use permit with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the intended use of the building as a private storage facility. The Governing Body agreed to place this item on the next Regular Meeting agenda.

Ordinance-Amendments to Zoning Regulations

The Governing Body reviewed an ordinance for the adoption of amendments to Zoning Regulations Article 5, Agricultural District, Article 8, Countryside District, Article 23, Home Occupation Regulations, and Article 24, Accessory Uses. The Planning Commission recommended approval of the zoning regulation amendments with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the amendments to the Zoning Regulations and the County's participation in the process. The Governing Body agreed to place this item on the next Regular Meeting agenda.

Reorganization-City Commission

The Governing Body discussed the selection of Mayor and Mayor Pro-Tem for 2012-2013. Mayor Ramsey recommended Commissioner Jorgensen for 2012-2013 Mayor and Commissioner Caylor for 2012-2013 Mayor Pro-Tem. The Governing Body agreed by consensus to the Mayor's recommendations and agreed to place the City Commission reorganization on the next Regular Meeting agenda.

Monthly Financial and Activity Report-February

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of February.

Commissioner Jorgensen excused himself from the meeting at 4:59 pm.

Commissioners' Reports

Commissioner Richards reported on the following:

- He has been contacted by citizens regarding his recent comments regarding the 911 Interlocal Agreement with the County
- He has been contacted by citizens concerned about the condition of North Cherry Street and the increased traffic due to the opening of a new business in the area

Mayor's Report

The Mayor reported on the following:

- Status of City Park bridge
- Recommended City Commission discuss the 911 Interlocal Agreement as a whole to determine how to proceed

Announcements

The Mayor announced the following:

- March 27, 2012: Mayor's Prayer Breakfast at 7:30 am at Westminster Presbyterian Church, 401 W 13th

Adjournment

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

Carolyn S. Snethen, City Clerk

MEMORANDUM
City of Ottawa, Kansas

To: City Manager and City Commission
From: Sam Davis, Stormwater Project Specialist
Date: 3/29/2012
Re: SWU fee Resolution

Discussion continues on the stormwater utility fee Resolution. Staff is still recommending an implementation date of January 1, 2013 with proposed credit system. Since last review, a minor change has been made. To clarify the Stormwater Task Force recommendation of holding the fee at a set rate for at least three years, the ending date of "January 1, 2016" was added to Section 6.

The proposed Resolution is attached for your consideration.

RESOLUTION NO. _____

A RESOLUTION FINDING THE ADVISABILITY OF AND ORDERING THE ADOPTION AND ESTABLISHMENT OF A STORMWATER UTILITY FEE AND ESTABLISHMENT OF A STORMWATER UTILITY CREDIT SYSTEM, AND PROVIDING FOR THE ENFORCEMENT THEREOF AND ESTABLISHING AN EFFECTIVE DATE THEREFORE.

Whereas, the Governing Body has previously adopted such rules a regulations deemed necessary to establish a Stormwater Utility; and

Whereas, Section 14-606 et seq., of the Municipal Code of the City of Ottawa, Kansas, 2012 provides for the establishment of rates, conditions of service, rules and regulations pertaining to the Stormwater Utility to be set by resolution of the Governing Body of the City of Ottawa; and

Whereas, Section 14-615 of the Municipal Code of the City of Ottawa, Kansas, 2012 provides for the establishment of a Stormwater Utility credit system, which may reduce the Stormwater Utility fee.

Now, therefore, be it resolved by the Governing Body of the City of Ottawa:

Section 1: For the purposes of calculating a Stormwater Utility Fee, the Equivalent Residential Unit (ERU) method shall be used. The ERU is established at 2,600 square feet (sqft) of impervious area. The ERU rate is hereby established at \$_____ as a monthly service charge for each individual dwelling unit to become effective January 1, 2013.

Section 2: For the purpose of calculating Stormwater Utility Fees for non-residential property, the ERU rate shall be multiplied by the square footage for all impervious area of each non-residential property divided by the ERU.

Example: $\$5.00 * (\text{Total sqft of impervious area} / 2600 \text{ sqft}) = \text{Non-residential monthly charge}$

Section 3: The Governing Body shall establish a system of credits as detailed and attached to this Resolution. Credits may reduce the assessed Stormwater Utility Fee and are applied to those who implement Best Management Practices (BMPs) that minimize site-specific stormwater runoff and/or reducing site pollutants in stormwater runoff or any other similar BMP measure.

- A. Residential and Non-Residential properties may apply for a Stormwater Utility credit that may reduce the assessed stormwater utility fee.
- B. In order to qualify for a credit, the applicant must provide proper documentation that demonstrates proper installation and/or maintenance has taken place on an annual basis.
- C. Applicants must renew any credit they receive on an annual basis per the date as recommended by the Director of Finance.
- D. The City of Ottawa offers the following stormwater utility credits, not to exceed a total of 15%, except where an engineer designed system detaining 1% rainfall events is in use. In the case of such detention system, a maximum of 25% may be allowed. (See Table 1 below)

Table 1: Stormwater Utility Credit, Outline

% Credit	Credit Type	Applicability
5%	Residential Rain Barrel	Residential properties
10%	Residential Rain Garden (Bioretention)	Residential properties
10%	Stormwater Detention	Any
10%	Stormwater Education	Primary/secondary/post-secondary; public/private institutions only
10%	SW Quality Improvements	Any
25%**	SW Detention (1% Storm)	Engineered/designed system that can detain a 1% rainfall event

Section 4: The Stormwater Utility Fee for each active water account shall be imposed for the purpose of collecting sufficient fees to adequately finance new stormwater infrastructure and maintenance activities which reduce flooding hazards and reduce pollution in stormwater outfalls.

Section 5: The City Manager or his/her designee is charged with the enforcement of the stormwater utility fee.

Section 6: The imposed Stormwater Utility fee shall remain at the rate as defined in Section 1 ~~for a minimum of three (3) years after adoption of this Resolution until January 1, 2016~~. After such time, the City Manager may make an annual recommendation to the Governing Body as to the monthly charge necessary to fulfill the proposed purpose of the Stormwater Management Program as established in City of Ottawa Municipal Code Sec. 14-606.

Section 7: The imposed Stormwater Utility fee shall remain in full force and effect until rescinded or modified by subsequent resolution(s) of the Governing Body of the City of Ottawa.

PASSED AND ADOPTED this _____ day of _____, 2012.

Attest:

City Clerk

Mayor

For Immediate Release: March 30, 2012
Contact: City of Ottawa Planning Dept. or Ottawa Main Street

Building Evaluation

While the City of Ottawa Codes and Fire Staff have inspected buildings and raised awareness of steps owners can take to maintain their structures, after the unfortunate deterioration of 124 S. Main, the process was re-reviewed. City staff has created a self-checklist and are working with Main Street on some re-education of tenants and downtown building owners.

Currently, when occupancy changes in downtown buildings, or any other commercial or industrial property, an inspection is conducted by Codes and Fire Department staff. This inspection has been primarily to be sure that no hazards exist and to identify safety issues, such as exiting lighting. Annually Fire Staff conducts inspections, but those are targeting life-safety type issues as well such as exit ways, fire extinguishers, etc. Most often, structural review has occurred when structures were proposed for remodel. An example of this is when residential units are proposed in an upper story that hasn't had them before, resulting in a very thorough review of the building and its structural integrity.

It is the owner's responsibility to maintain their investment, but there are times when owners may not be regularly in the building or aware of the signs that are signaling action needed. Furthermore, tenants at times are aware of some items and may even have some responsibility due to their contracts, but again not prepared for addressing concerns. "Staff is always willing to conduct inspections on these items for property owners or tenants, but know that for some that is worrisome because they don't know what the outcome will be" says Wynndee Lee, Director of Planning & Codes Administration. So, the City has prepared a self-inspection checklist to make available to owners or tenants of commercial structures for their use. While staff are vitally interested in solving minor issues before damage to the structure occurs, they are also aware that citizens simply may not have the experience or comfort to identify the problems themselves. This checklist would give them some ability to see how many items are presenting themselves and when done annually, will show changes over time, which may identify a trend that needs to be resolved. This may also give an indication that more specialists should be called,

whether a roofing company, structural engineer, or city staff. The checklist is available by visiting the City's website at www.ottawaks.gov in the Planning & Codes section, Building Codes subsection, relative links. Moving forward, more efforts will be made to encourage owners to have inspections with city staff to enable early identification of any issues, creating the opportunity for planning needed long-term maintenance and repairs.

“One of the most common things I see in downtown buildings,” says Jeff Carner, Fire Chief, “is the accumulation of debris, or fuel as I call it. These combustible items can be problems if there is a fire, but they also inhibit the owner's or tenant's ability to see water damage, rot, mortar deterioration, etc. Simply cleaning up those unused spaces is a good start to improving the building.” It should be noted that the Spring Clean-up is the last weekend in April, so owners or tenants can get a quick start and take advantage of free dumping at the Franklin County Transfer Station.

Ottawa Main Street Director, Becci Shisler, recently met with some city staff as well on these topics. It was discussed that possibly some workshops for owners and tenants would be helpful on early identification and resolution of items, along with the checklist with photographic examples for reference could be covered. In addition, Main Street will promote the use of the checklist and education of owners and occupants of the buildings. “We want to be partners with the owners, tenants, and the city to keep the buildings in use for many, many more years. But we recognize while funds may be limited, investments must be maintained,” said Shisler. The checklist form is available at the Main Street office as well.

If you would like to learn more, contact the Codes Department at 229-3620, to visit with an inspector, schedule an appointment, or schedule an inspection where the form can be used together.