

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of September 1, 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 Humm, Commissioner Ramsey, Commissioner Jorgensen and Commissioner Fleer. 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 Cheasbro from New Life in Christ Church.

Consent Agenda

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included the agenda and minutes from the August 9, August 16 and August 23, 2010 Study Sessions; and the August 18, 2010 Regular Meetings. 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.

Proclamation: National Day of Service and Remembrance

Thereupon, Mayor Reed read a proclamation recognizing September 11th as a National Day of Service and Remembrance. September 11 is Patriot's Day in honor of 9/11. It is also a National Day of Service and Remembrance. The Youth Action Council chose to honor law enforcement officers as a tribute to their service to our community. They also chose to honor Franklin County Deputy Sam Smith for both his service as a law enforcement officers and his contributions to forming the Youth Action Council and Youth in Government programs here in Ottawa. Members of the Youth Action Council and Kathleen Smith, mother of Sam Smith, accepted the proclamation.

Proclamation: National Suicide Prevention Week

Thereupon, Mayor Reed read a proclamation recognizing Sept. 5th – 11th as National Suicide Prevention Week. The International Association for Suicide Prevention, in collaboration with the World Health Organization (WHO) and the World Federation for Mental Health, is sponsoring

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World Suicide Prevention Week. This year's theme is "Families, Community Systems and Suicide" and will focus on raising awareness that suicide is a major preventable cause of premature death. Diane Drake, Executive Director of the Elizabeth Layton Center for Hope and Guidance accepted the proclamation.

Ordinance-Special Use Permit

Thereupon, the Governing Body reviewed an ordinance to grant a Special Use Permit to Franklin County for a Construction and Debris Landfill located in the Urban Growth Area at 3268 Osborne Terrace.

During discussion it was explained Franklin County is seeking approval of a special use permit to allow expansion of the existing construction and debris landfill located at 3225 Osborne Terrace. The Planning Commission recommended approval by a 6-0-1 vote.

Thereupon, the Governing Body heard from John Todd 3255, Hwy K-68, who spoke in opposition of the Special Use Permit due to its proximity to his property and its impact on his property value and quality of life.

Thereupon, the Governing Body heard from Planning/Codes/Inspection Director Wynndee Lee who explained the City is under County regulations in this area. Ms. Lee addressed concerns to the best of her ability on the following:

- Property values
- Environmental
- Pipeline
- Conditions placed on the Special Use Permit

Thereupon, the Franklin County Planning Director Larry Walrod stated the property is currently zoned Agriculture. Mr. Walrod explained the reopening of the three remaining cells would create additional monitoring, different regulations and additional exposure to reopen the additional cells available.

After additional discussion between the Governing Body, Mr. Walrod, Mr. Todd and Staff Commissioner Ramsey stated he is reluctant to approve but this issue needs to move forward to the Kansas Department of Health and Environment as they have the final call on this issue. Commissioner Ramsey thanked Mr. Walrod for addressing concerns.

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Humm, to adopt the ordinance. The motion was considered and upon being put was denied by the following vote (4-1): Commissioner Fler nay, Commissioner Ramsey aye, Commissioner Humm nay, Commissioner Jorgensen nay, and Mayor Reed nay. Thereupon, the Mayor declared the ordinance duly denied by a 4-1 vote.

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Thereupon, City Attorney Bob Bezek provided guidance to the Governing Body on how to proceed to remand this issue back to the Planning Commission with direction to questions raised.

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Humm, to remand the ordinance back to the Planning Commission to address the following:

- Evaluate the impact on adjoining property owners
- Cost benefit of using current landfill as opposed to acquiring new landfill

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly remanded back to the Planning Commission with the above mentioned direction.

Neighborhood Stabilization Grant Bid Opening

Thereupon, the Governing Body reviewed a requests for bids to repair and restore homes located at 1325-29 Olive, 1326-30 Olive, and 1332-36 Olive utilizing the Neighborhood Stabilization Grant program were received this week. Thereupon, the Governing Body heard from Planning/Codes/Inspection Director Wynndee Lee who reported on the Neighborhood Stabilization Grant Bid opening as follows:

The City of Ottawa opened bids for the remodeling work to be done on 1325-1329, 1326-1330, and 1332-1336 Olive with the Neighborhood Stabilization Program. Below are the bids received.

<u>Contractor</u>	<u>1325 Olive</u>	<u>1329 Olive</u>	<u>1326 Olive</u>	<u>1330 Olive</u>	<u>1332 Olive</u>	<u>1336 Olive</u>
Dale's Remodeling	None	None	None	None	\$39,741	\$39,136
Joe Geist	\$40,696	\$43,037	\$41,464	\$43,956	\$42,630	\$41,463
Triangle Builders	\$52,860	\$54,875	\$55,252	\$55,840	\$55,555	\$52,335

The bids came in over the allotted amount from the grant, approximately \$33,000 per unit; ECKAN has stated they would provide additional funds necessary to complete the projects.

Staff recommends the bids be awarded to Dale's Remodeling for 1332-1336 Olive, subject to the participation of ECKAN to provide additional funds necessary to complete the project.

Staff recommends the bids be awarded to Joe Geist for 1325-1329 Olive and 1326-1330 Olive, subject to the participation of ECKAN to provide additional funds necessary to complete the project and subject to submittal of itemized bids to the City of Ottawa by 5 p.m. Tuesday, September 9, 2010.

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Resolution-Awarding Bids for 1332-1336 Olive

Thereupon, the Governing Body reviewed a resolution awarding the bids for remodel work to be done at 1332-1336 Olive for the Neighborhood Stabilization Grant Program for the City of Ottawa, September 1, 2010 Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution awards the bid for work on 1332-1336 Olive to Dale's Remodeling, who provided low bids of \$39,741 and \$39,136 respectively, and is subject to the participation of ECKAN to provide additional funds necessary to complete the project. 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. 1530-10.

Resolution-Awarding Bids for 1325-1329 Olive & 1326-1330 Olive

Thereupon, the Governing Body reviewed a resolution awarding the bids for remodel work to be done at 1325-1329 Olive and 1326-1330 Olive for the Neighborhood Stabilization Grant Program for the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this resolution awards the bid for work on 1325-1329 Olive to Joe Geist, who provided the low bids of \$40,696 and \$43,037 respectively; and awards the bid for work on 1326-1330 Olive to Joe Geist, who provided the low bids of \$41,464 and \$43,956 respectively. This resolution is subject to the participation of ECKAN to provide additional funds necessary to complete the project. 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. 1531-25.

Voting Delegates for the League of Kansas Municipalities Annual Conference

Thereupon, the Governing Body discussed the selection of voting delegates for the League of Kansas Municipalities Annual Conference. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jorgensen, to nominate Mayor Reed, Commissioners Humm and Ramsey as voting delegates with Alternates Richard Nienstedt, Wynndee Lee, and Bob Bezek.

During discussion it was explained the League of Kansas Municipalities is holding its annual meeting in Overland Park October 9-12, 2010. The City of Ottawa needs to identify three voting delegates and three alternates. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the nominations duly approved.

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Report by City Manager

Thereupon, City Manager Richard Nienstedt reported on the following:

- Seat belt clarification
- City Face book up and running
- Staff recently attended T-Works at KDOT; opportunities are available for new dollars

Reports by City Commissioners

Thereupon, Commissioner Humm thanked City Manager Richard Nienstedt and City Manager Intern Casey Sharp for their efforts on Face book with a lot of information for citizens.

Thereupon, Commissioner Humm stated the first Ottawa University campus newspaper was being distributed and the paper provided 3 articles on the Campus and Community.

Reports by Mayor

Thereupon, Mayor Reed explained she had attended several fun ceremonies recently with the Sunflower Trail being one of them. Mayor Reed thanked everyone who partnered together in this project.

Announcements

Thereupon, the Mayor announced:

1. September 6, 2010: Labor Day, City offices closed
2. September 6, 2010: Study Session canceled
3. September 13, 2010: Study Session at 4 pm
4. September 15, 2010: 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 Flear, 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 8:15 pm.

Carolyn S. Snethen, City Clerk

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