

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

Commissioner Reed made a motion, seconded by Commissioner Richards, to approve the consent agenda. The consent agenda included the agenda and minutes from February 20, February 27, March 5, March 12, March 19 and March 26, 2012 Study Sessions; the February 15 and March 1, 2012 Special Call Meetings; and the March 7 and March 21, 2012 Regular Meetings. 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**

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-Fair Housing Month**

Mayor Ramsey read a proclamation recognizing April 2012 as Fair Housing Month. April is National Fair Housing Month. April 2012 marks the 44th anniversary of the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended, which expresses a national commitment to fair housing without regard to race, color, religion, sex, national origin, familial status or disability. East Central Kansas Economic Opportunity Corporation (ECKAN) Chief Executive Officer Richard Jackson accepted the proclamation and thanked the Mayor and Commissioners for recognizing April as Fair Housing Month.

**Proclamation-Arbor Day**

Mayor Ramsey read a proclamation recognizing Arbor Day on Friday, April 27, 2012. As a Tree City USA designee, the City of Ottawa takes special notice of Arbor Day. Tree Board member J.R. Daugharthy accepted the proclamation.

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### **Arbor Day Poster Contest**

Tree Board member J.R. Daugharthy introduced Parks Superintendent/Tree Specialist Doug Reinert who explained the poster contest and introduced the local Fifth Grade students with winning entries in the Arbor Day Poster Contest.

Mr. Reinert explained each year the Tree Board of the City of Ottawa sponsors a poster contest and invites all local fifth-grade teachers to engage their students in the creation of themed posters. This year's school-level winners are present to be recognized, and the City's overall poster winner will be chosen from this group.

Mr. Reinert introduced the winners as follows:

Caroline Webber	Mrs. Terry Shepard's class, Eugene Field Elementary School daughter of Mr. Michael Webber
Daisy Lopez	Mrs. Kelly Louderback's class, Garfield Elementary School daughter of Mr. & Mrs. Salvador Lopez
Helena Givens	Mrs. Deidre Altic's class, Lincoln Elementary School daughter of Mr. & Mrs. David Givens
Justin Rickard	Ms. Christi Montgomery's class, Calvary Baptist Academy son of Dr. & Mrs. Ed Rickard
Tucker Mace	Mrs. Meghan Mace's class, Sacred Heart School son of Mr. & Mrs. Gabe Mace

### **Overall City Winner**

Mr. Reinert stated the City's "Overall" winning poster was submitted to the Kansas Forest Service for judging in the Statewide Competition in February. As in previous years, a tree will be planted for Arbor Day, April 26<sup>th</sup> with a tentative rain date for May 4<sup>th</sup> at the City Winner's School. Mr. Reinert announced the 2011 City of Ottawa Poster Contest Winner as Tucker Mace from Sacred Heart School.

The Governing Body congratulated all the students receiving awards.

### **Resolution-Stormwater Utility Fee & Credit System**

The Governing Body reviewed a resolution finding the advisability of and ordering the adoption and establishment of a Stormwater Utility Fee and establishment of a Stormwater Utility Credit System, and providing for the enforcement thereof and establishing an effective date thereof. Commissioner Reed made a motion, seconded by Commissioner Caylor, to adopt the resolution.

During discussion it was explained a stormwater utility was created with the approval of Ordinance No. 3816-12 on March 7, 2012. This resolution sets the monthly stormwater utility fee amount at \$4 per Equivalent Residential Unit (ERU) and establishes a credit system for voluntary adoption of Best Management Practices (BMPs), allowing participating residences and businesses to receive a reduction in fees. This stormwater utility fee is proposed to take effect January 1, 2013.

The Governing Body heard from City Manager Richard Nienstedt who provided an overview of the development of the Stormwater Task Force and the Stormwater Utility. The motion was considered and upon being put, all present voted aye. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1579-12.

### **Ordinance-Rezoning Within City of Ottawa**

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 the property owners of the property located at 321 Dundee have requested a rezone from I-2 Heavy Industrial District to R-1 Low Density Residential District. The Planning Commission recommended approval of the rezone with a 6-0 vote. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3817-12.

### **Ordinance-Conditional Use Permit**

The Governing Body reviewed an ordinance granting a conditional use permit to allow warehouse/storage in a C-3 general commercial district located at 122 W Tecumseh for Big Bear Enterprises, LLC in the City of Ottawa, Kansas. Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained staff recommends approval of the conditional use permit with the condition that no outdoor storage be undertaken on the site. The Planning Commission recommended approval of the conditional use permit with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the intended use of the building as a private storage facility. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3818-12.

### **Ordinance-Zoning Regulations**

The Governing Body reviewed an ordinance amending Article 5, Agricultural District, Section 5-2, Permitted Uses, Article 8, Countryside District, Section 8-2 Permitted Uses, Article 23, Home Occupation Regulations, Section 23-1 Home Occupations, and Article 24 Supplemental District Regulations, Section 24-6, Accessory Uses, and Section 24-7 Fences, of the Zoning Regulations, Ordinance 3501-05, for the City of Ottawa. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained these proposed amendments to the City's regulations are related to permitted and conditional uses, animals and fences. The proposed changes are the result of discussions with property owners in the Urban Growth Area. The Planning Commission recommended approval of the proposed amendments to the Zoning Regulations with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the amendments to the Zoning Regulations. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3819-12.

### **City Commission Reorganization: Comments from Mayor Gene Ramsey**

Mayor Gene Ramsey, outgoing Mayor, discussed the following:

- Thanked his fellow Commissioners and Mayor pro tem Jorgensen for their hard work
- Being Mayor is a great honor
- Thanked City Manager Richard Nienstedt, the Department Heads, and City Staff for their hard work
- 15<sup>th</sup> Street Sidewalk project funded by a KDOT grant
- ADA accessible playground at Kanza Park and Commissioner Caylor's work on the project
- Airport Advisory Board
- Many city street improvements and infrastructure projects planned
- Recognized City Manager Richard Nienstedt for receiving the Buford M Watson Jr Award
- Successful volunteer programs

### **Nominations for Mayor for the 2012-2013 Term**

Mayor Ramsey requested nominations for the position of Mayor for the 2012-2013 Term. Commissioner Reed made a motion, seconded by Commissioner Caylor, to nominate Commissioner Jorgensen as Mayor for the 2012-2013 Term. The motion was considered and upon being put, all present voted aye by acclamation. Mayor Ramsey declared Commissioner Jorgensen as Mayor for the 2012-2013 Term.

### **Mayor's Oath of Office**

Director of Finance Scott Bird administered the Oath of Office to Mayor Jorgensen.

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### **Comments from Newly-Appointed Mayor**

Mayor Jorgensen thanked Commissioner Ramsey for his service as Mayor and presented him with a plaque of appreciation.

Mayor Jorgensen spoke to the following:

- Thanked Commissioner Ramsey for the excellent job he has done
- Thanked the citizens for allowing him to continue serving them
- Importance of the citizens' perceptions
- Plan to create Mayor's Task Force to address improving the self-image of the community

### **City Commission Reorganization: Nominations for Mayor Pro Tem for the 2012-2013 Term**

Mayor Jorgensen requested nominations for the position of Mayor pro tem for the 2012-2013 Term. Commissioner Ramsey made a motion, seconded by Commissioner Richards, to nominate Commissioner Caylor as Mayor pro tem for the 2012-2013 Term. The motion was considered and upon being put, all present voted aye by acclamation. Mayor Jorgensen declared Commissioner Caylor as Mayor pro tem for the 2012-2013 Term.

### **Mayor Pro Tem Oath of Office**

Director of Finance Scott Bird administered the Oath of Office to Mayor pro tem Caylor.

### **Youth in Government Report**

Youth Delegates Ciera Gardner, Alex Reed, Brooke Sage and Abagael Pruitt provided a presentation on their recent trip to the National League of Cities conference in Washington, DC.

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

The City Manager reported on the following:

- Congratulated Mayor Jorgensen, Mayor pro tem Caylor, and entire City Commission
- Thanked Commissioner Ramsey for his leadership as Mayor and his friendship
- Great leaders in our community that care about our city
- Expressed thanks on behalf of himself and staff
- Look forward to doing even more and working on perceptions in the community.

### **Commissioners' Reports**

Commissioner Caylor reported on the following:

- Appreciates everyone who attended tonight's meeting

Commissioner Richards reported on the following:

- Look forward to serving under Mayor Jorgensen
- Communities in Schools BBQ fundraiser on April 27, 2012 at Ottawa High School in the Cyclone Room. Tickets are available at the USD 290 office.

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### **Mayor's Report**

Mayor Jorgensen reported on the following:

- Exciting year ahead of us
- Thanked everyone for the outpouring of support for his recent loss

### **Announcements**

Mayor Jorgensen announced the following:

- April 9, 2012: Study Session at 4 pm
- April 9, 2012: Special Call Meeting for Commission Retreat, immediately following Study Session
- April 16, 2012: Study Session at 4 pm
- April 18, 2012: Next Regular Meeting at 9:30 am
- Invited everyone to join the Commissioners for refreshments and a reception

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Caylor made a motion, seconded by Commissioner Richards, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Jorgensen declared the meeting duly adjourned at 7:59 pm.

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Carolyn S. Snethen, City Clerk