

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of August 4, 2010**

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 Reed, Commissioner Ramsey, Commissioner Humm, Commissioner Jorgensen and Commissioner Fler. 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 Pastor Leonard Chesbro, from New Life in Christ Church.

Consent Agenda

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included the agenda and minutes from the July 7, 2010 Regular Meeting and July 12 and July 19, 2010 Study Sessions. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

Public Comments

None offered at this time.

Declaration

Thereupon, 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.

Public Hearing-Consideration of Demolition 307-309 S Locust

Thereupon, the Governing Body held a public hearing for the consideration of the demolition of the two-family structure at 307-309 S. Locust Street.

Thereupon, Mayor Reed explained this public hearing has been called for the consideration of the demolition of the two-family structure located at 307-309 S Locust Street. As this structure is within the environs of the downtown historic district, the application for demolition was reviewed by the State Historic Preservation Office, who determined demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. This hearing will be to consider all relevant factors and will determine if the proposed demolition represents the only feasible and prudent alternative, and if the project includes all possible planning to minimize harm to the historic property and its environs.

Thereupon, Mayor Reed opened the Public Hearing at 7:06 pm
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Thereupon, the Governing Body heard from Planning/Codes/Inspection Director Wynndee Lee who introduced Property Owner Jim Smith.

Thereupon, Jim Smith spoke in favor of the demolition.

Thereupon, the Governing Body heard from Planning/Codes/Inspection Director Wynndee Lee who explained the details of the proposed demolition.

There being no one else to speak to this issue Mayor Reed closed the Public Hearing at 7:12 pm.

Resolution-Demolition 307-309 S Locust

Thereupon, the Governing Body reviewed a resolution allowing the demolition of the two-family structure at 307-309 S Locust. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained after consideration of the information presented in the hearing, this resolution allows the demolition of the structure located at 307-309 S Locust. The findings of the hearing show no feasible and prudent alternative and this project includes all possible planning to minimize harm to the historic property and its environs. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1526-10.

Ordinance-Rezone Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone 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. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the addresses in this proposed rezoning include: 2129 E. Wilson; 3088 Sand Creek Road; 2731 Sand Creek Road; 2779 Reno Road; 3098 Pawnee Road; 2880 Riley Road; 2990 Sand Creek Road; 3077 Pawnee Road; 3897 US 59 Highway; 241 N Cherry; 2515 E Logan; 3645 Montana Road. The Planning Commission recommended approval of this ordinance by a 6-0 vote. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3763-10.

Resolution-Post-Construction Storm Water Best Management Practices Manual

Thereupon, the Governing Body reviewed a resolution to adopt the Post-Construction Storm Water Best Management Practices Manual. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fleer, to adopt the manual.

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During discussion it was explained the intent of storm water management is to protect and improve water quality. This best management practices manual provides a resource for handling storm water design issues and can be used for residential storm water runoff management. The Planning Commission recommended approval of this ordinance by a 6-0 voted. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1527-10.

Neighborhood Stabilization Grant Program

Thereupon, the Governing Body reviewed a request to approve an amended Action Plan for the Neighborhood Stabilization Grant Program. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to approve the amendment.

During discussion it was explained this amended action plan documents additional funding of the Neighborhood Stabilization Grant Program by the State of Kansas. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the amendment to the Neighborhood Stabilization Grant Program duly approved.

Public Hearing: City of Ottawa 2011 Budget

Thereupon, Mayor Reed explained the following: A public hearing was duly scheduled to receive comments about the proposed 2011 Budget. The Director of Finance is prepared to make a short presentation on the highlights of the proposed budget and, along with the City Manager, is available to answer questions. The published mill levy cannot be increased, but it may be reduced. After public comments have been received, it is recommended the hearing be closed and, barring any amendments, the budget be adopted.

Thereupon, Mayor Reed opened the Public Hearing at 7:23 pm.

Thereupon, the Governing Body heard from Director of Finance Scott Bird, who provided information related to the proposed 2011 Budget; historical and year to date revenue information, a staff recommendation to increase the mill levy by 1.7 mills, explanations related to capital needs, and suggestions for cuts from the presented budget to reduce the mill levy increase to 0.99 mills as follows.

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Chart 1

Code	Description	Amount
0110-504	Commission Travel	\$ 2,000
0115-718	City Clerk Computers	\$ 500
0117-738	Streets, Sidewalks, Curbs, Gutters	\$ 25,500
0117-906	General Fund Transfer to Risk Mgt	\$ 500
0117-912	General Fund Transfer to Airport	\$ 1,000
0130-558	Condemnation and Demolition	\$ 10,000
0140-731	Building Design at Cemetery	\$ 1,000
0151-906	Transfer to Equipment Reserve	\$ 1,000
0157-906	Transfer to Equipment Reserve	\$ 1,000
1100-511	Bea Martin Peck Shelter	\$ 2,277
1100-564	Veteran's Day Parade	\$ 46
1100-569	City Band	\$ 138
1100-572	Chamber/Economic Dev. Agreement	\$ 3,000
1100-575	Youth In Gov't Conference Activities	\$ 207
1100-577	Ottawa Main Street	\$ 1,380
1100-578	Jaycees Fireworks	\$ 115
1300-925	Auditorium Reserves	\$ 1,000
	Reduction Employee Compensation	\$ 5,700
	Total Reduction	\$ 56,363

Thereupon, Mayor Reed thanked Mr. Bird, City Manager Richard Nienstedt, Governing Body, and all of those attending the public hearing. Mayor Reed explained there was a lot of work and effort put into the proposed budget.

Thereupon, the Governing Body heard from Ottawa Main Street President Cathy Sutton who stated Ottawa Main Street would live up to city funding and give back to the community. Ms. Sutton spoke against the most recent proposed cuts in Main Street funding.

Thereupon, the Governing Body heard from CEO of Ottawa Chamber of Commerce Tom Weigand who thanked the Governing Body for their service to the Community. Mr. Weigand expressed concern with the proposed cuts.

There being no one else to speak to this issue Mayor Reed closed the public hearing at 7:46 pm.

Adoption of 2011 Budget

Thereupon, following public discussions and many weeks of study session, as well as, tonight's presentation and comments during the public hearing, adoption of the 2011 Budget is required.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the 2011 budget to include and increase over the 2010 Budget of.99 (43.699).

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Thereupon, Commissioner Jorgensen made an amended motion, seconded by Commissioner Humm, to reject the cuts to the Community Service budgets (1100-511 to 1100-558) and adopt the 2011 budget with a 1.107 increase over the 2010 Budget, for a total mill levy of 43.76 mills.

First Roll Call “vote”

To accept Commissioner Jorgensen’s amendment to the motion to replace the first motion from Commissioner Ramsey.

The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Reed declared the motion duly amended.

Second Roll Call “vote”

To accept the amended motion to restore the Community Services Budgets for a total mill levy of 43.76. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Reed declared the 2011 Budget duly adopted with a 1.107 (43.76) increase over the 2010 Budget.

Ordinance-Increase in Tax Revenue Budget Year 2011

Thereupon, the Governing Body reviewed an ordinance attesting to an increase in Tax Revenues for Budget Year 2011 for the City of Ottawa, Kansas. Finance Director Scott Bird explained this budget ordinance is required if the budgeted tax levy exceeds line 51 of the 2011 state budget forms. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Ramsey to adopt the ordinance. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3764-10.

Thereupon, Mr. Bird explained once final calculations were complete on the state budget forms this ordinance may not be necessary. If not necessary this ordinance would be deleted and made void through the City Clerk Office.

Report by City Manager

Thereupon, City Manager Richard Nienstedt explained the budget process for 2012 will begin for the Governing Body starting in April with staff starting the review process even earlier. Mr. Nienstedt stated the budget is the most important policy document and requires a lot of time and effort. Mr. Nienstedt thanked the Governing Body and Staff for all their hard work on the 2011 Budget.

Reports by City Commissioners

Thereupon, Commissioner Jorgensen thanked commissioners for the time spent working on the budget. He explained there are many demands for budget dollars. The city has street needs, and equipment fleets that are aging. The City needs to not defer maintenance on equipment and facilities to the point of falling backwards.

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Thereupon, Commissioner Ramsey congratulated Tony Keim, a former City Commissioner on his business downtown, to be opening soon, and wished him much success.

Reports by Mayor

Thereupon, Mayor Reed thanked Ottawa Main Street Board for attending the budget hearing.

Announcements

Thereupon, the Mayor announced:

1. August 9, 2010: Study Session at 4 pm
2. August 16, 2010: Study Session at 4 pm
3. August 18, 2010: Next Regular Meeting at 9:30 am
4. August 18, 2010: Joint City/County/USD 290 Luncheon, to be held in conjunction with the Chamber of Commerce Quarterly Image Award Luncheon, 11:45 am, Garfield Elementary School

Adjournment

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 8:01 pm.

Carolyn S. Snethen, City Clerk

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