

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of August 3, 2011**

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 Reed, Commissioner Richards, Commissioner Caylor, and Commissioner Jorgensen. 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.

Consent Agenda

The consent agenda included the Agenda and Minutes from the June 20, 2011 Study Session.

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Richards to approve the Consent Agenda. Thereupon, 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 – 2597 US 59 Highway

Thereupon, Mayor Ramsey announced a public hearing for the consideration of annexation of the property located at 2597 US 59 Highway continuing from the July 20 Special Call Meeting and is for the purpose of hearing public comments related to the annexation of the property located at 2597 US 59 Highway to the City of Ottawa, Kansas.

Thereupon, Mayor Ramsey continued the public hearing at 7:03 pm.

Thereupon, the Governing Body heard from City Attorney Bob Bezek who recommended the Public Hearing be continued until the next Regular Meeting scheduled for August 17, 2011 at 9:30 am to allow time for Mr. Shay's legal counsel Mr. Blaine Finch to receive requested information from the Kansas Department of Transportation (KDOT).

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Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to continue the public hearing and table the ordinance related to this annexation until the next Regular Meeting. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the public hearing duly continued and the related ordinance tabled.

Ordinance – Rezone

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, and to repeal the corresponding section of the zoning map, which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion, it was explained this ordinance is to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning including the following addresses: 2755 Jackson Road; 2189 US 59 Highway; 2225 US Highway 59; 2800 Rock Creek Road; 2225 Montana Road; 2153 US 59 Highway; 2710 Rock Creek Road; 2165 US 59 Highway 59; 2848 Rock Creek Road; 2704 Rock Creek Road; and 2249 US 59 Highway. The Planning Commission recommended approval of these rezones with a 4-0 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. 3790-11.

Ordinance – Standard Traffic Ordinance (STO)

Thereupon, the Governing Body reviewed an ordinance to regulate the traffic within the corporate limits of the City of Ottawa; incorporating by reference the limits of the City of Ottawa; incorporating by reference the “Standard Traffic Ordinance for Kansas Cities,” Edition of 2011, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance No. 3764-10. Thereupon, Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained the Standard Traffic Ordinance for Kansas Cities has been published annually by the League of Kansas Municipalities since 1960 and it is designed to provide a comprehensive traffic code which parallels the state traffic act. 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. 3791-11.

Slurry Seal Bid – Vance Brothers Construction

Thereupon, the Governing Body reviewed a request to accept the 2011 Street Rehabilitation Program Slurry Seal bid. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to approve the bid.

During discussion it was explained that city staff requests the approval of the bid of \$103,039.20 submitted by Vance Brothers Construction for the Slurry Seal project. Only one bid was received, but it was consistent with the preliminary estimate. City staff recommended the project be awarded and work scheduled as soon as Vance Brothers is available. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the bid duly approved.

Public Hearing – Proposed 2012 Budget

Thereupon, Mayor Ramsey announced: A public hearing for the consideration of the City of Ottawa proposed 2012 Budget. This public hearing is scheduled to receive comments about the proposed 2012 Budget. The Director of Finance will 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 may be reduced. After public comments have been received, it is recommended that the hearing be closed and, barring any amendments, the budget be adopted.

Thereupon, Mayor Ramsey opened the Public Hearing at 7:15 pm.

Thereupon, the Governing Body heard from Director of Finance Scott Bird who provided a presentation of the proposed 2012 budget.

Thereupon, Mr. Larry Evans, 1017 W 11th St., Ottawa, spoke in opposition of any mill increase.

Thereupon, the Governing Body heard from Cody Kiser, 624 S. Mulberry, who spoke in favor of “green” energy in the City of Ottawa, and thanked the Electric Department for what they are doing.

There being no one else to speak to this issue Mayor Ramsey closed the public hearing at 7:34 pm.

Adoption – 2012 Budget

Thereupon, the Governing Body considered the adoption of the 2012 Budget. Thereupon, Commissioner Reed made a motion, seconded by Commissioner Caylor, to adopt the 2012 Budget with a 1.696 mill increase (45.423 mill levy).

Thereupon, Commissioner Jorgensen made a motion, seconded by Mayor Ramsey, to amend Commissioner Reed’s motion to a total of 45 mills (approximately a 1.271 mill increase).

Thereupon, after considerable discussion the following votes, by roll call, were recorded:

- The amended motion was for 45 mills (approximately a 1.271 mill increase)
Commissioner Jorgensen and Mayor Ramsey aye
Commissioner Reed, Caylor, Richards nay

Thereupon, Mayor Ramsey declared the motion defeated by a 2-3 vote.

- The first motion was for a 1.696 mill increase (45.423 mill levy)
Commissioner Reed and Caylor aye
Commissioner Jorgensen, Richards, and Mayor Ramsey nay

Thereupon, Mayor Ramsey declared the first motion defeated by a 2-3 vote.

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to adopt the 2012 Budget to include an increase of 1.571 mills (45.298 mill levy). The motion was considered and upon being put, the motion passed by a 4-1 vote as follows: Commissioner Jorgensen, Caylor, Reed, Mayor Ramsey aye and Commissioner Richards nay. Thereupon, the Mayor declared the 2012 Budget duly adopted.

Ordinance – Increase in Tax Revenues

Thereupon, the Governing Body reviewed an ordinance attesting to an increase in tax revenues for Budget Year 2012 for the City of Ottawa, Kansas. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained this budget ordinance is required if the budgeted tax levy exceeds line 51 of the 2012 state budget forms. 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. 3792-11.

City Manager's Report

Thereupon, City Manager, Richard Nienstedt, reported on the following:

- August 9, 2011 National Night Out, 6-10 pm
- Citizen donation of \$10,000 towards playground equipment
- Recognition of Management Analyst Casey Sharp for her efforts on acquiring playground equipment for the community

Commissioner's Report

Thereupon, Commissioner Caylor recognized the Extreme Home Makeover project locally and encouraged the community to continue volunteerism.

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Thereupon, Commissioner Richards discussed the budget process and its complexities.

Thereupon, Commissioner Jorgensen discussed the importance of the budget approval process and the State changes that affect the local budget.

Mayor's Report

Thereupon, Mayor Ramsey thanked the Governing Body for their efforts in working on the 2012 Budget.

Announcements

- August 8, 2011: Study Session at 4 pm
- August 9, 2011: Special Call Meeting: National Night Out at City Park from 6-10 pm
- August 15, 2011: Study Session at 4 pm
- August 17, 2011: Next Regular Meeting at 9:30 am

Adjournment

There being no further business to come before the Governing Body, Commissioner Caylor 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 at 8:07 pm.

Carolyn S. Snethen, City Clerk