

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

A Study Session is scheduled for **March 12, 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 the February 1, 2012 Regular Meeting and the February 6, 2012 Study Session. *pp. 1 - 8*
- b. Quarterly recognition of City employees recently completing professional development programs and introduction of new employees. Staff is compiling the list of employees.
- c. A request to (re)approve Resolution No. 1569-12 approved on February 15, 2012 to include identifying City Manager and City Clerk by name in order to fulfill the requirements of the application as determined by KDHE policy. Staff requests action at the March 12, 2012 Study Session. *p. 9*

III. Items for Presentation and Discussion

- a. A report from Thomas McGee representatives on the City's workers compensation plan in 2011.
- b. A report from Wynndee Lee on public communication initiatives in the Planning and Codes Department.
- c. City Manager's Report
 Scheduling Commission Reorganization Meeting April 18
 Airport Real Estate Purchase Contract
- d. Commissioners' Reports
- e. Mayor's Report

IV. Announcements

- March 19, 2012 Study Session, 4:00 pm
- March 21, 2012 Regular Meeting, 9:30 am
- March 21, 2012 Joint City/County/USD 290 Luncheon Canceled
- March 26, 2012 Study Session, 4:00 pm
- March 27, 2012 Mayor's Prayer Breakfast, 7:30 am Westminster Presbyterian Church, 401 W. 13
- April 2, 2012 Study Session, 4:00 pm
- April 4, 2012 Regular Meeting, 7:00 pm

V. Adjourn

**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.

February 1, 2012

Unofficial Until Approved

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.

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.

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

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

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 6, 2012**

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

Mayor Ramsey called the meeting to order.

Public Comments

The Governing Body heard from Ronald Pursley, 815 Pacific, Osawatomie, KS 66064, owner of 403 E 4th Street, who discussed the status of 403 E 4th Street. The Governing Body requested Mr. Pursley work with the Planning and Codes department to resolve any issues.

Commissioner Jorgensen arrived at 4:01 pm.

National League of Cities Service Line Warranty

The Governing Body heard from National League of Cities representative Brian Davis who provided an overview of the National League of Cities Service Line Warranties of America Program. The Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for February 15, 2012.

Resolution – Kent Granger Subdivision Easements

The Governing Body reviewed a resolution approving the final plat and accepting the dedication of all easements within the Kent Granger subdivision and agreed to place this item on the next Regular Meeting Agenda.

Resolution – Kent Granger Subdivision Public Improvements

The Governing Body reviewed a resolution accepting public improvements within the Kent Granger subdivision and agreed to place this item on the next Regular Meeting Agenda.

Resolution – Eastside Interceptor Project

The Governing Body reviewed a resolution to authorize the loan application for the Eastside Interceptor project and agreed to place this item on the next Regular Meeting Agenda. This action is required by KDHE, and allows staff to file the loan application.

Resolution – Demolition of 124 S Main

The Governing Body reviewed a resolution providing for the partial demolition of the commercial structure at 124 S Main Street. Commissioner Richards made a motion, seconded by Commissioner Caylor, to adopt the resolution authorizing the demolition of the third story of the commercial structure. The motion was considered and upon being put, passed by a 3-1 vote as follows: Commissioner Jorgensen aye, Commissioner Caylor aye, Commissioner Richards aye, Mayor Ramsey nay. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1566-12.

February 6, 2012

Unofficial Until Approved

City Boards & Commissions–Open Positions & Expiring Terms

The Governing Body agreed to defer this item to the next Study Session Agenda on February 13, 2012.

Monthly Financial and Activity Report-December

The Governing Body agreed to defer this item to the next Study Session Agenda.

City Manager’s Report

The City Manager reported on the following:

- Upcoming National League of Cities Conference, Washington D.C.

Commissioner’s Reports

Commissioner Jorgensen reported on the following:

- League of Kansas Municipalities Strategic Planning, March 2012

Commissioner Richards reported on the following:

- Pleased with the number of citizens at recent Legislative Coffee

Mayor’s Report

The Mayor reported on the following:

- City Manager Richard Nienstedt was recognized at the recent Legislative Coffee for being a recipient of the City Manager of the Year award.
- Legislative representatives presented the Mayor and Commissioner Jorgensen a framed copy of action on the floor of the State House of Representatives

Youth in Government

Youth Delegate Jordan Gray reported on the following:

- Presented the Teenager’s Guide to Ottawa, Kansas to the Governing Body
- Upcoming National League of Cities Conference in Washington, D.C.

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. Thereupon, the Mayor declared the meeting duly adjourned.

Carolyn S. Snethen, City Clerk

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE FILING OF APPLICATION WITH THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT FOR A LOAN UNDER THE KANSAS WATER POLLUTION CONTROL REVOLVING FUND ACT (K.S.A. 1988 SUPP. 65-3321 THROUGH 65-3329).

WHEREAS, under the terms of Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329), the State of Kansas has authorized the making of loans to authorized applicants to aid in the construction of specific public projects; and

WHEREAS, the City Commission (the "Governing Body") of the City of Ottawa, Kansas (the City) has heretofore determined it to be in the best interest of the customers of its Sanitary Sewer System to undertake certain modifications and improvements to the system described as the Eastside Interceptor Project;

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF OTTAWA, KANSAS, that:

Section 1. The City Manager Richard U. Nienstedt and City Clerk Carolyn S. Snethen of the City are hereby authorized to execute and file an application on behalf of the City with the Kansas Department of Health and Environment for a loan to aid in the construction of the East Side Interceptor Project.

Section 2. The City Manager Richard U. Nienstedt and City Clerk Carolyn S. Snethen and other officers and representatives of the City are hereby authorized and directed to furnish such information as may be reasonably requested in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances as may be required by law or regulation, and to receive payment on behalf of the applicant.

Section 3. This Resolution shall be in full force and effect from and after its adoption.

Adopted by the Governing Body of the City of Ottawa, Kansas this _____ day of _____, 2012.

ATTEST:

Mayor

City Clerk

CERTIFICATE OF RECORDING OFFICER

The undersigned, duly qualified and acting City Clerk of the City of Ottawa, Kansas does hereby certify: That the attached resolution is a true and correct copy of the resolution adopted at a legally convened meeting of the Governing Body of the City of Ottawa held on this _____ day of _____ 2012; and further that such resolution has been fully recorded in the official journal of minutes in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____ 2012.

(SEAL)

City Clerk