

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

A Study Session is scheduled for **January 23, 2012 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 January 4, 2012 Special Call meeting, the January 4, 2012 Regular Meeting, and the January 9, 2012 Study Session. *pp. 1-6*
- b. Revised minutes from the November 16, 2011 Regular Meeting. These minutes were approved at the December 21, 2011 meeting. Upon review, it was discovered that a page had been omitted from the agenda packet. Staff requests approval at today's study session in order to close 2011 for audit purposes. *pp. 7-10*
- c. Minutes from the November 21, November 28, December 5, December 12, and December 19, 2011 Study Sessions; the November 29 and December 21, 2011 Special Call Meetings; and the December 7, and December 21, 2011 Regular Meetings. Staff requests approval at today's study session in order to close 2011 for audit purposes. *pp. 11-37*
- d. A proclamation recognizing Scout Week, January 29 – February 5, 2012. *p. 38*

**III. Items for Presentation and Discussion**

- a. David Arteberry, George Baum and Associates, will be present to discuss the financing plan for the Ottawa Municipal Airport Temporary Notes. *pp. 39-46*
- b. Discussion continues regarding the Stormwater Utility. *pp. 47-56*
- c. Discussion continues regarding the proposed wastewater rate schedule for 2012-2016. *pp. 57-59*
- d. City Manager's Report
  - City Hall Day, Wednesday, February 1 *p. 60-61*
  - Early registration for National League of Cities Congressional City Conference, March 10-14 *p. 62*
- e. Commissioners' Reports
- f. Mayor's Report

**IV. Announcements**

- January 30, 2012 Study Session, 4:00 pm
- February 1, 2012 City Hall Day, Topeka
- February 1, 2012 **NEXT REGULAR MEETING**, 7:00 pm
- February 6, 2012 Study Session, 4:00 pm
- February 13, 2012 Study Session, 4:00 pm
- February 15, 2012 Regular Meeting, 9:30 am
- February 20, 2012 Study Session, 4:00 pm
- February 27, 2012 Study Session, 4:00 pm

**V. Adjourn**

**City Commission**  
**Special Call Minutes**  
**January 4, 2012**  
**Commission Chambers, City Hall**  
**101 S. Hickory, Ottawa, Kansas**

The Governing Body met at 5:30 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Caylor, Commissioner Richards, Commissioner Jorgensen, and Commissioner Reed. A quorum was present.

The Governing Body held this Special Call meeting in order to attend the Buford M. Watson Award Reception for City Manager Richard Nienstedt.

Thereupon, the Governing Body adjourned the meeting at 6:30 pm.

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Carolyn S. Snethen, City Clerk

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of January 4, 2012**

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

Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Reed, to approve the consent agenda. The consent agenda included the 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**

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-Martin Luther King, Jr Day**

Thereupon, Mayor Ramsey read a proclamation recognizing Martin Luther King, Jr Day. Monday, January 16, 2012 is Martin Luther King, Jr Day. Since 2002, the City of Ottawa has officially recognized Martin Luther King, Jr Day as a City holiday. Former Mayor Richard Jackson accepted the proclamation and announced Martin Luther King, Jr Day events will be held January 15, 2012 at Ottawa University.

**Ordinance-Rezoning an Area Within the City of Ottawa**

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

During discussion it was explained this ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning includes these addresses: 2387 Old US-50 Highway, 2402 Old Us-50 Highway, 2439 Old US-50 Highway, 2434 Old US-50 Highway, 2428 Old US-50 Highway, 2424 Old US-50 Highway, 2415 Old US-50 Highway, 2393 Old US-50 Highway, and 2389 Old US-50 Highway. The Planning Commission recommended approval of these rezones with a 6-0 vote.

January 4, 2012

Unofficial until approved

After discussion, the Governing Body heard from City Attorney Bob Bezek who provided an overview of a valid Protest Petition received of property owner John C. Riddle, 2387 Old 50 Highway, which increased the number of positive votes needed to adopt the related ordinance to 4 out of 5. The motion was considered and upon being put, passed by the following vote: Commissioner Richards aye, Commissioner Jorgensen aye, Commissioner Caylor aye, Commissioner Reed aye, Mayor Ramsey aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3808-12.

### **Ordinance-Rezoning an Area within the City of Ottawa**

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

During discussion it was explained this ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning includes the addresses: 2430 Eisenhower Ave, 2360 Labette Road, 2404 Labette Road, 2700 Eisenhower Ave, 2446 Labette Road, 2450 Labette Road, 2454 Labette Road, 2420 Labette Road, and 2410 Labette Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. 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. 3809-12.

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

Thereupon, the Governing Body heard from Director of Planning/Codes/Inspections who provided a presentation on the failing structure of a downtown building at 124 S Main. After discussion it was explained no action was requested at this time.

City Manager Richard Nienstedt thanked the City Commission, City Staff, and community for recognizing his Buford M Watson Award and said he was honored to serve in Ottawa.

### **Commissioner's Report**

Commissioner Caylor reported on the following:

- Recognized City Manager Richard Nienstedt for his accomplishments
- Pleased to see progress on 15<sup>th</sup> Street Sidewalk project
- Wished everyone a Happy New Year

Commissioner Reed reported on the following:

- Congratulated the City Manager for his Buford M Watson Award
- Enjoyed hearing City Manager's past career history

Commissioner Richards reported on the following:

- Time of year for New Year's resolutions
- Challenged the community to help their fellow man

Commissioner Jorgensen reported on the following:

- Planning and zoning is sometimes difficult, but it is necessary for the community
- Most of Franklin County's population is located in Ottawa
- What is good for the City is also good for the County
- Plans to attend an upcoming County Commission Study Session to express his views

### **Mayor's Report**

The Mayor reported on the following:

- The Interlocal Agreement was approved by both City and County Commissions
- The resulting rezones have resulted in only one Protest Petition

### **Announcements**

The Mayor announced the following:

- January 9, 012: Study Session at 4 pm
- January 16, 2012 Martin Luther King, Jr Holiday – City offices closed
- January 16, 2012: Study Session canceled
- January 18, 2012: 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 at 7:43 pm. Thereupon, the Mayor declared the meeting duly adjourned.

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Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
January 9, 2012**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, Commissioner Caylor, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

None offered at this time.

**Review of Minutes**

Thereupon, the Governing Body reviewed revised minutes from the November 16, 2011 Regular Meeting; minutes from the November 21, November 28, December 5, December 12, and December 19, 2011 Study Sessions; the November 29 and December 21, 2011 Special Call Meetings; and the December 7, and December 21, 2011 Regular meetings. The Governing Body requested changes to the November 29, 2011 Special Call Minutes and requested all the minutes be placed on the next Study Session Agenda on January 23, 2012 for further review.

**Proclamation-Catholic Schools Week**

Thereupon, the Governing Body reviewed a proclamation recognizing Catholic Schools Week, January 29 – February 5, 2012 and agreed to place this item on the next Regular Meeting Agenda on January 18, 2012.

**Contractor Agreements-Ottawa Municipal Airport Runway 17-35**

Thereupon, the Governing Body reviewed contractor agreement documents for the Ottawa Municipal Airport Runway 17-35 improvements and agreed by consensus to place this item on the next Regular Meeting Agenda.

**Agreement-Kansas Department of Transportation**

Thereupon, the Governing Body reviewed a document for the 2011 Kansas Department of Transportation (KDOT) Federal Fund Exchange Agreement. During discussion it was explained this agreement is a formality in order to receive reimbursement from KDOT.

**Stormwater Utility**

Thereupon, the Governing Body discussed the Stormwater Management Program and heard informative comments from the following taskforce members:

- Commissioner Reed
- Jim Trendel, Trendel Lumber
- Ruthanne Wasko, Planning Commission
- Stan Duggan, American Eagle

January 9, 2012

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The Governing Body requested the related ordinance be brought back for further discussion at the next Study Session.

### **Monthly Financial and Activity Report-November**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of November.

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

The City Manager reported on the following:

- Urban Growth Area Agreement discussion: Director of Planning/Codes/Inspections Wynndee Lee distributed information regarding the Urban Growth Area agreement. Further discussion will take place at a later Study Session, as well as, at the next Joint City/County/USD 290 Luncheon on January 18, 2012.
- Discussion of the proposed wastewater (sanitary sewer) rate schedule for 2012-2016. The Governing Body agreed to place this item on the next Study Session Agenda.
- Chamber Banquet, January 21, 2011 at Sacred Heart Church, 5<sup>th</sup> & Cedar, from 6:30-9 pm
- Discussion on City financial participation with the County for improvements at Fire Station 2. This item will be brought back for further discussion at a later date.

### **Mayor's Report**

Thereupon, Director of Planning/Codes/Inspections Wynndee Lee provided an update on the failing structure at 124 S Main.

*At 5:19 pm Commissioner Jorgensen excused himself from the meeting.*

### **Announcements**

The Mayor announced the following:

- January 16, 2012: Martin Luther King, Jr Holiday – City offices closed
- January 16, 2012: Study Session canceled
- January 18, 2012: Next Regular Meeting at 9:30 am
- January 18, 2012: Joint City/County/USD 290 Luncheon, USD 290, 1404 S Ash, at 12 Noon

### **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. Thereupon, the Mayor declared the meeting duly adjourned.

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Carolyn S. Snethen, City Clerk

January 9, 2012

Unofficial until approved

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of November 16, 2011**

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, and Commissioner Jorgensen. Commissioner Reed was absent. 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 Joel Frederikson of First Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to approve the consent agenda. The consent agenda included the agenda and minutes from the October 19, 2011 Regular Meeting and the October 24, 2011 Study Session. 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.

**Retirement Recognition-Charlie King**

Thereupon, the Governing Body recognized Charlie King on the occasion of his retirement from the City of Ottawa, Public Works Department, after 26 years of service to the City. With this recognition the City took time to recognize his service and thank him for a job well done. Thereupon, Mr. King thanked the Governing Body for the recognition.

**2011 Employee Service Awards**

Thereupon, Mayor Ramsey explained each year the League of Kansas Municipalities recognizes "faithful, continuous service" to Kansas communities. This year the City of Ottawa is proud to recognize 18 employees with a combined total of 365 years of service to Kansas communities.

November 16, 2011

Unofficial until approved

Thereupon, the following employees were recognized for years of service to the City of Ottawa:

<b>35 Years</b>	<b>30 Years</b>	<b>25 Years</b>	<b>15 Years</b>	<b>10 Years</b>
Carl Elder	Scott Bird	Kevin Hanson	Jo Ann Nowatzke	Aaron Procaccini
	Rick Geist	Ron Hughes	Gary Skiles	Shawn Dillon
	Bob Hollon			Blaine Stewart
	Kris Peterson	<b>20 Years</b>		Jeff Diehl
	Rick Oglesby	Jim Bradley		Barry Coulson
		Tim Ahrens		Susan Hughes

### **2012 OFCED Contract**

Thereupon, the Governing Body reviewed the 2012 OFCED Contract. Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to approve the contract.

During discussion it was explained this is the annual review of the OFCED contract to provide economic development services to the City. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved.

### **Ordinance-Amending City of Ottawa's Comprehensive Plan**

Thereupon, the Governing Body reviewed an ordinance amending Chapter 4 of the City of Ottawa's Comprehensive Plan. Thereupon, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained the Planning Commission recommended approval of this amendment with a 7-0 vote. 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. 3800-11.

### **Ordinance-Amending Subdivision Regulations**

Thereupon, the Governing Body reviewed an ordinance amending Article 4, Subdivision Design Standards, Section 4-1, Applicability; Article 7, Improvements, Section 7-2, Required Improvements; Article 14, Soil Erosion and Sediment Control, Section 14-2, Definitions, Section 14-3, Permits, Section 14-6, Design Requirements, and Section 14-7, Inspection, of the Subdivision Regulations, Ordinance No. 3510-05, for the City of Ottawa. Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor, to adopt the ordinance.

During discussion it was explained the Planning Commission recommended approval of this ordinance with a 7-0 vote. 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. 3801-11.

November 16, 2011

Unofficial until approved

### **Ordinance-Amending Zoning Regulations**

Thereupon, the Governing Body reviewed an ordinance amending Article 20 Landscaping, Section 20-3 General Conditions, Section 20-6 Planting Requirements within Parking Areas, and Section 20-7 Timing for Establishing Landscaping; Article 28 Site Plans, Section 28-1 Intent, Section 28-2 Applicability, Section 28-5 Submission Requirements, and Section 28-6 Standard Review of the Zoning Regulations, Ordinance No. 3501-05, for the City of Ottawa.

During discussion it was explained the Planning Commission recommended approval of this ordinance with a 7-0 vote. 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. 3802-11.

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

Thereupon, City Manager Richard Nienstedt reported on the following:

- Joint luncheon scheduled for November 16, 2011 was canceled
- Thanked the Governing Body for taking the time to recognize our employees and their accomplishments

### **Commissioner's Report**

Thereupon, Commissioner Caylor reported on the following:

- Many families are enjoying the Kanza Park playground
- Expressed appreciation of all services by employees of the City

Thereupon, Commissioner Richards reported on the following:

- Great celebration for Veterans Week with the involvement of many local organizations
- Encouraged citizens to support our community by shopping locally

Thereupon, Commissioner Jorgensen reported on the following:

- Thanked the City employees for their longevity of service
- Wished everyone a happy Thanksgiving

### **Mayor's Report**

Thereupon, Mayor Ramsey wished everyone a happy Thanksgiving.

### **Announcements**

Thereupon, the Mayor announced:

- November 17, 2011: League of Kansas Municipalities (LKM) Legislative Supper, Leawood, Ks at 5:30pm
- November 21, 2011: Study Session at 4 pm
- November 24-25, 2011: Thanksgiving – City offices closed
- November 28, 2011: Study Session at 4 pm
- November 29, 2011: Special Call Meeting – Annual Legislative Dinner, Neosho County Community College at 5:30 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting at 10:23 am.

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Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
November 21, 2011**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, Commissioner Reed, and Commissioner Caylor. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

None offered at this time.

**Report-National League of Cities (NLC) Congress of Cities**

Thereupon, the Governing Body heard from Commissioner Caylor and City Manager Richard Nienstedt who reported on the recent National League of Cities (NLC) Congress of Cities Conference in Phoenix, AZ.

**City Manager's Report**

Thereupon, City Manager Richard Nienstedt discussed the 2012 Legislative Priorities for the Annual Legislative Dinner on November 29, 2011.

Thereupon, the Governing Body heard from City Attorney Bob Bezek who discussed solicitation in street intersections. Thereupon, the Governing Body agreed by consensus to have the City Attorney bring information back to the Governing Body for review.

**Commissioner's Reports**

Thereupon, Commissioner Jorgensen discussed the importance of community branding.

**Announcements**

Thereupon, the Mayor announced:

- November 24-25, 2011: Thanksgiving – City offices closed
- November 28, 2011: Study Session at 4 pm
- November 29, 2011: Annual Legislative Dinner, Neosho County Community College at 5:30 pm

**Open Agenda**

Thereupon, Director of Finance Scott Bird proposed a public hearing to be held at the next Regular Meeting on December 7, 2012 for consideration of the Mac Fasteners tax abatement application. Thereupon, the Governing Body agreed by consensus to place this item.

November 21, 2011

Unofficial until approved

**Adjournment**

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting.

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Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
November 28, 2011**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, and Commissioner Caylor. Commissioner Reed was absent. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

None offered at this time.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the October 31, 2011 Study Session and the November 2, 2011 Regular Meeting and agreed to place these items on the next Regular Meeting Agenda on December 7, 2011.

**Ordinance-Rezoning Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including address 2194 US 59 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Rezoning Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including addresses 2520 Eisenhower Road, 2489 Old US 50 Highway, 2459 Old US 50 Highway and 2449 Old US 50 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Rezoning Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including addresses 2551 Kingman Road, 2515 Eisenhower Road, 2597 US 59 Highway, 2599 US 59 Highway, 2571 US 59 Highway, 2573 US 59 Highway, 2545 US 59 Highway, 2646 S Princeton Road, 2598 US 59 Highway, 2526 US 59 Highway and 2619 Kingman Road. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Tax Abatement-Mac Fasteners**

Thereupon, the Governing Body reviewed an application for a tax abatement for Mac Fasteners and agreed to place this item on the next Regular Meeting Agenda.

November 28, 2011

Unofficial until approved

During discussion it was announced the public hearing will be held at the next Regular Meeting on December 7, 2011.

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

Thereupon, City Manager Richard Nienstedt reported on the following:

- November Sales Tax report
- 2012 Legislative Priorities for the Annual Legislative Dinner on November 29, 2011 at 5:30 pm
- Electronic avenues for community interaction and feedback

### **Commissioner's Report**

Thereupon, Commissioner Richards discussed advertising the sale of the old City Hall building.

### **Announcements**

Thereupon, the Mayor announced:

- November 29, 2011: Annual Legislative Dinner, Neosho County Community College at 5:30 pm
- December 5, 2011: Study Session at 4 pm
- December 7, 2011: Next Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Richards made a motion, seconded by Commissioner Caylor, to adjourn the meeting.

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Carolyn S. Snethen, City Clerk

**Special Call Meeting**  
**2011 Legislative Dinner - 5:30 pm-November 29, 2011**  
**Neosho County Community College-Auditorium, 900 E Logan St, Ottawa, Kansas**  
**City of Ottawa-Franklin County-USD 290**

*Those in attendance are as follows:*

**State Senators**

Pat Apple, 12<sup>th</sup> District  
Jeff King, 15<sup>th</sup> District

**Ottawa City Commission and Staff**

Gene Ramsey, Mayor  
Blake Jorgensen, Mayor Pro-Tem  
Sara Caylor, Commissioner  
Jeffrey O. Richards, Commissioner  
Richard U. Nienstedt, City Manager  
Scott Bird, Director of Finance  
Wynndee Lee, Director of Planning/Codes  
Carolyn Snethen, City Clerk  
Leslie Quillen, Asst. to the City Manager

**Franklin County Commission and Staff**

Don Stottlemire, Vice Chair, 5<sup>th</sup> District  
Steve Harris, Commissioner, 4<sup>th</sup> District  
David Hood, Commissioner, 3<sup>rd</sup> District  
Colton Waymire, Commissioner, 1<sup>st</sup> District  
Lisa Johnson, County  
Administrator/Counselor  
Shari Perry, County Clerk

**Media**

Doug Carder, Ottawa Herald  
Mat Simonson, City Media Specialist

**Franklin County School District Superintendents**

Jim White, Superintendent, USD 288  
Tom Heiman, Superintendent, USD 289  
Susan Rader, Board of Education, USD 289  
Juanita Peckham, Board of Education, USD 289

**State Reps**

Bill Feuerborn, 5th District Rep  
Bill Otto, 9th District Rep

**USD 290 Board of Education and Staff**

Brandon Jones, Board President  
Dennis George, Board Member  
Marge Stevens, Board Member  
Brian Kane, Board Member  
David White, Board Member  
Dean Katt, Superintendent

**Special Guests**

Bob Bezek, City Attorney, City of Ottawa  
Almeda Edwards, Chamber of Commerce  
Legislative Action Committee  
Dale Ernst, Dean – Ottawa Campus, NCCC  
Terri Chartier, Interim Director,  
Ottawa Library  
Tom Weigand, President/CEO Ottawa Area  
Chamber of Commerce  
Cierra Gardner, Youth in Government Rep  
Jordan Gray, Youth in Government Rep  
Abagael Pruitt, Youth in Government Rep  
Alex Reed, Youth in Government Rep  
Brooke Sage, Youth in Government Rep  
Danon Taylor, Youth in Government Rep

November 29, 2011

Unofficial until approved

## **City of Ottawa 2012 Legislative Priorities**

1. The City of Ottawa believes that there should not be any further legislative changes which place further restrictions on the ability of a City to annex contiguous property in accordance with existing statutes.
2. The City supports the continuation of a comprehensive funding program that addresses local and state transportation needs throughout the State. The City also supports the State continuing to share fuel tax receipts with local units of government and empowerment to local units for the establishment of a local fuel tax with approval by public vote. Furthermore, the Legislative authorization of sweeping transportation funds into the State General Fund should be discontinued in order to protect the integrity of the existing transportation program.
3. The City encourages the legislature to undertake a thorough study of existing sales tax exemptions with the intent of restoring the revenue base for both local and state governments by repealing exemptions on non-essential items.
4. The City strongly opposes changes to how E-911 funds are administered and distributed.
5. The City strongly suggests that when consideration is being given to changing and/or eliminating state revenue sources (state income, property and fuel taxes), the effects upon local units of government be considered, especially those social programs traditionally funded at the state level. We also ask for a voice in the discussion as these issues are addressed.
6. The City encourages the 2012 Legislature to continue to fund domestic violence prevention programs and maintain levels that permit the Kansas Attorney General's Office to maintain existing partnerships with local governments.

## **Franklin County 2012 Legislative Priorities**

1. Franklin County recognizes the State as primarily responsible for the care of mentally ill citizens. The State must provide access to state psychiatric hospital beds to all clients of the mental health system requiring hospitalization, or assume fiscal responsibility for treatment of these clients if all state hospital beds are filled. We support full funding in state grants for community mental health services who annually serve 60,000 uninsured and underinsured county residents not eligible for Medicaid. State licensing requirements dictate that CMHCs provide services to anyone regardless of their ability to pay, resulting in an unfunded mandate from the State to counties to provide community mental health treatment. In addition, individuals with mental illness who cannot be treated in their communities because of no insurance or no state grant funds may end up in contact with law enforcement, jails, hospital emergency rooms, state psychiatric hospitals or dead, all of which impact county governments.
2. Historically, felons served their sentences with the Kansas Department of Corrections; however, state laws have been modified in recent years to move convicted felons to county jails. Franklin County supports state funding to reimburse counties for the entire cost of housing convicted felons. Further, the state should keep accurate records of the number of felons in county jails and make such information available to the public.
3. Franklin County supports continued funding of the Local Environmental Protection Program by the Kansas Water Office to continue local public health and county water quality programs. We oppose the transfer of LEPP funding from the State Water Office to the KDHE General Fund Budget.
4. There is great stress on the property tax as a means of financing county services. There is also tremendous diversity among counties' economic bases, which makes a uniform approach to funding local services infeasible. As such, Franklin County supports legislation to provide a statutory menu of taxing and revenue options to finance county services which could be exercised by boards of county commissioners on a county by county basis.
5. Franklin County opposes any new unfunded mandates by the State. In addition, unfunded mandates now in existence should be funded by the State in recognition of the state/local partnership.

6. Franklin County opposes any further exemptions to the ad valorem property tax base or the state/local sales tax base. We support a thorough and comprehensive review of all exemptions and repeal of those exemptions that would not merit a state appropriation. Exemptions only shift the burden of financing vital services to an increasingly narrow tax base. We oppose any legislation that sweeps fees intended for distribution to local government into the state general fund for use by the state.

### **Franklin County Schools 2012 Legislative Priorities**

The four school districts in Franklin County had a combined total of **60** Standard of Excellence Awards on the 2011 Kansas State Assessments—up from 42 in 2010.

**Wellsville** received **18** Standard of Excellence Awards

**West Franklin** received **13** Standard of Excellence Awards

**Central Heights** received **7** Standard of Excellence Awards

**Ottawa** received **22** Standard of Excellence Awards

1. Franklin County Schools Oppose Changing the School Finance Formula
  - Fund the Current Formula
  - Add the additional \$25 million needed to maintain the current level of funding
  - A \$36 cut on the BSAPP would be a reduction in funding this year

Wellsville – \$51,000	Central Heights - \$22,000
West Franklin – \$49,816	Ottawa - \$120,000
2. Franklin County Schools Oppose Shifting the Tax Burden to Local School District Taxpayers. Maintain State Aid Equalization for local property taxes.
3. Fund All-Day Kindergarten and Support Early Childhood Programs  
Add additional funding to the programs that have the greatest impact on student success.
4. Develop a Multi-Year Finance Plan  
A multi-year plan will enable districts to plan ahead and manage cash balances more efficiently.

Thereupon, the Mayor thanked everyone for attending and adjourned the meeting at 7:37 pm.

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Carolyn S. Snethen, City Clerk

November 29, 2011

Unofficial until approved

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
December 5, 2011**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, Commissioner Caylor, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

None offered at this time.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the November 7 and November 14, 2011 Study Sessions and agreed to place these items on the next Regular Meeting Agenda on December 7, 2011.

**Cereal Malt Beverage-Not for Consumption**

Thereupon, the Governing Body reviewed applications for license renewal to sell Cereal Malt Beverages in original and unopened containers, not for consumption on the premises. Each application was reviewed by the Police Department and City Attorney, with no cause for denial discovered. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Consent Agenda.

The applications were received from the following businesses:

- Taylor Oil, Inc. d/b/a Amoco, 2305 S Cedar
- Wal-Mart Stores, Inc., 2101 Princeton Road
- C & J Management, d/b/a Country Mart, 2138 Princeton Circle Drive
- Gasmart USA, 2243 Princeton
- Damani, Inc, d/b/a Logan Street 66, 304 E Logan
- Casey's General Store, 334 N Main
- Casey's General Store, 940 N Main
- Casey's General Store, 1019 W 7<sup>th</sup>
- Leiszler Oil Co, Inc. d/b/a Short Stop #23, 1621 S Main
- C-Prop Holdings LLC, d/b/a Ottawa Mini Mart, 2120 Princeton Road
- Walgreen's, 1445 S Main
- Love's Travel Stop #258, 203 E 27<sup>th</sup> Street
- Zarco 66, Inc., 2518 E Logan
- Bishop's Brew, 120 E Dundee

December 5, 2011

Unofficial until approved

### **Cereal Malt Beverage-For Consumption**

Thereupon, the Governing Body reviewed applications for license renewal to sell Cereal Malt Beverages for consumption on the premises. Each application was reviewed by the Police Department and City Attorney, with no cause for denial discovered. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Consent Agenda.

The applications were received from the following businesses:

- Pizza Village, Inc., 330 S Main
- Ping Enterprise, d/b/a China Palace, 910 S Main
- NPC International d/b/a Pizza Hut #4739, 2314 S Princeton Road
- Windmill Café, 1010 N Main
- John Duncan, d/b/a Pizza Time Pub, 208 S Main
- RR Management, LLC, d/b/a Poncho's of Ottawa, 429 S main
- Bishop's Brew, 120 E Dundee

### **Resolution-Describing City Limits**

Thereupon, the Governing Body reviewed a resolution describing the City limits, including property annexed in 2011 and agreed to place this item on the next Regular Meeting Agenda.

### **Ordinance-Solicitation**

Thereupon, the Governing Body reviewed an ordinance prohibiting solicitation on streets, intersections and alleys except by obtaining a permit from the City Commission and agreed to place this item on the next Regular Meeting Agenda.

### **Grant Application-Law Enforcement**

Thereupon, the Governing Body reviewed a grant application to the Commission on Accreditation of Law Enforcement Agencies (CALEA) to partially fund the fees associated with accreditation of the Ottawa Police Department. Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Richards, to give Chief Butler and Mayor Ramsey the authority to execute the document. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the authority to execute the document duly granted.

### **Monthly Financial and Activity Report-October**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of October.

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

Thereupon, City Manager Richard Nienstedt shared his appreciation for receiving the Buford R. Watson Jr. Award for Excellence in Public Administration.

### **Commissioner's Report**

Commissioner Caylor reported on the following:

- Citizen concern regarding Allegiance Communications and the service they provide
- Citizen inquiry regarding AT&T U-Verse in our community

Commissioner Richards reported on the following:

- Commended Main Street Association for businesses remaining open later to accommodate holiday shopping
- Residence at 633 N Main shows signs of work being done with a "Do Not Occupy" order posted

Commissioner Jorgensen reported on the following:

- Success of the recent Legislative Dinner
- Will begin representing the City as a Board Member of the League of Kansas Municipalities on December 8, 2011.

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to recess into Executive Session for a period of 10 minutes to discuss attorney-client privilege with the City Attorney and City Manager present, and to reconvene into Open Session at 5:25 pm in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to reconvene at 5:25 pm into Regular Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

#### **Recess**

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Caylor, to recess back into Executive Session to continue discussion related to attorney-client privilege for a period of 10 minutes with the City Attorney and City Manager present, and to reconvene into Regular Study Session at 5:35 pm in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Richards, to reconvene at 5:35 pm into Regular Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

December 5, 2011

Unofficial until approved

**Adjournment**

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to adjourn the meeting at 5:42 pm.

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Carolyn S. Snethen, City Clerk

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of December 7, 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 Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. 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**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to approve the consent agenda. The consent agenda included the agenda and minutes from the October 31, November 7 and November 14, 2011 Study Sessions; November 2, 2011 Regular Meeting; applications for license to sell Cereal Malt Beverages in original and unopened containers, not for consumption on the premises; and applications for license to sell Cereal Malt Beverages, for consumption on the premises. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

**Public Comments**

Thereupon, the Governing Body heard from Senator Jerry Moran's District Representative Bill Maness who explained his interest in learning about and representing Ottawa.

**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-Mac Fasteners Tax Abatement**

Thereupon, Mayor Ramsey announced a public hearing for the consideration of an application for a tax abatement for Mac Fasteners.

Thereupon, Mayor Ramsey opened the public hearing at 7:08 pm.

The Governing Body heard from Director of Finance Scott Bird who provided a brief overview of the proposed tax abatement.

The Governing Body then heard from Norman Wooge, 3790 Pawnee, who spoke in opposition of the Mac Fasteners tax abatement.

December 7, 2011

Unofficial until approved

During discussion, Mr. Bird explained more information will be brought to the Governing Body at a later time and no action is requested at this time.

There being no one else to speak to this issue Mayor Ramsey closed the public hearing at 7:12 pm.

**Public Hearing-Amendments to 2011 Budget**

Thereupon, Mayor Ramsey announced a public hearing for the consideration of amendments to the 2011 Budget.

Thereupon, Mayor Ramsey opened the public hearing at 7:13 pm.

During discussion, Director of Finance Scott Bird explained additional expenditures are to be made from existing revenues and beginning cash carryover and cannot and do not require additional tax levies.

There being no one else to speak to this issue Mayor Ramsey closed the public hearing at 7:15 pm.

**Adoption-Amended 2011 Budget**

Thereupon, the Governing Body considered the adoption of the Amended 2011 Budget. Commissioner Caylor made a motion, seconded by Commissioner Richards, to adopt the Amended 2011 Budget. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Amended 2011 Budget duly adopted.

**Ordinance-Municipal Code**

Thereupon, the Governing Body reviewed an ordinance amending Chapter 11, Article 4 of the Ottawa Municipal Code prohibiting solicitation on the streets, intersections, and alleys except by obtaining a permit from the City Commission. Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained the ordinance prohibits solicitation in the streets of Ottawa, except when an application is presented and permission is granted in writing by the City Commission. The motion was considered and upon being put, passed by the following vote: Commissioner Jorgensen aye, Commissioner Caylor aye, Commissioner Reed aye, Commissioner Richards aye, Mayor Ramsey nay. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3803-11.

**Ordinance-Rezoning Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance rezoning 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. Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained the address in this rezone is 2194 US 59 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. 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. 3804-11.

**Ordinances-Rezone within City of Ottawa and Urban Growth Area**

Thereupon, the Governing Body reviewed ordinances to rezone areas within the City of Ottawa and 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 Richards made a motion, seconded by Commissioner Caylor, to adopt the ordinances.

During discussion it was explained the addresses in this rezone include:

**Addresses within the City**

2571 US 59 Highway  
2573 US 59 Highway  
2545 US 59 Highway

**Addresses within the Urban Growth**

2551 Kingman Road  
2515 Eisenhower Road  
2597 US 59 Highway  
2599 US 59 Highway  
2646 S Princeton Road  
2598 US 59 Highway  
2526 US 59 Highway  
2619 Kingman Road

The Planning Commission recommended approval with a vote a 7-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance with properties located “within the City” and the ordinance “within the Urban Growth Area” duly adopted. Thereupon, the Mayor declared the ordinances duly numbered (within the city) Ordinance No. 3805A-11 and (within Urban Growth) Ordinance No. 3805-11.

### **Ordinance-Rezoning Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance rezoning 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. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained addresses in this rezone include: 2520 Eisenhower Road, 2489 Old US 50 Highway, 2459 Old US 50 Highway and 2449 Old US 50 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. 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. 3806-11.

### **Resolution-Territorial Limits & Boundaries of the City of Ottawa, Kansas**

Thereupon, the Governing Body reviewed a resolution defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas, and rescinding Resolution No. 1397-06. Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the resolution.

During discussion it was explained according to Kansas Statue K.S.A. 12-517, before the last day of December in any given year in which any property has been annexed into the City, the Governing Body shall declare by resolution the entire boundary of the City. Approximately 140.79 acres were annexed into the City of Ottawa in 2011. This resolution defines the current City limits. 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. 1561-11.

### **Commissioner's Report**

Thereupon, Commissioner Richards announced the downtown stores will be open late Wednesday night and encouraged the citizens to shop locally.

### **Mayor's Report**

Thereupon, Mayor Ramsey congratulated City Manager Richard Nienstedt for receiving the Buford Watson City Manager of the Year Award and announced a reception in his honor will be held January 4, 2012.

### **Announcements**

The Mayor announced:

- December 12, 2011: Study Session at 4 pm
- December 19, 2011: Study Session at 4 pm
- December 21, 2011: Regular Meeting at 9:30 am
- December 26, 2011: Christmas Holiday (observed) – City offices closed
- December 26, 2011: Study Session canceled
- January 2, 2012: New Year’s Day (observed) – City offices closed
- January 2, 2012: Study Session canceled

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor to recess into Executive Session for a period of 15 minutes to discuss attorney-client privilege with the City Attorney and City Manager present and to reconvene into Open Session at 7:45 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor to reconvene at 7:45 pm into Regular Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

#### **Recess**

Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Reed, to recess back into Executive Session to continue discussion related to attorney-client privilege for a period of 10 minutes with the City Attorney and City Manager present and to reconvene back into Open Session at 7:57 pm.

#### **Reconvene**

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Caylor to reconvene at 7:57 pm into Regular Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

### **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 at 7:58 pm.

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Carolyn S. Snethen, City Clerk

December 7, 2011

Unofficial until approved

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
December 12, 2011**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, Commissioner Caylor, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

None offered at this time.

**Guest Speaker**

Thereupon, the Governing Body heard from State Senator Pat Apple, 12<sup>th</sup> District, who discussed the Southeast Economic Summit scheduled for November 17, 2011 in Iola, Kansas.

**Quarterly Recognition-City Employees**

Thereupon, the Governing Body reviewed a request to place the quarterly recognition of City employees who have recently completed professional development programs and introduction of new employees on the next Regular Meeting Agenda. The Governing Body agreed to place this item on the next Regular Meeting Agenda on December 21, 2011.

**Resolution-Depository Institutions**

Thereupon, the Governing Body reviewed a resolution defining depository institutions for and funds held by the City of Ottawa, Kansas and agreed to place this item on the next Regular Meeting Agenda.

**Applications-Neighborhood Revitalization Program**

Thereupon, the Governing Body reviewed applications for the Neighborhood Revitalization Program including two commercial structures and two residential structures which have been recommended for inclusion in the program by the Review Committee. The Governing Body agreed to place these items on the next Regular Meeting Agenda.

**Service Line Warranty Program**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who gave an overview of the National League of Cities utility service line warranty program. After discussion, the Governing Body asked for additional information.

**Commissioner's Report**

Commissioner Jorgensen reported on prevalent issues for discussion at the 2012 Legislative Meeting.

Commissioner Richards reported that Crist Auto has moved from its location at I-35.

December 12, 2011

Unofficial until approved

### **Mayor's Report**

Mayor Ramsey reported on the following:

- Christmas banners are displayed
- Thanked the electric crew for their work on the banners
- Inquired on status of 15<sup>th</sup> Street Sidewalk Project
- Joint luncheon is canceled
- OFCED "Labor Shed " Meeting scheduled for December 21, 2011 at the Country Club at 1:30 pm

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor, 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 5:21 pm in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Richards, to reconvene at 5:21 pm into Regular Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Richards made a motion, seconded by Commissioner Reed, to adjourn the meeting at 5:21 pm.

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Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
December 19, 2011**

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Jorgensen, Commissioner Caylor, and Commissioner Reed. A quorum was present.

Mayor Ramsey called the meeting to order.

**Public Comments**

Thereupon, Commissioner Caylor introduced the new Main Street Program Director Becci Shisler.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the November 16, 2011 Regular Meeting and agreed to place this item on the next Regular Meeting Agenda on December 21, 2011.

**Ordinance-Zoning Regulations on Permitted Uses**

Thereupon, the Governing Body reviewed an ordinance amending zoning regulations on permitted uses in the Countryside District and accessory uses and fences in the Urban Growth Area and agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Rezone Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning. Addresses in this Phase 24 rezone include: 2387 Old US-50 Highway, 2402 Old US-50 Highway, 2439 Old US-50 Highway, 2434 Old US-50 Highway, 2428 Old US-50 Highway, 2424 Old US-50 Highway, 2415 Old US-50 Highway, 2393 Old US-50 Highway, and 2389 Old US-50 Highway. The Planning Commission recommended approval of these rezones with a 6-0 vote. Staff requested this item be placed on the January 4, 2012 Regular Meeting Agenda. The Governing Body agreed to place this item on the January 4, 2012 Regular Meeting Agenda.

**Ordinance-Rezone Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning. Addresses in this Phase 25 rezone include: 2430 Eisenhower Ave, 2360 Labette Road, 2404 Labette Road, 2700 Eisenhower Ave, 2446 Labette Road, 2450 Labette Road, 2454 Labette Road, 2420 Labette Road, and 2410 Labette Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. Staff requested this item be placed on the January 4, 2012 Regular Meeting Agenda. The Governing Body agreed to place this item on the January 4, 2012 Regular Meeting Agenda.

December 19, 2011

Unofficial until approved

### **Resolution-Wastewater Rate Schedule**

Thereupon, the Governing Body reviewed a resolution increasing the wastewater rate schedule for 2012-2016 and agreed to place this item on the January 4, 2012 Regular Meeting Agenda. The purpose of the increases is to provide for general operations and to fund improvements to the Eastside interceptor.

### **2012 Citizen Survey**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who discussed plans to conduct a 2012 Citizen Survey. Mr. Nienstedt will bring a final version at a later date for review.

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

Thereupon, City Manager Richard Nienstedt reported on the Community Corrections position.

### **Commissioner's Report**

Commissioner Caylor reported on the following:

- An incident of street solicitation at 23<sup>rd</sup> Street last week that was promptly handled by the Police Department.
- The City allows the Winter Adventures program to use the Ottawa Municipal Auditorium for activities.

### **Youth in Government**

The Governing Body heard from Youth in Government (YIG) Representative Ciera Gardner who asked the Commission how YIG could take part in stamping the cement for the Safer Routes to School program.

The Commissioners offered the following suggestions for additional service projects YIG could become involved in:

- Back Pack Snack project to battle hunger in schools
- "Bicycle Rodeo" to promote Safer Routes to School
- Educational and promotional aspects of Safer Routes to School program
- Organizing donations for Hope House
- YIG form a partnership with the Play Taskforce

### **Mayor's Report**

The Mayor inquired on the timeline of the 15<sup>th</sup> Street Sidewalk project.

Director of Planning/Codes/Inspections Wynndee Lee discussed the impact of the temperature and weather on the project and explained the City's Engineer is monitoring the progress closely.

**Announcements:**

The Mayor announced:

- December 21, 2011: Regular Meeting at 9:30 am
- December 21, 2011: Special Call Meeting – Labor Shed luncheon meeting, Great Life Fitness, 1001 E Logan Street, Noon-1:30 pm
- December 26, 2011: Christmas Holiday (observed) – City offices closed

**Adjournment**

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adjourn the meeting.

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Carolyn S. Snethen, City Clerk

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of December 21, 2011**

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. 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 Michael Schooley, Crosspointe Community Church.

**Consent Agenda**

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to approve the consent agenda. The consent agenda included the agenda and minutes from the November 16, 2011 Regular Meeting. 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**

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.

**Fourth Quarter Recognition of City Employees**

Thereupon, the Governing Body recognized the fourth quarter City employees who have been promoted or have recently completed educational and professional development programs, and those new to the City. The following employees were recognized:

**Tony Hurtado, Police Department**

Tony recently completed the Glock Armorer's Certification Course.

**David Buehler, Utilities/Water Production**

David has completed the Utility Management Certification program by passing the UMC Certification exam administered by Water University, a program supported by the National Rural Water Association and the state rural water association.

December 21, 2011

Unofficial until approved

**Wynndee Lee, Director, Planning and Codes**

Wynndee was presented the Ottawa University Distinguished Service Award in October at the Ottawa University Alumni Banquet. This award honors alumni for exceptional service to their church and community. Wynndee was recognized for her service through Rotary, Habitat for Humanity, United Way, First Baptist Church, and her service on the OU Board of Trustees and its committees.

**Jim Bradley, Director, Utilities**

Jim was awarded the Max Embree Award, named after the highly regarded Max Embree. Employees of KMEA member Cities who has been active in the Agency for at least 5 years are eligible. Nominees must possess skills in administration, public relations, accounting; human resources; and community leadership, and possess a strong desire to increase the positive image of Public Power in the state of Kansas.

**Richard U. Nienstedt, City Manager**

Richard was awarded the Buford Watson, Jr. Award for Excellence in Public Management/ City Manager of the Year Award. This award is given each year by the Kansas Association of City Managers to a local government manager who has displayed the attributes of the late Buford M. Watson, Jr. (former City Manager of Lawrence, KS) which includes serving as a role model in dealing with constituents, valuing customer satisfaction and encouraging new members of the profession.

**Clancy Moore, Public Works/Streets Department**

Clancy joined the City on October 10 as an Equipment Operator I.

**Applications-Neighborhood Revitalization Program**

Thereupon, the Governing Body reviewed applications for the Neighborhood Revitalization Program. Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the applications.

During discussion it was explained two commercial structures (126 N Poplar and 412 S Main) and two residential structures (528 S Oak and 733 Liberty) have been recommended for inclusion in the program by the Review Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

**Ordinance-Zoning Regulations**

Thereupon, the Governing Body reviewed an ordinance amending Article 8, Country Side District, Section 8-201, Permitted Uses; and Article 24, Supplemental District Regulations, Section 24-6, Accessory Uses, and Section 24-705 for Certain Fences Prohibited, of the Zoning Regulations, Ordinance No. 3501-05 for the City of Ottawa, Kansas. Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

December 21, 2011

Unofficial until approved

During discussion it was explained the proposed amendments to the City's regulations are related to farm animals and fences. The Planning Commission recommended this amendment with a 6-0 vote. 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. 3807-11.

### **Resolution-Depository Institutions**

Thereupon, the Governing Body reviewed a resolution defining depository institutions for and funds held by the City of Ottawa, Kansas. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the resolution.

During discussion it was explained this is an administrative update of those persons in the organization who have the authority to act on behalf of the City concerning bank accounts and other business transactions. The change is necessary due to a change in Finance personnel. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was numbered Resolution No. 1562-11.

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

The City Manager reported on the following:

- Labor Shed luncheon meeting at Great Life Fitness, 1001 E Logan Street, December 21, 2011 from Noon-1:30
- Wished everyone a Merry Christmas.
- Thanked the Commission and Staff for all of the hard work done on behalf of our community.

### **Commissioner's Reports**

Commissioner Caylor reported on the following:

- Thanked the City Manager for all he does for the community and congratulated him on his recent award.
- Watch for more children to be out during Winter Break.

Commissioner Reed wished everyone a Merry Christmas.

Commissioner Richards reported on the following:

- Winter Adventures program starts this evening for children.
- Wished everyone a Merry Christmas and a Happy New Year.

Commissioner Jorgensen reported on the following:

- He attended the ATC Truck Covers reception last night with City Manager Richard Nienstedt and Director of Planning/Codes/Inspections Wynndee Lee.
- Welcomed ATC Truck Covers to our Industrial Park as a nice addition.
- Wished everyone a Merry Christmas.

### **Mayor's Report**

The Mayor reported on the following:

- Wished everyone a Merry Christmas and a Happy New Year.
- Congratulated the City Manager on his recent honor.

### **Announcements**

The Mayor announced the following:

- December 21, 2011: Special Call Meeting – Labor Shed luncheon meeting at Great Life Fitness, 1001 E Logan Street, from Noon-1:30 pm
- December 26, 2011: Christmas Holiday (observed) – City offices closed
- December 26, 2011: Study Session canceled
- January 2, 2012: New Year's Day (observed) – City offices closed
- January 2, 2012: Study Session canceled
- January 4, 2012: Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Reed, to adjourn the meeting at 9:56 am.

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Carolyn S. Snethen, City Clerk

**City Commission**  
**Special Call Minutes**  
**December 21, 2011**  
**Great Life Fitness, 1001 E Logan Street**  
**Ottawa, Kansas**

The Governing Body met at 12 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Caylor, Commissioner Richards, and Commissioner Jorgensen. Commissioner Reed was absent. A quorum was present.

The Governing Body was in attendance at this Special Call meeting in order to participate in the OFCED Labor Shed luncheon.

Thereupon, the Governing Body adjourned the meeting at 1:30 pm.

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Carolyn S. Snethen, City Clerk



# PROCLAMATION



WHEREAS, Boy Scouting was founded in 1907 by British General Robert Baden Powell. Partially due to a selfless act of duty by a British boy forever known as the Unknown Scout, Scouting arrived in the United States on February 8, 1910; and

WHEREAS, President Woodrow Wilson first proclaimed Boy Scout Week in 1919, in recognition of Scout service during World War I; and

WHEREAS, throughout its rich history, Scouting has staunchly promoted loyalty, trustworthiness and reverence toward God; and

WHEREAS, for more than 100 years, Boy Scouts of America has provided training to youth in leadership development, service to others and civic responsibility; and

WHEREAS, many Ottawa youth have participated in Scouting programs through the years, and have gone on to become accomplished leaders that serve and have served our community; and

WHEREAS, the ideals of Scouting are alive in Ottawa today.

NOW, THEREFORE, the Governing Body of the City of Ottawa, Kansas does hereby proclaim February 5-11, 2012 to be:

## BOY SCOUT WEEK

in the City of Ottawa, Kansas and urges all citizens to join in celebrating and supporting Boy Scout programs and activities in our community.

SIGNED this 1<sup>st</sup> day of February 2012.

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Gene Ramsey, Mayor

# Proposed Financing Plan

## City of Ottawa, Kansas General Obligation Improvement and Refunding Bonds Series 2012A&B

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Detail Costs of Issuance.....	7



**George K. Baum & Company**  
INVESTMENT BANKERS SINCE 1928

4801 Main Street, Suite 500  
Kansas City, Missouri 64112  
816-474-1100

**City of Ottawa, Kansas**  
**General Obligation Improvement and Refunding Bonds**  
**Series 2012A&B**

**Overview of Financing Plan**

**Purpose and Structure of Series 2012A Bonds**

- Permanent funding for airport improvement projects
- Bond proceeds will be used to retire outstanding General Obligation Renewal Temporary Notes, Series 2011-A
- Bonds structured to be repaid over 10 years
- Due to nature of improvements, bonds will not be designated as "bank qualified"

**Purpose and Structure of Series 2012B Bonds**

- Refinance City's outstanding General Obligation Bonds, Series 2003
- Reduce interest cost from 4.55% to approximately 2.10%
- Save approximately \$40,000
- Save on bond issuance costs by combining issue with airport project bonds
- Bonds will be "bank-qualified"

**Bond Distribution Plan**

- Give first priority to local investors to purchase bonds
- Have UMB Bank serve as underwriter in negotiated sale  
(UMB has correspondent relationships with most all banks in town)
- Bonds not sold locally will be distributed into general market by UMB

**CITY OF OTTAWA, KANSAS  
GENERAL OBLIGATION IMPROVEMENT AND REFUNDING BONDS  
SERIES 2012A&B**

**CALENDAR OF EVENTS**

<u>Date</u>	<u>Event</u>	<u>Responsible Parties*</u>	
<b>JAN</b>	10	Begin Data Collection	I, FA
		Bond Sizing Calculation Completed	I, BC, FA
	<b>23</b>	<b>Introduce Financing Plan to Commission at Work Session</b>	<b>I, BC, FA</b>
		Draft of Preliminary Official Statement Distributed for Comment	FA
	31	Draft Resolution Authorizing Sale of Bonds Distributed	BC
		Draft Notice of Private Placement Distributed	BC
<b>FEB</b>	7	Comments Due on Resolution Authorizing Sale of Bonds	I, BC, FA, U
	8	Information Forwarded to Rating Agency	FA
		Final Resolution Authorizing Sale of Bonds Forwarded to City	BC
	<b>15</b>	<b>Commission Passes Resolution Authorizing Sale of Bonds</b>	<b>I</b>
	16	Comments Due on Draft Notice of Private Placement	I, BC, FA, U
		Notice of Private Placement Forwarded to Local Paper and Kansas Register	BC
	20	Draft Bond Resolution and Ordinance Distributed	BC
	21-23	Bond Rating Call	I, FA
	23	Notice of Private Placement Published in Local Paper and Kansas Register	I verifies
	24	Comments Due on Draft Preliminary Official Statement	I, BC, FA, U
	27	Receive Bond Rating	I, FA
	Preliminary Official Statement Distributed to Potential Purchases	U	
<b>MAR</b>	2	Comments Due on Draft Bond Resolution and Ordinance	I, BC, FA, U
	5-7	Bond Offering	I, BC, FA, U
	7	Final Bond Resolution and Ordinance Forwarded to City for Approval	BC
		<b>Sale Results Presented to Commission</b>	<b>I, BC, FA</b>
		<b>Commission Passes Bond Resolution and Ordinance</b>	<b>I</b>
	8	Transcript Assembly Begins	BC
		Final Official Statement to Printer	BC
	21	Registration Instructions to State Treasurer	U
		Printing Complete-Bonds Forwarded to State Treasurer	BC
		Transcript Assembly Complete	BC
	Transcript Forwarded to Attorney General	BC	
22	Closing Memorandum Distributed	FA	
26	Transcript Approved	BC verifies	
	Bond Registration Complete-Bonds Forwarded to DTC	-	
29	Closing and Delivery of Funds	I, BC, FA, U	
<b>APRIL</b>	1	Redemption of Series 2011A Notes	-

JANUARY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

MARCH						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**NOTE: Bold items indicate actions or meetings of City Commission**

**\*Key:**

- I = Issuer, City of Ottawa
- BC = Bond Counsel, Kutak Rock
- FA = Financial Advisor, George K. Baum & Company
- U = Underwriter, UMB Bank

December 28, 2011

**City of Ottawa, Kansas**

General Obligation Improvement & Refunding Bonds  
Series 2012A&B

**Total Issue Sources And Uses**

Dated 03/15/2012 | Delivered 03/29/2012

	Series 2012A Airport	Series 2012B Refunding	Issue Summary
<b>Sources Of Funds</b>			
Par Amount of Bonds	\$875,000.00	\$820,000.00	\$1,695,000.00
Accrued Interest from 03/15/2012 to 03/29/2012	520.82	541.33	1,062.15
<b>Total Sources</b>	<b>\$875,520.82</b>	<b>\$820,541.33</b>	<b>\$1,696,062.15</b>
<b>Uses Of Funds</b>			
Total Underwriter's Discount (0.800%)	7,000.00	6,560.00	13,560.00
Costs of Issuance	18,794.61	21,659.14	40,453.75
Deposit to Debt Service Fund	520.82	541.33	1,062.15
Deposit to Project Construction Fund	846,055.00	-	846,055.00
Deposit to Net Cash Escrow Fund	-	790,906.63	790,906.63
Rounding Amount	3,150.39	874.23	4,024.62
<b>Total Uses</b>	<b>\$875,520.82</b>	<b>\$820,541.33</b>	<b>\$1,696,062.15</b>

## City of Ottawa, Kansas

### General Obligation Improvement Bonds

Series 2012A

(Not Bank Qualified)

## Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
03/29/2012	-	-	-	-	-
10/01/2012	90,000.00	0.800%	7,291.47	97,291.47	97,291.47
04/01/2013	-	-	6,336.25	6,336.25	-
10/01/2013	80,000.00	0.900%	6,336.25	86,336.25	92,672.50
04/01/2014	-	-	5,976.25	5,976.25	-
10/01/2014	85,000.00	1.100%	5,976.25	90,976.25	96,952.50
04/01/2015	-	-	5,508.75	5,508.75	-
10/01/2015	85,000.00	1.250%	5,508.75	90,508.75	96,017.50
04/01/2016	-	-	4,977.50	4,977.50	-
10/01/2016	85,000.00	1.400%	4,977.50	89,977.50	94,955.00
04/01/2017	-	-	4,382.50	4,382.50	-
10/01/2017	85,000.00	1.600%	4,382.50	89,382.50	93,765.00
04/01/2018	-	-	3,702.50	3,702.50	-
10/01/2018	90,000.00	1.750%	3,702.50	93,702.50	97,405.00
04/01/2019	-	-	2,915.00	2,915.00	-
10/01/2019	90,000.00	1.950%	2,915.00	92,915.00	95,830.00
04/01/2020	-	-	2,037.50	2,037.50	-
10/01/2020	90,000.00	2.100%	2,037.50	92,037.50	94,075.00
04/01/2021	-	-	1,092.50	1,092.50	-
10/01/2021	95,000.00	2.300%	1,092.50	96,092.50	97,185.00
<b>Total</b>	<b>\$875,000.00</b>	<b>-</b>	<b>\$81,148.97</b>	<b>\$956,148.97</b>	<b>-</b>

### Yield Statistics

Accrued Interest from 03/15/2012 to 03/29/2012	520.82
Bond Year Dollars	\$4,491.39
Average Life	5.133 Years
Average Coupon	1.8067678%

Net Interest Cost (NIC)	1.9626216%
True Interest Cost (TIC)	1.9680250%
Bond Yield for Arbitrage Purposes	1.8808945%
All Inclusive Cost (AIC)	2.4280377%

### IRS Form 8038

Net Interest Cost	1.7951719%
Weighted Average Maturity	5.133 Years

## City of Ottawa, Kansas

### General Obligation Refunding Bonds

Series 2012B

## Savings Report

Debt Service on New Bonds						
Calendar Year	Principal	Coupon	Interest	New D/S	OLD D/S	Savings
2012	20,000.00	0.800%	7,578.67	27,578.67	66,316.25	38,737.58
2013	65,000.00	0.900%	13,760.00	78,760.00	80,807.50	2,047.50
2014	65,000.00	1.050%	13,175.00	78,175.00	78,857.50	682.50
2015	70,000.00	1.200%	12,492.50	82,492.50	81,857.50	(635.00)
2016	70,000.00	1.350%	11,652.50	81,652.50	79,575.00	(2,077.50)
2017	70,000.00	1.500%	10,707.50	80,707.50	82,237.50	1,530.00
2018	75,000.00	1.650%	9,657.50	84,657.50	84,657.50	-
2019	75,000.00	1.800%	8,420.00	83,420.00	81,797.50	(1,622.50)
2020	75,000.00	2.000%	7,070.00	82,070.00	83,872.50	1,802.50
2021	75,000.00	2.200%	5,570.00	80,570.00	80,652.50	82.50
2022	80,000.00	2.400%	3,920.00	83,920.00	82,362.50	(1,557.50)
2023	80,000.00	2.500%	2,000.00	82,000.00	83,800.00	1,800.00
-	<b>\$820,000.00</b>	-	<b>\$106,003.67</b>	<b>\$926,003.67</b>	<b>\$966,793.75</b>	<b>\$40,790.08</b>

### PV Analysis Summary (Gross to Gross)

Gross PV Debt Service Savings	42,068.25
Accrued Interest Credit to Debt Service Fund	541.33
Contingency or Rounding Amount	874.23
Net Present Value Benefit	<b>\$43,483.81</b>
Net PV Benefit / \$745,000 Refunded Principal	5.837%
Net PV Benefit / \$820,000 Refunding Principal	5.303%
TIC	2.081%

**City of Ottawa, Kansas**  
**General Obligation Bonds**  
**Series 2003**

**Bonds to be Refunded - Debt Service To Maturity And To Call**

Date	Refunded Bonds	Refunded Interest	D/S To Call	Principal	Coupon	Interest	Refunded D/S	Fiscal Total
09/01/2012	50,000.00	16,316.25	66,316.25	50,000.00	3.650%	16,316.25	66,316.25	-
10/01/2012	-	-	-	-	-	-	-	66,316.25
03/01/2013	-	15,403.75	15,403.75	-	-	15,403.75	15,403.75	-
09/01/2013	695,000.00	15,403.75	710,403.75	50,000.00	3.900%	15,403.75	65,403.75	-
10/01/2013	-	-	-	-	-	-	-	80,807.50
03/01/2014	-	-	-	-	-	14,428.75	14,428.75	-
09/01/2014	-	-	-	50,000.00	4.000%	14,428.75	64,428.75	-
10/01/2014	-	-	-	-	-	-	-	78,857.50
03/01/2015	-	-	-	-	-	13,428.75	13,428.75	-
09/01/2015	-	-	-	55,000.00	4.150%	13,428.75	68,428.75	-
10/01/2015	-	-	-	-	-	-	-	81,857.50
03/01/2016	-	-	-	-	-	12,287.50	12,287.50	-
09/01/2016	-	-	-	55,000.00	4.250%	12,287.50	67,287.50	-
10/01/2016	-	-	-	-	-	-	-	79,575.00
03/01/2017	-	-	-	-	-	11,118.75	11,118.75	-
09/01/2017	-	-	-	60,000.00	4.300%	11,118.75	71,118.75	-
10/01/2017	-	-	-	-	-	-	-	82,237.50
03/01/2018	-	-	-	-	-	9,828.75	9,828.75	-
09/01/2018	-	-	-	65,000.00	4.400%	9,828.75	74,828.75	-
10/01/2018	-	-	-	-	-	-	-	84,657.50
03/01/2019	-	-	-	-	-	8,398.75	8,398.75	-
09/01/2019	-	-	-	65,000.00	4.500%	8,398.75	73,398.75	-
10/01/2019	-	-	-	-	-	-	-	81,797.50
03/01/2020	-	-	-	-	-	6,936.25	6,936.25	-
09/01/2020	-	-	-	70,000.00	4.600%	6,936.25	76,936.25	-
10/01/2020	-	-	-	-	-	-	-	83,872.50
03/01/2021	-	-	-	-	-	5,326.25	5,326.25	-
09/01/2021	-	-	-	70,000.00	4.700%	5,326.25	75,326.25	-
10/01/2021	-	-	-	-	-	-	-	80,652.50
03/01/2022	-	-	-	-	-	3,681.25	3,681.25	-
09/01/2022	-	-	-	75,000.00	4.750%	3,681.25	78,681.25	-
10/01/2022	-	-	-	-	-	-	-	82,362.50
03/01/2023	-	-	-	-	-	1,900.00	1,900.00	-
09/01/2023	-	-	-	80,000.00	4.750%	1,900.00	81,900.00	-
10/01/2023	-	-	-	-	-	-	-	83,800.00
<b>Total</b>	<b>\$745,000.00</b>	<b>\$47,123.75</b>	<b>\$792,123.75</b>	<b>\$745,000.00</b>	<b>-</b>	<b>\$221,793.75</b>	<b>\$966,793.75</b>	<b>-</b>

**Yield Statistics**

Base date for Avg. Life & Avg. Coupon Calculation	3/15/2012
Average Life	6.501 Years
Average Coupon	4.5529771%
Weighted Average Maturity (Par Basis)	6.462 Years

**Refunding Bond Information**

Refunding Dated Date	3/15/2012
Refunding Delivery Date	3/29/2012

2003 | SINGLE PURPOSE | 1/19/2012 | 9:06 AM

**George K. Baum & Company**  
 Kansas Public Finance

## City of Ottawa, Kansas

### General Obligation Improvement & Refunding Bonds

Series 2012A&B

## Detail Costs Of Issuance

Dated 03/15/2012 | Delivered 03/29/2012

### COSTS OF ISSUANCE DETAIL

Financial Advisor	\$8,475.00
Escrow Trustee	\$1,500.00
Escrow Verification	\$2,500.00
Bond Counsel	\$15,000.00
Kansas Attorney General	\$300.00
State Treasurer - Paying Agent	\$2,118.75
State Treasurer - Registration	\$660.00
Rating Agency Fee	\$8,000.00
CUSIP Identification Numbers	\$800.00
Publication	\$1,000.00
Overnight & Delivery	\$100.00
<b>TOTAL</b>	<b>\$40,453.75</b>

CITY OF OTTAWA, KANSAS  
MEMORANDUM

TO: City Manager and City Commission  
FROM: Andy Haney  
SUBJECT: Stormwater Utility  
DATE: January 5, 2012

This is provided for information only. No Commission action is requested at this time.

Staff has been working to develop an appropriate recommendation for development of a Stormwater Utility, including associated fees that would be assessed to properties. A Stormwater Task Force (focus group) has been working with us on this project. We had hoped to be able to provide a complete recommendation by this time, but there is enough concern in the Task Force related to the fees being considered that staff needs to continue working within the community to develop a plan that will be considered acceptable within the community.

The attached ordinance establishing the utility is provided for your information. We do not propose that it be adopted at this point. This ordinance has been progressing for several months with input from different groups, and we believe it to be a complete and accurate proposal. Some of the elements that are called for by this ordinance are yet to be developed in an acceptable format.

While we have a target date to establish the utility and begin collecting fees on July 1, 2012, that timetable may be delayed in order to obtain general public approval of the process. Our preference is to adjust according to what we learn through the Task Force and other groups in order to finalize the recommendation for implantation.

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT PROGRAM AND A STORMWATER UTILITY FEE FOR THE CITY OF OTTAWA, KANSAS, FOR THE PURPOSE OF PLANNING, DESIGNING, FUNDING, CONSTRUCTING AND MAINTAINING STORMWATER MANAGEMENT, SEDIMENT AND EROSION CONTROL, AND FLOOD AND STORMWATER DISCHARGE PROGRAMS, PROJECTS AND FACILITIES, AND REVIEWING AND APPROVING STORMWATER MANAGEMENT AND SEDIMENT CONTROL PLANS FOR LAND DISTURBING ACTIVITIES, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF AND PROVIDING FOR STORMWATER MANAGEMENT RATES TO BE SET BY RESOLUTION OF THE GOVERNING BODY.**

**WHEREAS,** the City of Ottawa maintains a system of storm and surface water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, and other components as well as natural waterways. The stormwater system in the City needs regular maintenance and improvements; and

**WHEREAS,** all property in the City uses or benefits from the maintenance of the stormwater system. The extent of use of the stormwater system by each property is dependent on factors that influence runoff, including land use and the amount of impervious surface on the property; and

**WHEREAS,** the costs of improving, maintaining, operating and monitoring the stormwater system should be equitably allocated, to the maximum extent practicable, to all properties based on the impact of runoff from the impervious areas of the property on the stormwater management system; and

**WHEREAS,** management of the stormwater system to protect the public health, safety and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user fee system that is reasonable and equitable so that each user of the system pays to the extent to which the user contributes to the need for it. The City is responsible for the provision of a planned and orderly system for managing and mitigating the effects of development on stormwater and appropriate balancing between development and preservation of the natural environment. To accomplish these ends, the City desires to create a Stormwater Management Program and Stormwater Utility; and

**WHEREAS,** the Stormwater Management Program will also initiate innovative and proactive approaches to stormwater management to address problems in areas of the City that currently are prone to flooding, protect against replication of these types of problems and the creation of similar problems in newly developing areas of the City, and assist in meeting the mandates of the National Pollutant Discharge Elimination System (NPDES) as created by the Federal Clean Water Act and associated state and federal laws and their supporting regulations; and

**WHEREAS,** the Stormwater Utility Fee imposed by this ordinance is neither a tax nor a special assessment, but a charge (in the nature of tolls, fees or rents) for services rendered or available.

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

## UTILITIES

### Chapter 14

#### ARTICLE VI. STORMWATER UTILITY

##### Sec. 14-601 Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings indicated:

*Billing Period* means the service period identified on the utility bill. Each account shall be billed monthly in arrears of the service period. A developed property that receives a City of Ottawa water or sewer utility service shall be billed monthly in arrears of the service.

*City Attorney* and his or her designee provides legal counsel for the City Commission, City Manager and City staff.

*City Manager* means the City Manager for the City of Ottawa, Kansas or his or her designee.

*Customer* means anyone receiving and being billed for water/sewer utility services from the City.

*Developed Property* means real property that has been altered from its natural state by the addition of any improvements such as buildings, structures or other impervious area.

*Dwelling Unit* means a singular unit or apartment providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation.

*Equivalent Residential Unit (ERU)* means a unit of measure that is equal to the average impervious area per dwelling unit located on residential property within the City limits.

*Equivalent Residential Unit Rate (ERU Rate)* means the amount charged for each ERU in calculating the Stormwater Utility Fee.

*Exempt Property* means public rights of way, public streets, public alleys, residential and non-residential driveways, and public sidewalks.

*Fee or Stormwater Utility Fee* means the charge established under this Article to be billed to customers/owners to fund the costs of Stormwater Management Program and of operating, maintaining and improving the Stormwater System in the City.

*Governing Body* means the Mayor and elected Commissioners as set out in Chapter 2 of the Code of the City of Ottawa, KS.

*Impervious Area* means the number of square feet of hard surfaced areas which either prevent or delay the entry of water into soil mantle as it entered under natural conditions as Undeveloped Property and/or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as Undeveloped Property including, but not limited to, roofs, sidewalks, patios, most conventionally surfaced streets, pavement, driveways, parking lots, athletic courts and any other oiled, graveled, or compacted surface.

## UTILITIES Chapter 14

*Non-Residential Property* means any property that is designated by the Utility Billing System in a billing category other than residential.

*National Pollutant Discharge Elimination System (NPDES)* means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318 and 405 of the federal Clean Water Act.

*Property Owner* means the property owner of record as listed in the County Assessment Roll. A property owner includes any individual, corporation, firm, partnership or group of individuals acting as a unit, and any trustee, receiver or personal representative.

*Residential Property* means any property designated by the Utility Billing System as residential.

- a) *Master Water Meter Residential* means developed property which contains both a master water meter pursuant to Chapter 14 of the City Code; and 2) residential property.
- b) *Multiple Water Meter Residential* means developed property that contains both 1) multiple water meters pursuant to Chapter 14 of the City Code; and 2) residential property.

*Stormwater* or *Stormwater Runoff* means runoff, surface flow, and drainage resulting from precipitation (which may include surface water, snowmelt, and and/or ground water).

*Stormwater Management Fund or Fund* means the enterprise Fund created by this Article to operate, maintain and improve the City's Stormwater System and for such other purposes as stated in this Article.

*Stormwater Management Program* means the planning, design, construction, regulation and enforcement, improvement, repair, maintenance, control measures, public education, citizen participation and operation of facilities and programs relating to water, flood plains, flood control, grading erosion, tree conservation and sediment control.

*Stormwater System* means the system or network of storm and surface water management facilities including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basin, infiltration facilities and other components as well as all natural waterways located within the corporate City limits and/or the City's area of zoning authority.

*Stormwater Utility* means the utility created by this Article for the purpose of implementing and funding the Stormwater Management Program.

*Stormwater Utility Fee* see *Fee*

*Undeveloped Property* means real property that has not been altered from its natural state by dredging, filling, removal of trees and vegetation, creation of impervious surfaces or other activities that have disturbed or altered the topography or soils on the property.

## UTILITIES

### Chapter 14

*Utility Billing System* means the system utilized by the City of Ottawa to create a periodic utility bill and any or all upgrades or modifications to that system.

#### **Sec. 14-602 Findings and Statements of Policy.**

- A. The City maintains a system of storm and surface water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities and other components as well as natural waterways. The stormwater system needs regular maintenance and improvements.
- B. All developed property in the City either uses or benefits from the maintenance of the stormwater system. The extent of use of the stormwater system by each property is dependent on factors that influence runoff and overland flow, including land use and the amount of impervious surface on the property.
- C. The costs of improving, maintaining, operating and monitoring the stormwater system should be allocated, to the extent practicable, to all developed properties based on the impact of runoff from the impervious areas of the property on the stormwater management system.
- D. Management of the stormwater system to protect the public health, safety and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user fee system that is reasonable and equitable so that each user of the system pays to the extent to which the user contributes to the need for it. The City is responsible for the provision of a planned and orderly system for managing and mitigating the effects of development on stormwater and appropriate balancing between development and preservation of the natural environment. To accomplish these ends, the City desires to create a Stormwater Management Program (SWMP) and Stormwater Utility.
- E. The Stormwater Management Program will also initiate innovative and proactive approaches to stormwater management within the City to address problems in areas of the City that currently are prone to flooding, protect against replication of these types of problems in newly developing areas of the City, and assist in meeting the mandates of the National Pollutant Discharge Elimination System (NPDES) as created by the Federal Clean Water Act and associated state and federal laws and their supporting regulations.
- F. The Stormwater Utility Fee imposed by this Article is neither a tax nor a special assessment, but a charge (in the nature of tolls, fees or rents) for services rendered or available.

#### **Sec. 14-603 Establishment of Stormwater Management Program and Stormwater Utility.**

Pursuant to this Article, Chapter 14, the City's general home rule authority, its nuisance abatement authority, its police powers and all other authority, the governing body does hereby establish both a

**UTILITIES**  
**Chapter 14**

Stormwater Management Program and a Stormwater Utility and hereby declares its intention to operate the same.

**Sec. 14-604 Administration of the Stormwater Management Program.**

Under the Stormwater Utility, the City Manager shall have the power to undertake the following activities to administer the Stormwater Management Program:

- A. To advise the governing body on matters relating to the Stormwater Management Program and to make recommendations to the governing body concerning the adoption of ordinances, resolutions, policies and regulations in furtherance of the objectives of the Stormwater Management Program.
- B. The acquisition by gift, purchase or eminent domain of real property, easements thereon and/or interests therein necessary to construct, operate and maintain stormwater management facilities.
- C. To undertake the engineering and design, debt service and related financing expenses, construction costs for new facilities and enlargement or improvement of existing facilities, operation and maintenance of the stormwater system.
- D. Regulate, establish standards, review and inspect land use or property owner activities when such activities have the potential to affect the quantity, timing, velocity, erosive forces, quality, environmental value or other characteristics of stormwater which would flow into the stormwater management system or in any way affect the implementation of the Stormwater Management Program.
- E. Monitoring, sampling and inspection of stormwater management facilities.
- F. Water quality monitoring and water quality programs.
- G. Retrofitting developed areas for pollution control.
- H. Inspection and enforcement activities.
- I. Analyze the cost of services and benefits provided by the Stormwater Utility and the structure of fees, service charges, credits and other revenues on a regular basis and make recommendations to the governing body regarding the same.
- J. To undertake expenditures as required to implement these activities, including costs of capital improvements, operations, maintenance and other costs as may be required.
- K. Other activities, which are reasonably required.

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**Sec. 14-605 Classification of Property for Purposes of Determining the Stormwater Utility Fee.**

For purposes of determining the Stormwater Utility Fee, all properties in the City are classified into one of the following classes:

- A. Residential property.
  - 1. Residential Fee. The Commission has determined that a flat Stormwater Utility Fee shall be charged against all residential properties classified as a dwelling unit. The Commission reserves the right to amend or adjust this Stormwater Utility Fee or to establish a formula for calculating the Stormwater Utility Fee at any time.
  - 2. The Equivalent Residential Unit (ERU) is hereby established for purposes of calculating the Stormwater Utility User Fee. The ERU is hereby established to be 2,600 square feet of Impervious Area.
  - 3. The initial ERU rate to be used for calculating the Stormwater Utility Fee per ERU shall be established by resolution, with recommended revisions set by resolution of the governing body. The Stormwater Utility User Fee for residential property shall be the ERU rate multiplied by the number of individual dwelling units existing on the property.
    - a. Multiple Water Meter Residential: the charge for each water customer shall be the ERU multiplier times the ERU rate.
    - b. Master Water Meter Residential: the charge for the single water customer shall be the ERU rate multiplied by one (1).

B. Non-residential Property.

For non-residential property, the charge shall be the ERU rate times the square footage of all impervious area of the property divided by 2,600 square feet. Non-residential properties with shared impervious area shall be charged on a proportionate amount as determined by the City Manager.

C. Undeveloped Property.

There shall be no fee for undeveloped property.

**Sec. 14-606 Stormwater Utility Fee.**

Effective **July 1, 2011**, a monthly service charge is imposed upon all developed property, not including exempt property as defined in 14-601, in the City to fund Stormwater Management Programs. The amount of the fee will be established by resolution.

**UTILITIES**  
**Chapter 14**

Thereafter, the monthly service charge shall be calculated annually on January 1 and monthly during the following 12 month period. This service charge shall be known as the Stormwater Utility Fee ("Fee"). The Fee shall be calculated to ensure adequate revenues to fund the costs of the Stormwater Management Program and to provide for the operation, maintenance and capital improvements of the stormwater system in the City.

The City Manager shall make an annual recommendation to the governing body as to the monthly charge necessary to fulfill the proposed purpose of the Stormwater Management Program. The fee will then be established by resolution.

**Sec. 14-607 Charges for Tax-Exempt Properties.**

The governing body finds that all real property in the City contributes to stormwater runoff and either uses or benefits from the maintenance of the stormwater system. Therefore, except as otherwise provided in Section 14-601, all developed property in the City, including property that is exempt from property tax shall be charged the appropriate Stormwater Utility Fee.

**Sec. 14-608 When Stormwater Utility Fee Payable; Interest and Penalties; Lien on Real Property; Abatement of Small Amounts Due.**

The Stormwater Utility Fee shall become part of the monthly water bill sent to utility customers, paid in accordance with Chapter 14, Article 2, Water Service. Any account that is inactive in the utility billing system shall not be charged the Stormwater Utility Fee until the account becomes active. In the event any person, shall fail to pay the user charges when due, water service shall be terminated as provided in section Chapter 14, Article 2 of Municipal Code of the City of Ottawa, Kansas.

**Sec. 14-609 Requests for Appeal or Correction of the Stormwater Utility Fee.**

A customer/property owner may request an appeal or correction of the fee by submitting the request in writing to the Director of Finance (or his/her designee) within thirty (30) days after the issue date of the contested bill. Grounds for appeal or correction of the fee include:

- A. Incorrect classification of the property for purposes of determining the fee; and
- B. Errors in the identification of the property subject to the fee.

The Director of Finance shall make a determination within thirty (30) days after receipt of the customer/property owner's completed written request for appeal or correction of the fee. The Director's decision on a request for appeal or correction of the fee shall be final. A customer/property owner must comply with all rules and procedures adopted by the City when submitting a request for appeal or correction of the fee and must provide all information necessary for the Director to make a determination on a request for correction of the fee. The burden of proof shall be on the customer/property owner to demonstrate, by clear and convincing evidence, that the determination of the Director, from which the appeal is being taken, is erroneous. The Director shall notify the

## **UTILITIES**

### **Chapter 14**

customer/property owner in writing of the decision. Failure to comply with the provisions of this subsection shall be grounds for denial of the request. The filing of a notice of appeal shall not stay the imposition or duty to pay the fee. If the Director determines that the fee should not be paid or the amount is less than the amount appealed, the City shall issue a refund in the appropriate amount to the customer/property owner. All refunds shall be without interest.

#### **Sec. 14-610 Rules and Regulations, Authority to Promulgate.**

The City Manager shall promulgate such reasonable rules and regulations as may from time to time be necessary to properly conduct and administer the operation of the stormwater management system. Violations of such rules and regulations will be punishable as provided in this Article. Fees for insufficient fund checks or other uncollectible instruments of payment may be established from time to time.

#### **Sec. 14-611 Right of Entry and Inspection.**

The City Manager shall have access to any premises within the City's stormwater management program area, and shall have authority to direct compliance with the provisions of this Article and with the rules and regulations promulgated pursuant to the authority set forth in this Article.

#### **Sec. 14-612 Failure to Comply with Article and Rules; Duty of Director; Discontinuance of Service; Prosecution.**

If the City Manager shall discover, upon any premises served by the stormwater management program, any violation of this Article, or of any rule or regulation promulgated there under, the City Manager shall order cessation of the prohibited practice or discontinue service to the premises or both, and s/he may request the City Attorney to prosecute the offending customer/property owner.

#### **Sec. 14-613 Time for Payment; Disconnection for Non-Payment; Reconnection or Disconnection Charge; Exemptions; Waivers.**

Each customer shall make payment of the amount shown on his/her statement to be due at the Office of the Department of Utilities in City Hall during regular hours on or before the due date or within fifteen (15) days thereafter; provided, that if the due date is the twenty-fifth (25th) day of a calendar month, payment may be on or before the tenth (10th) day of the calendar month following. If the amount due is not paid within said time, the account shall be classified as delinquent and shall therefore have a late payment fee consisting of the greater of ten dollars (\$10.00) or ten percent (10%) of the billed amount.

#### **Sec. 14-614 Unpaid and Delinquent Utility Bills, Costs of Collection.**

After authorization by the City Manager, on any collection action filed by the City Attorney or any attorney acting on behalf of the City of Ottawa, for an unpaid and delinquent stormwater utility bill, the City hereby authorizes the said attorney to include as the costs of the action the reasonable collection costs, including but not limited to reasonable attorney fees necessary there under, as a lawful damage to be sought by the City Attorney in any collection.

**UTILITIES**  
**Chapter 14**

**Sec. 14-615 Stormwater Utility Fee Credits.**

The Governing Body may, by resolution, establish a system of credits for best management practices (BMPs) that assist in minimizing site-specific stormwater runoff and/or reducing site pollutants in stormwater runoff or any other similar BMP measure. This credit may reduce the Stormwater Utility Fee that is imposed in Section 14-605.

**Sec. 14-616 Severability.**

If any provision of this Article is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the policy and the applicability thereof to other persons and circumstances shall not be affected thereby.

**Sec. 14-617 Codification.**

This Ordinance shall be incorporated into the Municipal Code of the City of Ottawa.

**Sec. 14-618 Effective Date.**

This Ordinance shall be in full force and effect from its adoption and after publication in the Ottawa Herald.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

# Memo

**To:** Richard U. Nienstedt, City Manager and the Honorable City Commission  
**From:** Scott Bird, Director of Finance & Jim Bradley, Director of Utilities  
**Date:** 12/15/2011  
**Re:** Wastewater Improvements/rates

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As has been stated during this year's budget sessions and during several other discussions, one of the issues the City needs to address most is related to the improvement of wastewater lines in both the east and northeast areas of the community. Both areas are key for the future and continued growth of the community. You may recall that earlier in 2011, staff invited representatives from Professional Engineering Consultants, Inc. (PEC) to a study session to explain the Eastside Interceptor issue in detail. They explained the need for replacement of this interceptor from an economic development needs, to meet KDHE/EPA requirements and necessary maintenance issues for this aged part of the City's collection system.

If this goal is to be accomplished, an adjustment to the City's wastewater rate schedule will be necessary going forward. Please keep in mind, the last rate adjustment to the Wastewater utility was implemented in January 2008 and should be adjusted to some degree with or without the improvement to this system. With that being said, a nominal increase will only keep the utility in a holding position at best.

The attached resolution provides a series of 4% annual increase starting in January 2012 and continuing through 2016. This should provide adequate funding for both operations and the first five years of payment on \$4.4 million project. It should be noted that further increase will be likely in years 2017 - 2019.

# RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION** finding the advisability of and ordering the adoption of applicable rates, charges, rules and regulations, conditions and availability of the services rendered by the Wastewater Department of the City of Ottawa, Kansas and establishing an effective date, and providing for the enforcement thereof.

**WHEREAS**, Section 14-108 of the Municipal Code of the City Of Ottawa provided for the establishment of rates, charges, rules and regulations pertaining to the availability of wastewater service to be set by resolution of the Governing Body of the City of Ottawa, and

**WHEREAS**, from time to time certain capital improvements are necessary for the long term benefit of the city and its citizens, and

**WHEREAS**, such capital improvements must be funded for adequately,

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, that**

**Section 1.** Sewer service furnished by the City of Ottawa shall be delivered in accordance with rates, fees and charges provided for in this resolution.

**Section 2.** The City Manager or his designee is charged with the duty of enforcement of all rates, fees and charges.

**Section 3.** The rates, fees and charges shall remain in full force and effect until rescinded or modified by subsequent resolution of the Governing Body of the City of Ottawa.

**Section 4.** It is hereby determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the City to collect charges from all contributors to the City's treatment works. The proceeds of such charges so derived will be used for the purpose of payment of expenses associated with such public wastewater collection and treatment works. Each contributor shall pay for the services provided by the City based on use of the collection and treatment works as determined by a water meter acceptable to the City.

- A. For residential contributors, monthly sewer user charges shall be based on the average of the monthly water usage billed during the months of December, January, February and March, which shall be the "winter average water usage." If a residential contributor has not established a winter average water usage, the monthly sewer user charge shall be based on the median usage charge for all other residential contributors. For residential contributors that reside in master metered apartment houses, the sewer charge shall be based on the amount of water actually used during each billing cycle. The winter average water usage shall be established each April; and, subsequently, the residential sewer-rate will be changed starting with the April 18th billing. Residential accounts shall not be double billed in any billing cycle, resulting from a change of tenant for apartment residing residential contributors.
- B. For all other contributors, including, but not limited to, commercial or industrial establishments, master metered multiple-family dwellings and master metered mobile home parks sewer user charges shall be based on water used during the current month. If any contributor, other than a residential contributor, has a consumptive use of water, or in some other manner uses water which does not enter the wastewater collection system, the user charge for that contributor may be based on a wastewater meter or separate water meters installed and maintained in a manner acceptable to the City, at the contributor's expense.
- C. Charges for sewer usage shall not exceed the following without further action by the governing body.

	Minimum Charge	Volume Charge
		per CCF
<b>1-Jan-12</b>	\$13.36	\$2.44
<b>1-Jan-13</b>	\$13.90	\$2.54
<b>1-Jan-14</b>	\$14.45	\$2.64
<b>1-Jan-15</b>	\$15.03	\$2.75
<b>1-Jan-16</b>	\$15.63	\$2.86

- D. For those contributors who contribute wastewater, the strength of which is greater than normal domestic sewage, a surcharge in addition to the normal user charge will be collected. The surcharge for operation and maintenance including replacement shall be based on per pound of biochemical oxygen demand (BOD) and/or per pound of suspended solids (SS) as follows.

	<b>BOD</b>	<b>SS</b>
	<b>per CCF</b>	<b>per CCF</b>
<b>1-Jan-12</b>	\$0.78	\$0.68
<b>1-Jan-13</b>	\$0.81	\$0.70
<b>1-Jan-14</b>	\$0.84	\$0.73
<b>1-Jan-15</b>	\$0.88	\$0.76
<b>1-Jan-16</b>	\$0.91	\$0.79

- E. Any residential or commercial contributor whose contribution originates from outside the corporate city limits of the City of Ottawa shall pay a rate equivalent to 1.5 times the rates established in subsections C and D above as applicable.
- F. Any user which discharges any toxic pollutants, or any contributor which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the treatment works, shall pay for such increased costs. The charge to each such contributor shall be as determined by the Director of Utilities and approved by the City Manager.
- G. Where all or part of the water consumed is obtained from private sources of supply, the following provisions shall apply:
1. Suitable metering devices as approved by the Director of Utilities shall be provided and maintained by the owner or occupant at all times in connection with each or all sources of private water. The Director of Utilities or his designee shall have access to the premises at all reasonable times for the purpose of inspection, testing and reading of such meters.
  2. The volume of private water consumed during the previous month, together with the consumption of public water as determined from the records of the City, shall be the basis for computing the wastewater volume. The owner or occupant may install at his expense an approved metering device to accurately measure wastewater flow in lieu of the above formula.
- H. The sewer surcharge as defined by Ordinance 3381-01 shall be in addition to section 4C above.

**Section 5.** Resolution 1329-05 is hereby rescinded and replaced by the above, which shall be reviewed annually.

**Section 6.** This resolution shall be in full force and effect after its adoption.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2011.

\_\_\_\_\_  
Mayor

Attest

\_\_\_\_\_  
City Clerk



## ACTION AGENDA

The prosperity of the State of Kansas is absolutely dependent upon the prosperity of our cities. Over 82% of Kansans live in an incorporated city. In an effort to promote healthy and sustainable communities, the elected and appointed city officials of Kansas hereby establish the following as our action agenda for 2012:

- Local tax and revenue decisions are a foundation of local democracy. Consistent with Home Rule principles, we oppose any limitation on the ability of locally elected officials to make those decisions.
- We oppose any federal or state mandate which would require collective bargaining at the local level.
- We support the statutory requirement that a portion of the monies received from state-sponsored gaming in Kansas be used for property tax reduction.
- Because cities play a crucial role in effective emergency management, we request that the Adjutant General and the State of Kansas review the role of cities in the state emergency management plan.

For a complete copy of the *Statement of Municipal Policy* visit <http://www.lkm.org/smp/>.

## GOVERNMENT IN ACTION

The League of Kansas Municipalities is proud to present our annual City Hall Day on February 1, 2012.

City officials from all across the state will gather for an exciting and informative day. In the morning, visit with your legislators about issues that are important to your community. In the afternoon, LKM policy committees will meet to discuss pending legislation, the "If I Were Mayor Awards" will be handed out, and we will hear presentations from legislative leaders.

City officials are then invited to join us for an evening reception with legislators at the Capitol Plaza Hotel. All legislators are being invited to this event.

Don't miss out on this opportunity! Sign up today to become a part of the legislative action in Topeka!



## League of Kansas Municipalities

# CITY HALL DAY

## February 1, 2012

# The League of Kansas Municipalities is proud to present our annual CITY HALL DAY



## TENTATIVE SCHEDULE OF EVENTS

FEBRUARY 1, 2012

MANER CONFERENCE CENTER, 17TH & WESTERN AVE., TOPEKA, KS 66612

### MORNING

#### Visit with Legislators at the Capitol

Contact your House and Senate members in advance to schedule meetings to discuss issues of concern to your city along with the LKM Action Agenda.

*Parking Note: Parking in the underground Capitol garage (accessible from 8th & Harrison) is limited to 2 hours. There is limited metered parking around the Capitol as well.*

2:00 P.M.

#### “If I Were Mayor” Presentations - Sunflower Ballroom

2:30 - 4:00 P.M.

#### Policy Committee Meetings

New this year! - Join us as the LKM policy committees meet to discuss up-to-the-minute developments on pending legislation. This is an ideal opportunity to learn about and influence League policy on a variety of key issues.

4:00 - 5:00 P.M.

#### Legislative Presentations - Sunflower Ballroom

5:00 - 6:00 P.M.

#### Reception - Capitol Plaza Hotel, Waters Edge Lounge, 1717 SW Topeka Blvd. (adjacent to the Maner Conference Center)

Following the legislative presentations, city officials are invited to join us for a reception with legislators. All legislators will be receiving an invitation to attend, however, please contact your legislators directly and invite them to participate.

**THIS EVENT IS FREE, BUT PLEASE REGISTER SO THAT WE CAN GET AN ACCURATE HEADCOUNT.**

City Name:	_____	Address:	_____
City, State, Zip:	_____	Phone:	_____
Name:	_____	Title:	_____
Name:	_____	Title:	_____
Name:	_____	Title:	_____
Name:	_____	Title:	_____
		E-mail:	_____

THIS EVENT IS FREE, BUT PLEASE REGISTER SO THAT WE CAN GET AN ACCURATE HEADCOUNT.

**YOU CAN REGISTER ONLINE  
AT WWW.LKM.ORG!**

PLEASE RETURN TO:  
LEAGUE OF KANSAS MUNICIPALITIES  
300 SW 8TH AVENUE  
TOPEKA, KANSAS 66603-3951  
PHONE: (785) 354-9565 FAX: (785) 354-4186

# Congressional City Conference March 10 -14, 2012



## Register for the 2012 Congressional City Conference

The 2012 Congressional City Conference will be held March 10-14 in Washington, D.C. at the Marriott Wardman Park hotel. Registration is now open.

[Read More ▶](#)

1 2 3

## Registration & Housing

2012 Registration and Housing Rates are listed below for the 2012 Congressional City Conference.

[REGISTER](#)

Conference Rates	LTI Seminar Rates	Hotel Rates	Constituency Groups Fees
<p>The conference registration rates do <b>NOT</b> include fees for Leadership Training Institute Seminars, which are additional. However, to register for an LTI seminar, you <b>MUST</b> be registered for the conference.</p>			
2012 Rates	Advance (Until 3/7/2012)		On-site
Member	\$445		\$545
Associate Member	\$445		\$545
State Municipal League	\$565		\$665
Non-Member	\$670		\$745
First Time Attendee	\$350		\$350
Student	\$125		\$125
Youth Delegates (Ages 15-18)	\$100		\$100
Chaperone	\$100		\$100
Spouse/Guest	\$50		\$50

Conference Rates	LTI Seminar Rates	Hotel Rates				Constituency Groups Fees
Hotel	Single	Double	Triple	Quad		
Marriott Wardman Park	\$249	\$249	\$269	\$289		
Omni Shoreham	\$247	\$247	\$267	\$287		

You must be registered to reserve a room.

**February 13, 2012** – Deadline for housing requests and to cancel registrations. Make housing requests using the online or downloadable registration form by this date (first come, first served). To cancel registrations, they must be in writing and postmarked by this date. All cancellations are subject to a \$75 cancellation fee. There are NO refunds for cancellations after February 13, 2012.