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

A Study Session is scheduled for **October 19, 2015 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 October 5, 2015 Study Session and October 7, 2015 Regular Meeting *Pgs 3-10*
- b. Request for Approval of Charter Ordinance Exempting City of Ottawa from the Provisions of L. 2015, CH. 88, Sec. 11, Relating to the City Manager Form of Government - Blaine Finch *Pgs 11-13*
- c. Request for Approval of Charter Ordinance Exempting the City of Ottawa from the Provisions of L. 2015, Chapter 88, Section 71, Relating to the Filling of Governing Body Vacancies and Providing Substitute Provisions on the Same Subject - Blaine Finch *Pgs 14-15*
- d. Request for Approval of Ordinance Amending Article 8, Countryside District (CS), Section 8-201 - Wynndee Lee *Pgs 16-18*
- e. Request for Approval of Ordinance Amending the Size and Quorum Requirements of the Accessibility Advisory Board - Michelle Stegman *Pgs 19-22*
- f. Raw Water Line Update - Dennis Tharp *Pgs 23-38*
- g. Proclamation for National Arts and Humanities Month *Pg 39*
- h. Proclamation for Lights on After School, October 22 *Pg 40*
- i. Selection of Voting Delegate for National League of Cities Conference November 4-7

III. Items for Presentation and Discussion

- a. City Manager's Report
 - 1. Blaine Finch Recognition
 - 2. Airport Master Plan
 - 3. Municipal Leadership Academy
 - 4. Commission Picture
- b. Commissioner's Reports
- c. Mayor's Report

IV. Announcements

- October 21, 2015 **Regular** Meeting, 9:30 am, City Hall
- October 21, 2015 Joint City/County/USD 290 Mtg, 12:00 pm, County Administrative Offices
- October 26, 2015 Study Session, 4:00 pm, City Hall
- November 4-7, 2015 Special Call Meeting, National League of Cities Conference, Nashville
- November 10, 2015 Special Call Meeting, LKM Regional Supper, 5:30 pm, Olathe Community Center

V. Adjourn

Motion: _____ Second: _____ Time: _____

VI. Items Already Placed

- a. Prairie Spirit Rail Trail – Walnut section of trail for cyclists

**Study Session Minutes
Ottawa, Kansas
Minutes of October 5, 2015**

The Governing Body met at 4:00 pm this date with the following members present and participating to wit: Mayor Skidmore, Commissioner Dickinson, Commissioner Caylor and Commissioner Reed were all present. A quorum was present.

Mayor Skidmore called the meeting to order.

Public Comments

The Governing Body heard from Bob Stevanus with Power of the Past. He reviewed how well the Tractor Show turned out this year and thanked all City Staff who helped with the event.

The Governing Body heard from Gene Hirt, 107 Jefferson St, Pomona, KS regarding the Chip and Seal on Eisenhower and the intersection at 23rd Street and Eisenhower.

Interview for Tree Board

The interview for David Drumright for the Tree Board was cancelled.

Minutes to Review

The Governing Body reviewed minutes from the September 28, 2015 Study Session. It was agreed to place the minutes on the next regular meeting agenda, October 7, 2015.

Audit—City of Ottawa’s Financial Statements

The Governing Body reviewed the audit report on the City of Ottawa’s financial statements for the year ending December 31, 2014 with Finance Director Scott Bird and Auditor Jonathan Nibarger with Mize Houser & Company P.A. There were no statutory violations on the budget or cash in the audit. The Governing Body agreed to place this item on the next regular meeting agenda.

Resolution—Renewal of Temporary Notes

The Governing Body heard from Finance Director Scott Bird regarding a request for approval of a resolution authorizing issuance and delivery of \$530,000 principal amount of General Obligation Renewal Temporary Notes, Series 2015-1. The Governing Body agreed to place this item on the next regular meeting agenda.

Municipal Code Review

The Governing Body reviewed the following chapter summary changes with City Attorney Blaine Finch and City Staff:

- Chapter 14: Utilities
- Chapter 15: Stormwater
- Chapter 60: Tree Regulations
- Chapter 70: Streets and Sidewalks

The Governing Body agreed to place the requested changes on the next regular meeting agenda.

October 5, 2015

Unofficial until Approved

Ordinance—Adopting Codification of Ordinances

The Governing Body heard from City Attorney Blaine Finch regarding a request for approval of an ordinance to adopt the codification of ordinances of the City of Ottawa. It was agreed to place this item on the next regular meeting agenda.

Ordinance—Conditional Use Permit

The Governing Body heard from City Attorney Blaine Finch regarding a request for approval of ordinance for Conditional Use Permit for Farm Animals at 1207 S Lincoln St. It was agreed to place this item on the next regular meeting agenda.

Proclamation—Community Planning Month

The Governing Body reviewed a proclamation recognizing October 2015 as Community Planning Month in the City of Ottawa in conjunction with the celebration of National Community Planning Month. It was agreed to place this item on the next regular meeting agenda.

Proclamation—Breast Cancer Awareness Month

The Governing Body reviewed a proclamation recognizing October 2015 as Breast Cancer Awareness Month and urges all women and their families in Ottawa, Kansas to get the facts about breast cancer. It was agreed to place this item on the next regular meeting agenda.

Cereal Malt Beverage License—2120 S Princeton

The Governing Body heard from Assistant City Clerk Hailey Luke regarding a Cereal Malt Beverage License Application received for 2120 S Princeton by Heartland Petroleum Inc. because of ownership changes. It was agreed to place this item on the consent agenda for the next regular meeting.

City Manager's Report

City Manager Richard U Nienstedt reported:

- Agricultural Lease with Ottawa Coop

Mayor's Report

Mayor Skidmore reported:

- Day on the Job had a great turnout.
- Received a thank you note from OHS Senior Allie Sanford that attended Day on the Job.
- Expressed his condolences to Terry Chartier and all the library staff for the passing of Barbara Dew.

Interviews for Vacant Seat on City Commission

The Governing Body interviewed the following candidates for the vacant seat on the City Commission:

- Emily Graves
- Michael Pippin
- Stephanie Valencia
- Richard Oglesby
- Norman Griffith
- Richard Mobley

Following interviews the Governing Body discussed all applicants and agreed to place this item on the next regular meeting agenda.

Adjournment

There being no further business to go before the Governing Body, Commissioner Reed 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 9:06 pm.

Carolyn S. Snethen, City Clerk

**Regular Meeting Minutes
Commission Chambers
101 S Hickory, Ottawa, Kansas
Minutes of October 7, 2015**

The Governing Body met at 7:00 pm this date with the following members present and participating to wit: Mayor Skidmore, Commissioner Dickinson, Commissioner Caylor, and Commissioner Reed were all present. 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. The invocation was given by Todd Miller with Cherry Street Wesleyan.

Consent Agenda

The Governing Body reviewed the consent agenda consisting of minutes from the August 26, 2015 Special Call Meeting for Commission Retreat #2; August 31, 2015 and September 28, 2015 Study Sessions; September 2, 2015 and September 16, 2015 Regular Meetings; September 14, 2015 Special Call Joint Meeting; September 21, 2015 Study Session; the regular meeting agenda; and an Application for a Cereal Malt Beverage License for the year 2015. Commissioner Dickinson made a motion, seconded by Commissioner Reed to approve the consent agenda. 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 conflicts or outside communications that might influence their ability to impartially consider today's issues impartially. None were given at this time.

Appointment of a New City Commissioner

Due to the resignation of Sharon Geiss from the Ottawa City Commission on September 2, 2015, Emily Graves has been nominated to fulfill Mrs. Geiss' unexpired term. Commissioner Caylor made a motion, seconded by Commissioner Reed to appoint Emily Graves as the New City Commissioner. The motion was considered and upon being put, all present voted aye. The Mayor declared Emily Graves as the new City Commissioner.

Oath of Office for Commissioner

City Clerk Carolyn Snethen administered the Oath of Office to Commissioner Graves.

Comments from Commissioner Graves

Commissioner Graves thanked the City Commission and stated she is honored to be serving on the City Commission for the City of Ottawa.

October 7, 2015

Unofficial until Approved

Proclamation—2015 Ottawa Arrows AAA American Legion Baseball Team

Mayor Skidmore read a proclamation recognizing the 2015 Ottawa Arrows AAA American Legion Baseball Team. This proclamation is honoring the American Legion AAA as Ottawa's first American Legion AAA State Champions at the State Tournament in McPherson, Kansas. Head Coach Brian Long and team member Alex Stepp accepted the proclamation. Brian Long and Alex Stepp thanked the City of Ottawa for recognizing them on their State Championship.

Proclamation—Breast Cancer Awareness Month

Commissioner Caylor read a proclamation recognizing October 2015 as Breast Cancer Awareness Month. National Breast Cancer Awareness Month is a partnership of national public service organizations, professional medical associations and government agencies working together to promote breast cancer awareness, share information on the disease and provide greater access to screening services. Kathy Niehoff accepted the proclamation on behalf of the Franklin County Breast Cancer Support Group. Kathy Niehoff thanked the Governing Body for all the support given by them and the rest of the community.

Proclamation—Community Planning Month

Commissioner Dickinson read a proclamation recognizing October 2015 as Community Planning Month. Community Planning Month is an opportunity to publically recognize the dedication of Planning Commission members as well as highlight the importance of sound planning and plan implementation. The proclamation was accepted by Planning Commission Chairperson John Boyd and Community Development Director Wynndee Lee. They thanked the Commission for recognizing the efforts of the Planning Commission.

Municipal Code/City Code Review

The Governing Body heard from City Attorney Blaine Finch regarding the review of updates to the City's Municipal Code.

Ordinance—Uniform Public Offense Code

The Governing Body heard from City Attorney Blaine Finch regarding an ordinance to regulate public offense within the corporate limits of the City of Ottawa, Kansas. This ordinance incorporates the Uniform Public Offense Code. Commissioner Caylor made a motion, seconded by Commissioner Dickinson to adopt the ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was numbered Ordinance No. 3898-15.

Ordinance—Codification 2015 Municipal Code

The Governing Body heard from City Attorney Blaine Finch regarding an ordinance adopting the Codification of Ordinances. Commissioner Reed made a motion, seconded by Commissioner Dickinson to adopt the ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was numbered Ordinance No. 3899-15.

Fiscal 2014 Financial Audit

The Governing Body heard from Finance Director Scott Bird regarding the 2014 Financial Audit prepared by Mize Houser & Company P.A. Finance Director Scott Bird thanked the Financial Staff for all their hard work and stated the Audit is available on the City of Ottawa website. City Manager Richard U Nienstedt stated this is a clean audit with no statutory violations. Mayor Skidmore stated these audits are very important for the City's future endeavors. Commissioner Caylor made a motion, seconded by Commissioner Reed to accept the 2014 Financial Audit. The motion was considered and upon being put, all present voted aye. The Mayor declared the 2014 Financial Audit duly accepted.

Public Hearing—General Obligation Bonds

Mayor Skidmore declared a public hearing to consider issuance of approximately \$540,000 principal amount of General Obligation Bonds for Ottawa Municipal Airport T-hanger project. The Mayor declared the public hearing open at 7:38 pm. Finance Director Scott Bird introduced Kutok Rock Bond Attorney Representative Tyler Ellsworth. Tyler stated federal tax code requires a public hearing to be held for specific General Obligation Bonds.

Mayor Skidmore declared the public hearing closed at 7:40 pm.

Resolution—General Obligation Renewal Temporary Notes

The Governing Body heard from Finance Director Scott Bird regarding a resolution authorizing the issuance and delivery of \$530,000 principal amount of General Obligation Renewal Temporary Notes, Series 2015-1, of the City of Ottawa, Kansas, for the purpose of renewing the city's existing General Obligation Temporary Notes, Series 2014-1.A. Commissioner Reed made a motion, seconded by Commissioner Caylor to adopt the resolution. The motion was considered and upon being put, all present voted aye. The Mayor declared the resolution duly adopted and the resolution was numbered Resolution No. 1680-15.

Ordinance—Amending Ordinance No. 3470-04

The Governing Body heard from Community Development Director Wynndee Lee regarding an ordinance amending several sections of the Comprehensive Plan, in particular Chapter 3, Goals Section, and Chapter 5, Planning Implementation, Downtown Neighborhood District. Commissioner Dickinson made a motion, seconded by Commissioner Reed to adopt the ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was numbered Ordinance No. 3900-15.

Ordinance—Conditional Use Permit

The Governing Body heard from Community Development Director Wynndee Lee regarding an ordinance for a conditional use permit for chickens/guineas/fowl at 1207 S Lincoln St. Commissioner Caylor made a motion, seconded by Commissioner Dickinson to adopt the ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was numbered Ordinance No. 3901-15.

2016 Contract—Franklin County Development Council

The Governing Body heard from Franklin County Development Council (FCDC) Interim Director Tom Reiderer regarding the 2016 Economic Development Services contract between FCDC/Franklin County and the City of Ottawa. Annually the City reviews the agreement and contracts for economic development services with FCDC. Commissioner Reed made a motion, seconded by Commissioner Caylor to accept the 2016 Contract with FCDC. The motion was considered and upon being put, all present voted aye. The Mayor declared he 2016 contract duly approved.

Report by City Manager

City Manager Richard U Nienstedt reported:

- Welcomed Commissioner Graves to the City Commission.
- Stated he is very proud of this commission. This commission is devoted to the community and knows how important it is to choose the right representative to sit on the City Commission.

Report by City Commissioners

Commissioner Reed is proud of all the activities that have taken place over the past month in Ottawa. We have so many activities that take place in the City of Ottawa compared to other Cities our size. Commissioner Reed participated in the Walk to School Event

Commissioner Dickinson welcomed Commissioner Graves to the Governing Body. Commissioner Dickinson stated many of the Commissioners will be attending the League of Kansas Municipalities Conference over the weekend to learn from other commissions and experts of local government.

Commissioner Caylor welcomed Commissioner Graves. Commissioner Caylor stated it is exciting and powerful to hear the young children at the meeting reciting the Pledge of Allegiance. Commissioner Caylor is proud of the local baseball team and all their accomplishments.

Commissioner Graves thanked everyone for welcoming her to the City Commission for the City of Ottawa.

Report by Mayor

Mayor Skidmore reported:

- Enjoyed participating in the Walk to School Event

Announcements

Mayor Skidmore announced:

- October 10-12, 2015: Special Call LKM Annual Conference, Topeka Capitol Plaza Hotel & KS Expocentre
- October 12, 2015: Study Session CANCELED
- October 21, 2015: Joint City/County/USD 290 Meeting, 12:00 pm, Franklin County Commission Chambers, 1428 S Main

Adjournment

There being no further business to go before the Governing Body, Commissioner Reed 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 8:05 pm.

Carolyn S. Snethen, City Clerk

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE EXEMPTING THE CITY OF OTTAWA, KANSAS, FROM THE PROVISIONS OF L. 2015, CH. 88, SEC. 11, RELATING TO THE CITY MANAGER FORM OF GOVERNMENT AND SETTING FORTH ALTERNATIVE PROVISIONS FOR THE GOVERNANCE OF THE CITY OF OTTAWA, KANSAS.

WHEREAS, on the 7th day of April, 1970, the citizens of the City of Ottawa, Kansas, adopted by a majority vote the commission-manager form of government;

WHEREAS, the Kansas Legislature passed L. 2015, ch. 88 (H.B. 2104), which amended and transferred the statutory provisions for commission-manager form of government, and L. 2015, ch. 88, sec. 8(a) states that a city shall continue to operate under its current form of government if established at an election until such time that the city's form of government is changed;

WHEREAS, the statutory provisions for the commission-manager form of government have been recodified in L. 2015, ch. 88, sec. 11;

WHEREAS, L. 2015, ch. 88, sec. 8(b) states that all existing ordinances and charter ordinances relating to a city's form of government shall remain in effect until amended or repealed by such city;

WHEREAS, the City of Ottawa, Kansas, wishes to exempt itself from provisions within L. 2015, ch. 88, sec. 11.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS:

Section 1. The City of Ottawa, Kansas, by the power vested in it by Article 12, Section 5 of the Kansas Constitution hereby elects to and does exempt itself and make inapplicable to it the provisions of L. 2015 ch. 88 sec. 11 that apply to this city, but are parts of enactments which do not apply uniformly to all cities and to provide substitute provisions on the same subject as hereinafter provided.

Section 2. The City of Ottawa, Kansas, continues to operate under the commission-manager form of government and pursuant to all existing ordinances and charter ordinances relating to its form of government. The administration of the city's business shall be in the hands of a manager. The manager shall be appointed by the commission, and shall hold office at the pleasure of the board of commissioners.

Section 3. Those governing body positions with terms that would have expired in April 2017, shall expire on the second Monday in January of 2018, when the city officials elected in the November 2017 general election take office. Those governing body positions with terms that

would have expired in April 2019, shall expire on the second Monday in January of 2020, when the city officials elected in the November 2019 general election take office. Thereafter, any city official elected or re-elected in a general election of the city shall begin his or her term of office on the second Monday of the January following the November in which the election took place.

Section 4. General elections shall take place on the Tuesday succeeding the first Monday in November 2017, and succeeding elections will be held every two years for all such governing body positions whose terms have expired. The governing body shall consist of five commissioners to be elected to terms as set forth herein. The commissioners shall be residents and qualified electors of the City of Ottawa, Kansas.

Section 5. Elections for any city office will be non-partisan.

Section 6. At general city elections there shall be elected two commissioners for a four-year term and one commissioner for a two-year term. The candidates receiving the largest and second largest number of votes, respectively, shall be elected for a four-year term and the candidate receiving the third largest number of votes shall be elected for the two-year term.

Section 7. No distinction shall be made in title or duties among the commissioners.

Section 8. The commission shall choose its own chair and vice chair annually and determine its own order of business. The chair shall have the title of Mayor during the year of his or her office, to the end that the city shall have an official head on formal occasions. The vice-chair shall have the title of Mayor pro tem. The Mayor shall have such other duties as shall be imposed upon that office by the laws of the state, which shall not be inconsistent with the city manager form of government. In the absence of the Mayor from any meeting of the Governing Body, the Mayor pro tem shall preside, and in the absence of the Mayor from the city or his or her inability to perform any of the duties imposed upon the office by the ordinances of the city or laws of the State of Kansas, the Mayor pro tem shall exercise the duties of the office of Mayor to the end that the city has an official head on such occasions.

Section 9. Any person desiring to become a candidate for city office elected at large shall file with the City Clerk, before the filing deadline, established in K.S.A. 25-205, and amendments thereto, a declaration of candidacy on a form furnished by the county election officer as specified by the secretary of state. The nomination petition must be signed by one percent of the qualified electors of the City of Ottawa.

Section 10. Sections 2-101, 2-102, 2-103, 2-104, 2-105 of the 2015 Municipal Code of the City of Ottawa are hereby repealed and the City Clerk is directed to codify this ordinance in the appropriate sections of the code.

Section 11. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 12. This Charter Ordinance shall take effect 61 days after the final publication unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided by Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case this charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

Passed by the Governing Body, not less than two-thirds of the members elect voting in favor thereof, this _____ day of _____, 2015.

Mayor

Attest:

City Clerk
[SEAL]

CHARTER ORDINANCE NO. _____

A CHARTER ORDINANCE EXEMPTING THE CITY OF OTTAWA FROM THE PROVISIONS OF L. 2015, CHAPTER 88, SECTION 71, RELATING TO THE FILLING OF GOVERNING BODY VACANCIES AND PROVIDING SUBSTITUTE PROVISIONS ON THE SAME SUBJECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA:

Section 1. The City of Ottawa, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects and does exempt itself and make inapplicable to it L. 2015, Chapter 88, Section 71, relating to the filling of governing body vacancies, which enactment applies to this city, but does not apply uniformly to all cities and provides the following substitute provisions on the same subject.

Section 2. In the case of any vacancy for any cause in the office of mayor or any commissioner, the remaining members of said Commission shall within sixty days after the occurrence of said vacancy elect by majority vote some suitable person to fill the vacancy until the next regular city election, at which time a successor shall be elected to fill the unexpired term, provided there is any portion of said term unexpired.

Section 3. The resignation of the mayor or any commissioner shall be made in writing and submitted to the City Commission. If the Mayor or any Commissioner shall move his or her residence from the territorial limits of the City, such removal shall be deemed to create a vacancy in that office.

Section 4. If a majority of the City Commission cannot agree upon a qualified person, between two finalists to fill a vacancy, then the tie shall be broken by lots being cast between the two individuals. The method and type of lots shall be determined by the Mayor, or Mayor pro tem if the Mayor is absent.

Section 5. Charter Ordinance 10-90, Ordinance No. 3303-98, and Section 2-113 of the 2015 Municipal Code of the City of Ottawa are hereby repealed.

Section 6. The City Clerk is directed to codify this charter ordinance in the appropriate section of the 2015 Municipal Code of the City of Ottawa.

Section 7. This charter ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 8. This charter ordinance shall take effect 61 days after final publication unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the ordinance shall become effective if approved by the majority of the electors thereon.

Passed by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, this ____ day of _____, 2015.

Mayor

Attest:

City Clerk

STAFF MEMORANDUM

Target Meeting Date: October 21, 2015

TO: Richard U. Nienstedt, City Manager
FROM: Staff
DATE: October 15, 2015
SUBJECT: **Amendment to Article 8, Countryside District (CS)**, Section 8-201, defining limited agricultural uses.

After recent discussions regarding the Countryside District, and the lack of clarity for “limited ag”, a decision to address it was made. The intent of this text amendment is to clearly define the limitations restrictions within the Countryside Zoning District. The changes are listed below.

The Planning Commission held a public hearing on September 9, 2015 and reviewed the proposed amendment. There were no public comments. Staff is recommending approval of the amendment. The Planning Commissioners requested the decision be continued to the October 14, 2015 meeting, so staff could check the minutes from their study session that no changes were requested to the definition of limited agricultural uses. Staff indicated there were no requested changes.

SECTION 8-2 PERMITTED USES

8-201. In the Countryside District no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for the following uses:

1. Limited agricultural activities including keeping and raising of livestock and the storage and sale of agricultural products grown or produced on the premises, subject to ~~Section 24-602-~~ **standards below.**
 - a. **The keeping of large animals, such as horses and cattle; on a minimum of 15 acres, at a maximum rate of one large animal per 3 acres, with a total maximum of 25 large animals on the tract.**
 - b. **Ponies; sheep; goats, and similar animals, excluding hogs and swine, may be kept on lots no smaller than five (5) acres, at a maximum rate of ten (10) on the first five (5) acres, with an additional three (3) such animals for each additional two (2) acres of lot area.**
 - c. **The storage and sale of agricultural products grown or produced on the premises are allowed as long as the primary sales occur elsewhere.**
 1. **May have one stand no larger than 400 square feet.**
 2. **Parking would need to be improved on site, not in right-of-way.**
 3. **Storage limited, and contained in a structure no larger than 4000 square feet.**

The Planning Commission recommends to the City Commission by a vote of 4-0 approval of the amendments to Article 8.

Attachments: Ordinance

AN ORDINANCE AMENDING ARTICLE 8, COUNTRYSIDE DISTRICT (CS), SECTION 8-201, TO DEFINE LIMITED AGRICULTURAL USES, OF THE ZONING REGULATIONS, ORDINANCE NO. 3501-05, FOR THE CITY OF OTTAWA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS:

Section 1. AMENDMENTS TO ARTICLE 8, SECTION 8-201, of the City of Ottawa Zoning Ordinance #3501-05 is hereby changed.

SECTION 8-2 PERMITTED USES

8-201. In the Countryside District no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for the following uses:

1. Limited agricultural activities including keeping and raising of livestock and the storage and sale of agricultural products grown or produced on the premises, subject to standards below.
 - a. The keeping of large animals, such as horses and cattle; on a minimum of 15 acres, at a maximum rate of one large animal per 3 acres, with a total maximum of 25 large animals on the tract.
 - b. Ponies; sheep; goats, and similar animals, excluding hogs and swine, may be kept on lots no smaller than five (5) acres, at a maximum rate of ten (10) on the first five (5) acres, with an additional three (3) such animals for each additional two (2) acres of lot area.
 - c. The storage and sale of agricultural products grown or produced on the premises are allowed as long as the primary sales occur elsewhere.
 1. May have one stand no larger than 400 square feet.
 2. Parking would need to be improved on site, not in right-of-way.
 3. Storage limited, and contained in a structure no larger than 4000 square feet.
2. Grain storage structures.
3. Single-family dwellings.
4. Subdivisions for one-family dwellings, when constructed as either conventional or cluster subdivisions in accordance with the City's subdivision regulations.
5. Churches and other similar places of worship

(8-201-1 Revised 12-21-11)

6. Adult or child daycare facilities, when having twelve (2) or fewer children or twelve (12) or fewer adults for whom care is provided and is conducted in owner-occupied dwelling.

(5-201-6 added 04-04-12)

Section 2. REPEALER. Previous ordinances and any parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. EFFECTIVE DATE; PUBLICATION. This Ordinance shall take effect amending the Zoning Ordinance #3501-05 for the City of Ottawa, Kansas, and be in full force from and after its publication in the official city newspaper.

PASSED AND ADOPTED by the governing body of the City of Ottawa, Kansas, this _____ day of _____, 2015.

Mayor

Attest:

City Clerk



City of Ottawa

101 S. Hickory
Ottawa, KS 66067

785.229.3600

www.ottawaks.gov

To: Governing Body
Date: October 15, 2015
From: Michelle Stegman, Human Resources Director
RE: Accessibility Advisory Board Ordinance Recommendation

Issue

The Accessibility Advisory Board is seeking Governing Body's concurrence with the recommendation to repeal the ordinance (3835-13) which would amend the quorum requirements. There have been instances when there has not been a quorum. In addition, with the Codification changes the board wishes to amend the term appointment and vacancy language to match the revised Municipal Code.

Background

The Accessibility Advisory Board Ordinance (3835-13) was established in 2013. Since that time it has been challenging on occasion to hold meeting due to board meeting member absences or vacancies. The Board recommended changing the language during the July 9, 2015 meeting. Staff visited with Blaine Finch, City Attorney regarding this recommendation and he made changes to the ordinance. After reviewing the draft ordinance during the September 10, 2015 meeting members and City Staff present made additional recommendations to address term limits that were changed during the Codification process.

Alternatives

1. Approve the recommendations as presented.
2. Recommend and approve any combination or variation of the recommendations presented.
3. Do not repeal the Ordinance.

Recommendations

Staff recommends the Governing Body repeal the current Accessibility Advisory Board Ordinance with the following language:

The proposed ordinance will also change the following Municipal Code sections: 5-702, 5-703 and 5-707. Staff has also listed the corresponding sections of the Ordinance.

Chapter 5, Article VII. Accessibility Advisory Board

Section 5-702 Membership/Section 2. Ordinance

The board shall consist of not less than five, nor more than nine members appointed by the mayor, with the consent of the Governing Body. Membership shall at all times include no less than members with a disability, those with experience working in the disability services field or with direct personal experience with those who are disabled (such as family member/friends), or those with experience in the technical aspect of accessibility issues.

Section 5-703: Same; Terms/ Section 3. Ordinance

Those persons appointed as members of the board shall be appointed for the three (3) year term:

Any vacancy occurring among the membership of the board shall be filled by appointment of the mayor with the consent of the Governing Body, to complete the term.



Section 5-707: Quorum/Section 7. Ordinance

A majority of the appointment members shall constitute a quorum for the purpose of conducting the board's business

City of Ottawa

101 S. Hickory
Ottawa, KS 66067

785.229.3600

www.ottawaks.gov

AN ORDINANCE amending the size and quorum requirements of the Accessibility Advisory Board for the City of Ottawa, Kansas, providing for the appointment and terms of the members thereof, and defining their duties, amending and repealing any other ordinance relating to an Accessibility Advisory Board previously established.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS:

SECTION 1. There is hereby created the Accessibility Advisory Board (hereafter referred to as "the board").

SECTION 2. The board shall consist of not less than five, nor more than nine members appointed by the mayor, with the consent of the Governing Body. Membership shall at all times include no less than a majority of members with a disability, those with experience working in the disability services field or with direct personal experience with those who are disabled (such as family members/friends), or those with experience in the technical aspect of accessibility issues.

SECTION 3. Those persons appointed as members of the board shall be appointed for the three (3) year term. :

Any vacancy occurring among the membership of the board shall be filled by appointment of the mayor with the consent of the Governing Body, to complete the term.

SECTION 4. The members of the board shall serve without compensation.

SECTION 5. The board shall meet at least quarterly and at other times when necessary. Any member of the board who has been absent from three consecutive meetings or from one-half of the meetings held during any twelve month period of time may be replaced by the appointing authority.

SECTION 6. The board shall elect one (1) of its members as chairman for the term of one (1) year. The chairman shall preside at all meetings of the board. The board shall elect, in the same manner and for the same term, one (1) of its members as vice-chairman, who shall act as chairman in the absence of the chairman. The board shall elect, in the same manner and for the same term, one (1) of its members as recorder, who shall keep the official transactions of the board.

SECTION 7. A majority of the appointed members of the board shall constitute a quorum for the purpose of conducting the board's business.

SECTION 8. The purpose of the board shall be:

- 1) To advise and make recommendations to the City Commission on such matters related to accessibility as, from time to time, may be referred to the board.
- 2) To evaluate projects and activities, both public and private, and to advise City staff on matters related to accessibility.
- 3) To provide technical assistance to the City on matters related to the disabled population.
- 4) To review City plans for projects prior to implementation.
- 5) To serve as advocates for citizens with disabilities.
- 6) To serve as resources on policy and/or procedure for members of the City Commission and for City staff.
- 7) To review federal and state regulations and guidelines on accessibility and to report its findings to the appropriate City department, division or body.

SECTION 9. Ordinance No. 3835-13 is hereby repealed.

PASSED AND APPROVED THIS _____ DAY OF _____, 2015.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Blaine Finch, City Attorney

1930's

The City of Ottawa's water supply has a rich and long history. What began as a private entity was converted to a municipal utility prior to 1910. This photo believed to be from the 1930's, shows a group of dignitaries inside the newly constructed second clearwell.



**CITY OF OTTAWA
WATER TREATMENT PLANT
1980**

**CITY COMMISSION AUTHORIZING FACILITY
MAYOR JOHN SHELDON AND COMMISSIONERS
VIOLA REUSCH ALLEN LOYD BEN PARK
AND FRED ZOOK**

**CITY COMMISSION DURING CONSTRUCTION
MAYOR PAUL GAYNOR AND COMMISSIONERS
GEORGE MARSTALL LEONARD LARSON
DOROTHY NICHOLS AND SHERWIN SNYDER**

**ROBERT W. MILLS
JACK DAVIS
CARL NUTT
LEO LOGAN**

STAFF

**CITY MANAGER
DIRECTOR OF UTILITIES
PLANT SUPERVISOR (1958-1979)
PLANT SUPERVISOR (1980)**

**CONSULTING ENGINEER
A. C. KIRKWOOD & ASSOCIATES
KANSAS CITY MISSOURI**

**GENERAL CONTRACTOR
CARROTHERS CONSTRUCTION COMPANY, INC.
PAOLA KANSAS**

After decades of operation out of the City's Power Plant, forward thinking city leaders embarked on construction of a new Water Treatment Plant that began operations in the summer of 1980



Many new regulations have been implemented since the Plant opened. Staff has maintained and amended the plant to meet these regulatory hurdles.

2011

HAYNES
EQUIPMENT CO.
SYSTEMS
MANUFACTURING INC.
ALABAMA 35000



Changes in technology

2012



Have altered the appearance

2012

And enhanced operations & continued reliability with each change.





At the same time the distribution system infrastructure is systematically updated on an ongoing basis, with an average of 1.2 miles of main replacement annually performed by City crews

2010



While we have maintained and added to our system through the decades, it hasn't been without vision and planning on the part of our predecessors.

Where We Are

- ▶ **WTP engineered capacity 5.58 Million gallons/day**
- ▶ **Known capacity meeting current regs. 4.9 MGD**
- ▶ **Average annual day 1.67 MGD**
- ▶ **Peak Day 3.8 MGD (Fire & Flushing)**
- ▶ **Sufficient reserve production capacity**
- ▶ **Healthy, maintained distribution system**

Future Needs



- ▶ Ongoing maintenance to preserve our valuable infrastructure
- ▶ Plant upgrades or replacement (driven by growth or future regulation)
- ▶ Second Clearwell and pump station at WTP
- ▶ Industrial Park Infrastructure

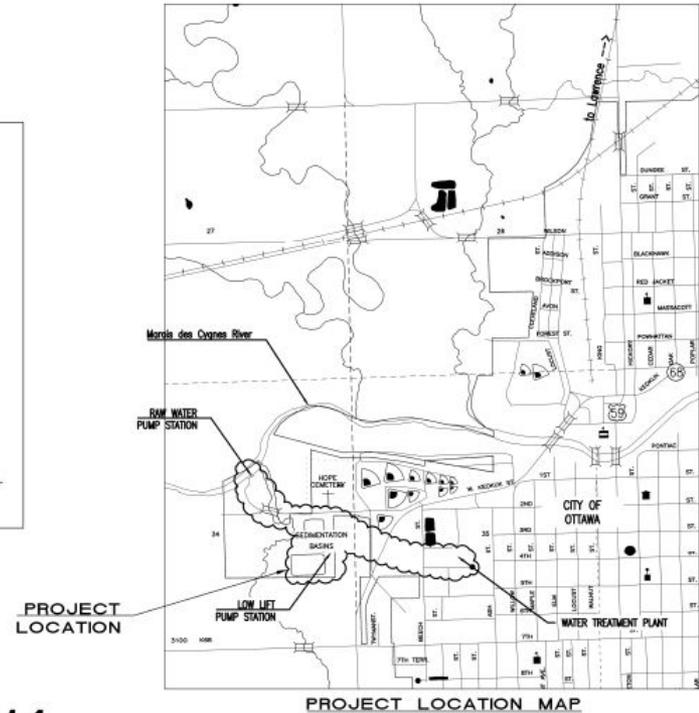
2nd Clearwell and pumping station

- ▶ Engineering and Design complete
- ▶ Bids received, but project did not move forward in 2010.
- ▶ Listed as a Capital Improvement Project (CIP)

CITY OF OTTAWA

RAW WATER LINE IMPROVEMENTS

SHEET NUMBER	SHEET TITLE
1	TITLE SHEET
2	GENERAL NOTES, QUANTITIES & UTILITY CONTACTS
3	GENERAL LAYOUT, PROJECT CONTROL & BORING LOCATIONS
4	PROJECT EASEMENTS, CONTRACTOR ACCESS, STAGING & STORAGE 1
5	PROJECT EASEMENTS, CONTRACTOR ACCESS, STAGING & STORAGE 2
6	PIPING & INSTRUMENTATION DIAGRAM
7	PLAN & PROFILE LINE A 1
8	PLAN & PROFILE LINE A 2
9	PLAN & PROFILE LINE A 3
10	PLAN & PROFILE LINE A 4
11	PLAN & PROFILE LINE A 5
12	PLAN & PROFILE LINE A 6
13	PLAN & PROFILE LINE A 7
14	PLAN & PROFILE LINE A 8
15	PLAN & PROFILE LINE A 9
16	PLAN & PROFILE LINE A 10
17	PLAN & PROFILE LINE A 11
18	PLAN & PROFILE LINE B
19	PLAN & PROFILE LINE C
20	EROSION CONTROL PLAN 1
21	EROSION CONTROL PLAN 2
22	EROSION CONTROL DETAILS
23	EROSION CONTROL BLANKET DETAILS 1
24	EROSION CONTROL BLANKET DETAILS 2
25	GENERAL NOTES - STRUCTURAL
26	STRUCTURAL MODIFICATION & CONNECTION AT WTP
27	EXIST. FLOW METER VAULT MODIFICATIONS
28	NEW FLOW METER VAULT LAYOUT & DETAILS
29	MISCELLANEOUS DETAILS
30	WATER LINE DETAILS
31	SANITARY SEWER DETAILS



North Arrow
NOT TO SCALE

NOVEMBER 2014

PLANS PREPARED BY



PEC Project No. 13A65-000-888

THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT UNLESS SIGNED, SEALED, AND DATED BY THE DESIGN PROFESSIONAL. 9/15/14 RELEASED FOR REVIEW ONLY - NOT FOR CONSTRUCTION.

RELEASED FOR CONSTRUCTION:

DENNIS THARP
INTERIM DIRECTOR OF UTILITIES

DATE



Protect yourselves and your property against underground utility damage and liability.

Find out where the underground utility lines might be buried before you dig.

Anyone digging in Kansas must call before digging. The person who is doing the work is responsible for calling KOC. If the owner contracts with a professional excavator to do the excavation then the professional excavator is responsible for calling KOC.

You (the digger) will need to provide information about the work site when you call. This is a FREE service.

CALL BEFORE YOU DIG. IT'S THE LAW.

[Chapter 66.--PUBLIC UTILITIES, Article 18.--UTILITY DAMAGE PREVENTION]

Just as we now reap the benefits of what past generations have accomplished, we too must look to the future with a forward thinking vision for generations to come.

Pkt Pg #34

McKenzie Model Assumptions

- ▶ General labor and material costs rise annually by 2%
- ▶ Health Care costs rise annually by 4%
- ▶ Water sales growth either flat or slowly rising by 1% annually
- ▶ Cost of Raw Water Line project at \$3.0 Million paid back over 20 years @ 3.2% interest rate
- ▶ Clearwell project in 2017 is included at \$4.1 Million
- ▶ Increases in Water line construction for maintaining the distribution system
- ▶ Maintains a healthy fund reserve and builds reserves up to the max of 30% over 10 years

Plans for New Raw Water line 100% complete

- ▶ Rate Study complete using McKenzie model driven by staff
- ▶ Complete line and maintain reserve will require approval of 5% increase in rates for 3 years
- ▶ This action will allow us to move forward with KDHE final approval of plans and acquisition of funds through State Revolving Fund loan program

New Raw Water Line

- ▶ Public Meeting/Hearing completed July 2014
- ▶ Open Request for Bids
- ▶ Approve rate increase to support the project
- ▶ With project approval, move to apply for SRF funding
- ▶ Submit loan application
- ▶ Upon approval submit final plan for review

Questions?



PROCLAMATION



WHEREAS, the month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for more than two decades; and

WHEREAS, the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and

WHEREAS, the arts and humanities enhance and enrich the lives of every American; and

WHEREAS, the arts and humanities play a unique role in the lives of our families, our communities, and our country; and

WHEREAS, the nonprofit arts industry also strengthens our economy by contributing \$698 billion to the U.S. economy, adding 62 additional jobs created for every 100 from new demand for the arts, and by supporting 4.7 million workers in the arts and cultural sector.

NOW, THEREFORE, the Governing Body of the City of Ottawa, Kansas, does hereby proclaim the month of October, 2015 as:

NATIONAL ARTS AND HUMANITIES MONTH

and calls upon our citizens to celebrate and promote the arts and culture in our City.

SIGNED this 21st day of October, 2015.

Michael B. Skidmore, Mayor



PROCLAMATION



WHEREAS, the City of Ottawa, Kansas stands firmly committed to quality afterschool programs because they:

- Provide safe, challenging, engaging and fun learning experiences to help children and youth develop their social, emotional, physical, cultural and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.
- Build stronger communities by involving our students, parents, business leaders and adult volunteers in the lives of our young people, thereby promoting positive relationships among children, youth, families and adults.
- Engage families, schools and diverse community partners in advancing the welfare of our children.

WHEREAS, the elementary schools *Reach for the Stars After-School Program* and the middle school *Whirlwind After-School Program* have provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs help our children become successful adults.

WHEREAS, *Lights On Afterschool!*, a national celebration of afterschool programs on October 23 promotes the critical importance of quality afterschool programs in the lives of children, their families and their communities.

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 14.3 million children have no place to go after school.

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

NOW, THEREFORE, the Governing Body of the City of Ottawa does hereby proclaim October 22, 2015 as:

LIGHTS ON AFTER SCHOOL! DAY

and encourages our community to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school.

SIGNED this 21st day of October 2015.

Michael B. Skidmore, Mayor