

**Regular Meeting Minutes  
Commission Chambers  
101 S Hickory, Ottawa, Kansas  
Minutes of September 7, 2016**

The City Governing Body met at 7:00 pm, this date, for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Caylor, Commissioner Skidmore, Commissioner Graves, Commissioner Reed, and Commissioner Jorgensen. A quorum was present.

Mayor Caylor called the meeting to order.

The Governing Body invited retiring City Clerk Carolyn Snethen to swear in new City Clerk Amy Finch.

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

**Consent Agenda**

Commissioner Skidmore made a motion, seconded by Commissioner Graves, to approve the consent agenda, to include this regular meeting agenda, minutes from the August 15, 2016 and August 22, 2016 Study Sessions and August 17, 2016 Regular Meeting, and approval of new Ottawa Municipal Auditorium Advisory Board member Amy Carlson. The motion was considered and upon being put, all present voted aye. The Mayor declared the consent agenda duly approved.

**Public Comments**

The Governing Body heard from Donielle Dodson, Box 775, regarding her concerns over recent and future mosquito fogging.

City Attorney Blaine Finch explained to Ms. Dodson no action would be taken during the Regular Meeting. Mayor Caylor stated the City Commission would continue the conversation regarding mosquito fogging and invited Ms. Dodson to participate in future discussions.

**Declaration**

None were given at this time.

**Proclamation—Suicide Prevention Month**

Mayor pro tem Reed read a proclamation recognizing suicide prevention month in September. Donna Johnson, Quality Assurance Director at Elizabeth Layton Center, Inc, accepted this proclamation. Ms. Johnson thanked the Governing Body for recognizing the problem of suicide in our community. Ms. Johnson provided community, state, and national statistics and invited citizens to several events during the month of September.

**Proclamation—Emergency Preparedness Month**

Mayor Caylor read a proclamation recognizing September as emergency preparedness month. The Department of Homeland Security has designated September as National Preparedness

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Month across America. This proclamation was accepted by Franklin County Emergency Management Director Alan Radcliffe. Mr. Radcliffe thanked to Governing Body for the proclamation and explained Franklin County's hazard plan covers Ottawa. Mr. Radcliffe encouraged citizens to also be prepared and have a plan for emergency situations.

**Ordinance—General Obligation Bonds for Certain Water System Improvements**

The Governing Body heard from Finance Director Scott Bird who explained this item and the following two items will require action and the third item deals with renewal notes for the Ottawa Municipal Airport T-Hangar project.

The Governing Body also heard from City Financial Advisor David Arteberry with George K. Baum who explained a plan was developed with staff to renew the temporary notes. Mr. Arteberry explained after looking at projects and timing of completion it is not a good time for permanent bonding.

The Governing Body heard from Bond Counsel Tyler Ellsworth with Kutak Rock who explained this item and the following two items allow staff flexibility in design and project costs.

As part of the renewal of temporary notes related to the industrial park project, this ordinance provides for the expenditure of temporary note proceeds up to \$542,000, which is the amount included for water system design in the recently adopted contract with the team of Bartlett & West and PEC as part of the Rock Creek Business Park project. Commissioner Reed made a motion, seconded by Commissioner Graves 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 duly numbered Ordinance No. 3930-16.

**Resolution—Sewage System Improvements**

The Mayor explained as part of the renewal of the temporary notes related to the industrial park project, this resolution provides for the expenditure of temporary note proceeds up to \$172,000, which is the amount included for design on the wastewater system in the recently adopted contract with the team of Bartlett & West and PEC as part of the Rock Creek Business Park project. Commissioner Skidmore made a motion, seconded by Commissioner Reed 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 duly numbered Resolution No. 1698-16.

**Resolution—Sale of General Obligation Temporary Note Series 2016-1 and 2016-2**

The Mayor explained this resolution authorizes the renewal of two General Obligation Temporary Note issues; which are the Ottawa Municipal Airport T-Hangar project in an amount of \$530,000 and the industrial park project, also known as the Rock Creek Business Park, in the amount of \$2,000,000.

Commissioner Reed announced her excitement at seeing forward action at the industrial park.

The Governing Body heard from Bond Counsel Tyler Ellsworth with Kutak Rock who answered questions from the Governing Body. Commissioner Reed made a motion, seconded by Commissioner Graves 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 duly numbered Resolution No. 1699-16.

**Public Hearing—Consider Condemnation at 322 S Poplar and 112 S Elm**

Mayor Caylor opened the public hearing at 7:43 pm.

Mayor Caylor explained this public hearing has been called for the consideration of the condemnation of single-family structures located at 322 S Poplar and 112 S Elm.

The Governing Body heard from Building Official Jim Sherman who explained the single-family structure located at 322 S Poplar has been removed by the owner but the site is not finished. Mr. Sherman provided a presentation on the single-family structure located at 112 S Elm and answered questions from the Governing Body.

The Governing Body heard from Ron McNaughton, 116 S Elm, regarding an animal problem at his address due to the condition of the structure at 112 S Elm and presented a petition signed by neighbors to remove the house at 112 S Elm before the weather turned cold.

The Governing Body heard from Community Development Director Wynndee Lee who explained the process for structures being considered for condemnation and answered questions from Mr. McNaughton and the Governing Body.

There being no one else to speak to this issue the Mayor closed the Public Hearing at 8:03 pm.

**Resolution—Condemnation of 112 S Elm**

The Mayor explained this resolution authorizes the Governing Body to declare the residential structure located at 112 S Elm Street to be unsafe or dangerous, and to direct that such structure be demolished or repaired and made safe and secure. Commissioner Graves made a motion, seconded by Commissioner Skidmore to adopt this resolution. 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. 1700-16.

**Resolution—Ladies Night Out Event**

It was explained this resolution authorizes the serving of complimentary alcoholic liquor and cereal malt beverages for the Ottawa Chamber of Commerce Ladies Night Out event scheduled for September 30, 2016 from 4:00 pm to 8:00 pm.

The Governing Body heard from City Attorney Blaine Finch who explained this event requires the Governing Body to adopt an annual resolution pursuant to state statute and the resolution does not allow for public consumption on city sidewalks, streets or rights of way, and consumption is only allowed within the participating businesses. Mr. Finch explained this event is similar to past events which have been successful and answered questions from the Governing Body. Commissioner Jorgensen made a motion, seconded by Commissioner Graves to adopt this resolution. 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. 1697-16.

### **Ordinance—Parking**

The Mayor explained this ordinance amends Chapter 12, Article 3, Section 12-311, regarding two-hour parking zones and Section 12-316 regarding reserved parking.

The Governing Body heard from City Attorney Blaine Finch who explained this ordinance supports a presentation given at the August 29, 2016 Study Session and addresses concerns regarding patrons of the district court and occupants and employees of the courthouse. Mr. Finch explained this ordinance would allow for additional and relevant parking with more ADA-accessible parking spaces. Mr. Finch explained this was accomplished with cooperation from Franklin County Sheriff Jeff Richards, County Clerk Janet Paddock, County Appraiser Philip Dudley, County Administrator Jon Holmes, Planner Sarah Anzicek, Community Development Director Wynndee Lee, and Police Chief Dennis Butler and asked the Governing Body for approval of this ordinance.

Mayor Caylor expressed her appreciation that the safety of court employees is being addressed. Commissioner Skidmore made a motion, seconded by Commissioner Reed to adopt this ordinance and Commissioner Skidmore thanked City Attorney Blaine Finch for his work on this ordinance. The motion was considered and upon being put, passed by a 4-1 vote: Commissioner Reed, Commissioner Skidmore, Commissioner Graves, and Mayor Caylor aye; Commissioner Jorgensen nay. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3931-16.

### **Ordinance—Annexing Land at 430 S Beech Street**

The Governing Body reviewed an ordinance annexing land to the City of Ottawa generally located at 430 S Beech Street. The Mayor explained property owners Bruce and Ruth Fleming have signed the consent to annex.

The Governing Body heard from Community Development Director Wynndee Lee who explained owners of properties located at: 430 S Beech Street, 2660 Montana Road, and 2598 US-Highway all agreed to voluntarily annexation. Mrs. Lee described each property and explained reasons for annexation include good planning, police and fire protection, better utility extension, and access to other services the city normally provides and answered questions from the Governing Body. Commissioner Reed made a motion, seconded by Commissioner Graves 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 duly numbered Ordinance No. 3932-16.

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**Ordinance—Annexing Land at 2660 Montana Road**

The Governing Body reviewed an ordinance annexing land to the City of Ottawa generally located at 2660 Montana Road. The Mayor explained property owner Mary Tice has signed the consent to annex. Commissioner Skidmore made a motion, seconded by Commissioner Graves 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 duly numbered Ordinance No. 3933-16.

**Ordinance—Annexing Land at 2598 US-59 Highway**

The Governing Body reviewed an ordinance annexing land to the City of Ottawa generally located at 2598 US-59 Highway. The Mayor explained property owner Penny's Concrete has signed the consent to annex. Commissioner Reed made a motion, seconded by Commissioner Skidmore 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 duly numbered Ordinance No. 3934-16.

**Voting Delegates—League of Kansas Municipalities Annual Conference**

The Mayor explained the League of Kansas Municipalities is holding its annual meeting in Overland Park October 8-10, 2016 and the City of Ottawa is allowed to identify three voting delegates and three alternates.

The Governing Body heard from City Manager Richard U. Nienstedt who explained the following delegates were proposed during the August 29, 2016 Study Session:

- Voting Delegates: Commissioner Graves, Commissioner Skidmore, and Mayor Caylor
- Alternate Delegates: Commissioner Jorgensen, City Attorney Blaine Finch, and City Manager Richard U. Nienstedt

Commissioner Reed made a motion, seconded by Commissioner Graves to approve the delegates and alternates as previously discussed and outlined by City Manager Richard U. Nienstedt. The motion was considered and upon being put, all present voted aye. The Mayor declared the motion duly approved.

**Advanced Metering Infrastructure (AMI) Test Deployment**

The Governing Body reviewed a request for approval of Advanced Metering Infrastructure Test Deployment and invited the Ottawa Utilities Department to provide a presentation.

The Governing Body heard from Utility Director Dennis Tharp who provided a presentation and answered questions from the Governing Body. Commissioner Reed made a motion, seconded by Commissioner Jorgensen to approve the request for approval of Advanced Metering Infrastructure Test Deployment. The motion was considered and upon being put, all present voted aye. The Mayor declared the motion duly approved.

### **Recognition City Clerk Carolyn Snethen upon her Retirement**

The Governing Body heard from Finance Director Scott Bird who honored Carolyn Snethen for her contributions to the City. Mr. Bird presented Mrs. Snethen with a plaque to recognize her retirement after 18 years of service to the City of Ottawa. Mrs. Snethen thanked the Governing Body and City Manager Richard U. Nienstedt for the honor of working for them.

### **City Manager's Report**

The City Manager reported on the following:

- Thanked the Governing Body for passing the two proclamations recognizing the importance of emergency preparedness and encouraged everyone to take a stand on mental health issues in our community, especially as state funding has declined.
- Thanked retiring City Clerk Carolyn Snethen for her to service and her guidance.

### **Commissioner's Report**

Commissioner Reed thanked those who put on the recent Cowboy Days activities and said her family enjoyed the activities.

Commissioner Jorgensen echoed City Manager Richard U. Nienstedt's comments regarding retiring City Clerk Carolyn Snethen and expressed how wonderful it was to work with her for ten and a half years. Mr. Jorgensen also congratulated Mrs. Snethen's grandchildren for being so well behaved during the meeting.

### **Mayor's Report**

The Mayor reported on the following:

- Welcomed Commissioner Jorgensen back from a brief illness.
- Thanked retiring City Clerk Carolyn Snethen for helping her grow as an individual and stated her leadership will be missed.
- Thanked everyone who helped during the water leak issue over the last couple of weeks and acknowledged Utility Director Dennis Tharp and his team for their efforts to make the situation as tolerable as possible.
- Explained the City of Ottawa provided 10,000 gallons of water to citizens during the recent boil order and stated she recently learned the water plant cleans 10,000 gallons of water in five minutes.

### **Announcements**

The Mayor announced the following:

- September 9, 2016 Retirement Reception for Carolyn Snethen, 2:00-4:00 pm, Commission Chambers
- September 12, 2016 Study Session, 4:00 pm, City Hall
- September 19, 2016 Study Session, 4:00 pm, City Hall
- September 21, 2016 **Regular** Meeting, 9:30 am, City Hall

City Attorney Blaine Finch requested the Governing Body recess into Executive Session to discuss an issue of attorney-client privilege with the City Attorney and City Manager Richard U. Nienstedt present for a period of 20 minutes beginning at 9:03 pm. Mayor Caylor explained the Governing Body will stand at ease for a period of 10 minutes to recognize retiring City Clerk Carolyn Snethen and take pictures.

### **Executive Session**

#### **Recess**

Commissioner Reed made a motion, seconded by Commissioner Jorgensen to recess into executive session to discuss attorney-client privilege with the City Attorney and City Manager present for a period of 20 minutes and to reconvene into open session at 9:23 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed.

#### **Reconvene**

Commissioner Reed made a motion, seconded by Commissioner Graves 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 9:23 pm.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Skidmore made a motion, seconded by Commissioner Graves to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Caylor declared the meeting duly adjourned at 9:23 pm.

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Amy Finch, City Clerk