

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of May 2, 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 Jorgensen, Commissioner Richards, Commissioner Caylor, and Commissioner Ramsey. 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 Director of Finance Scott Bird.

Consent Agenda

Commissioner Ramsey made a motion, seconded by Commissioner Richards, to approve the consent agenda. The consent agenda included the agenda and minutes from the April 9 and 18, 2012 Special Call meetings; April 16, 2012 Study Session, and April 18, 2012 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

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 – 2011-2012 Ottawa High School Girls Basketball Team

Mayor Jorgensen read a proclamation recognizing the 2011-2012 Ottawa High School Girls Basketball Team. The 2011-2012 Ottawa High School Girls Basketball Team ended an impressive season with a sub-state championship and third-place finish in state competition. Coach Cliff McCullough accepted the proclamation and thanked the Governing Body and the City for recognizing the team's hard work.

Proclamation – 2011-2012 Ottawa High School Boys Basketball Team

Mayor Jorgensen read a proclamation recognizing the 2011-2012 Ottawa High School Boys Basketball Team. The 2011-2012 Ottawa High School Boys Basketball Team had a record-shattering season which included several team and individual records, and a record most wins in a season in school history. Coach Jon McKowen accepted the proclamation and thanked the Governing Body for the recognition.

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Proclamation – Community Action Month

Commissioner Caylor read a proclamation recognizing May 2012 as Community Action Month. Community Action Agencies help low-income families achieve economic security. East Central Kansas Economic Opportunity Corporation (ECKAN) CEO Richard Jackson accepted the proclamation and thanked the Governing Body for the recognition and their support. Mr. Jackson announced upcoming ECKAN events:

- May 15, 2012: ECKAN Board Meeting at United Methodist Church
- Ground breaking at duplex site on North Side
- Project “Poverty A-Z” display

Proclamation – Building Safety Month

Commissioner Richards read a proclamation recognizing May 2012 as Building Safety Month. The International Code Council Foundation created Building Safety Month to expand awareness of the importance of a safe and sustainable built environment and critical role of building and fire codes and code officials. Director of Planning/Codes/Inspections Wynndee Lee accepted the proclamation and thanked the Governing Body for the recognition. Ms. Lee announced the following upcoming events:

- May 18, 2012: Planning and Codes staff will be available to answer questions at CMI from 8:30-11am
- May 25, 2012: Planning and Codes staff will be available to answer questions at Trendel Lumber Company from 8:30-11am

Public Meeting – Eastside Interceptor Sanitary Sewer Project

The Mayor explained a public meeting is needed for the purpose of presenting the Eastside Interceptor Sanitary Sewer Project.

Mayor Jorgensen opened the Public Meeting at 7:20 pm.

The Governing Body heard from Professional Engineering Consultants (PEC) representative Rod Hofer who provided an overview of the project and distributed a handout to the public (see next page).

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PUBLIC MEETING FACT SHEET
Ottawa Eastside Interceptor Sewer Project
KDHE Project No. C20-1928-01
May 2, 2012

- **General Comments:**
 - ✓ Public meeting and hearing intended to provide public participation per KAR 28-16-136
 - ✓ Please sign-in on the attendee list
 - ✓ If you desire to have written comments entered into the records of the Public Hearing, please complete a Public Hearing Comment form.

- **Eastside Interceptor Sewer Assessment Report**
 - ✓ The ESIS appears to be hydraulically overloaded along its entire length
 - ✓ City has experienced sewer overflows and backups along the ESIS during wet-weather events
 - ✓ Television inspection of the existing VCP interceptor sewer revealed significant portions in poor to very poor condition with significant structural damage and the existing DIP interceptor sewer with moderate internal tuberculation.
 - ✓ The recently completed Rock Creek PS is designed at 850 gpm with future expansion to 1,200 gpm. The calculated capacity of the existing receiving sewer is approximately 650 gpm.
 - ✓ Installation of multiple, permanent flow monitoring locations along the ESIS will provide long-term data to evaluate any remaining deficiencies and assist in future planning.
 - ✓ Three alternatives were evaluated:
 - Alternative A: New 36" interceptor from 3rd Street to 9th and Lincoln. Combination of new and existing interceptor sewer upstream of 9th & Lincoln to convey flows with relief line in OU sports field area. Replacement of west branch of existing interceptor by new 24" sewer.
 - Alternative B: Similar to Alternative A except for different OU relief line and sizing.
 - Alternative C: New 36" interceptor from 3rd Street to 9th and Lincoln. Construct new 30" interceptor upstream to discharge manhole for Rock Creek PS and Rockwood PS force mains. Rehabilitate existing sewers that remain in service.
 - ✓ Alternative C was recommended as the most cost-effective in meeting current and future objectives. Alternative C would be able to convey 100% of the projected wastewater flow from the 2040 10-Year storm event as estimated in previous studies.

The Governing Body heard from David and Jeanna Ribeau, 901 Estabrook, who discussed the following concerns regarding their property during the project:

- Replacement of trees and 49 saplings that currently exist on the property
- Replacement of existing fence in tree line
- Will blasting be used to reach the existing sewer line underground?

The Governing Body heard from Mr. Hofer who explained tree and sapling replacement was included in the current contract.

The Governing Body heard from Director of Utilities Jim Bradley who explained City staff plans to meet property owners at the site and address any concerns.

There being no one else to speak to this issue Mayor Jorgensen closed the Public Meeting at 7:42 pm.

Public Hearing – Eastside Interceptor Sanitary Sewer Project Loan Application

The Mayor explained a public hearing is needed for the purpose of considering a loan application for the Eastside Interceptor Sanitary Sewer Project.

Mayor Jorgensen opened the Public Hearing at 7:42 pm.

The Governing Body heard from Professional Engineering Consultants (PEC) representative James Martin who provided an overview of the project alternatives and plan and distributed handouts to the public (see next pages).

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PUBLIC HEARING FACT SHEET
Ottawa Eastside Interceptor Sewer Project
KDHE Project No. C20-1928-01
May 2, 2012

- **Proposed Improvements – 3rd Street & Levee to 14th Street & Mulberry:**
 - ✓ 4,837 lf 36” Interceptor Sewer
 - ✓ 4,289 lf 30” Interceptor Sewer
 - ✓ 2 Flow Monitoring Stations with two sewer flow measuring devices each
 - ✓ 3,319 lf Sewer Rehabilitation with Cured-in-Place Liner
 - ✓ 977 lf of 15” Sewer Replacement by No-Dig Technology

- **Reasons for Project**
 - ✓ Existing Interceptor Sewer is inadequate to convey existing wet-weather flows and has a history of overflows
 - ✓ City continues to expand to the south
 - ✓ KDHE required that the City identify improvements to the Eastside Interceptor Sewer as part of their approval of the Rock Creek PS project
 - ✓ Rehabilitation of existing sewers and manholes to restore structural support and limit infiltration / inflow

- **Project Cost Estimates**

✓ Probable Construction Costs	\$4,095,038
✓ <u>Probable Project Costs</u>	<u>\$712,181 - \$819,008</u>
✓ Total Project Costs	\$4,807,219 - \$4,914,046

- **Project Schedule (Tentative)**

✓ Estimated Bid Date	July 19, 2012
✓ Project Completion	November 18, 2013

- **Kansas Water Pollution Control Revolving Loan Fund**
 - ✓ Administered by the Kansas Department of Health & Environment
 - ✓ Interest rates vary, Currently 2.31%
 - ✓ Repayment period of 20 years
 - ✓ Repayment of loan is through user charges

- **User Rate Structure**
 - ✓ Funding for the repayment of the loan is included within the current user rate structure previously approved

PUBLIC HEARING FACT SHEET SUPPLEMENT
City of Ottawa Eastside Interceptor Sewer Project
KDHE Project No. C20 1928 01
May 2, 2012

Ongoing efforts and requirements prior to bid include:

- **KDHE final approval of design plans and specifications**
- **Sign off by State Clearing House agencies including:**
 - **Kansas State Historical Society**
 - **Kansas Department of Wildlife and Parks**
 - **Division of Water Resources**
 - **Numerous Others**
- **US Army Corps of Engineers approval of design plans and specifications**
- **KDHE approval of City of Ottawa Loan application**
- **Assurance that City has adequate user charges in place to provide a dedicated repayment revenue source**
- **Concurrence with Ottawa University with respect to impact on their facilities**
- **Conduct of Public Meeting and Public Hearing by City Commission**
- **Procurement of all easements and any right of way required for construction**
- **KDHE review and approval of engineer's contract for construction services and inspection**
- **KDHE authorization to Bid**

The Governing Body heard from Director of Finance Scott Bird who gave an overview of the dedicated source of revenue to repay the loan.

There being no one else to speak to this issue Mayor Jorgensen closed the Public Hearing at 8:03 pm.

Ordinance – KDHE Loan Agreement

The Governing Body reviewed an ordinance authorizing the execution of a loan agreement between the City of Ottawa, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment (KDHE) for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a Wastewater Treatment Project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement. Commissioner Ramsey made a motion, seconded by Commissioner Caylor, to adopt the ordinance.

During discussion it was explained after consideration of the information presented in the hearing, this ordinance approves the execution of a loan agreement with KDHE for the purpose of financing sanitary sewer improvements known as the Eastside Interceptor Project. 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. 3820-12.

Ordinance – Rezone

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 Caylor made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained this request is to rezone the property located at 109 W. Ninth Street from C-1, Office and Service Business District, to MU/RC Mixed Use Residential/Commercial District. The Planning Commission recommended approval of this rezone with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the proposed rezoning classification. 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. 3821-12.

Slurry Seal Bid – Vance Brothers

The Governing Body reviewed a request to approve a bid for the 2012 Slurry Seal Street Surface Rehabilitation Program. Commissioner Richards made a motion, seconded by Commissioner Ramsey, to approve the bid.

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During discussion it was explained City staff solicited and received bids for the 2012 Slurry Seal Street Surface Rehabilitation Program. Staff requests approval of the bid submitted by Vance Brothers for an estimated \$65,873.06 to treat an estimated 30,217 square yards of street surface. The actual cost will be determined by the actual number of square yards completed. The motion was considered and upon being put, all present voted aye. The Mayor declared the bid duly approved.

City Manager's Report

City Manager reported on the following:

- Tree Board appointment: Garry A Niehoff
- Thanked citizens for applying for City Commissions and Boards
- He attended a recent KMEA presentation regarding the future power generation
- KMEA/KMGA General Manager Bob Poehling will attend the May 14, 2012 Study Session
- He appreciated the opportunity to attend the recent Kansas Leadership meeting in Wichita
- Ottawa, Kansas will be featured in a Playful City video on the KCTV 5 evening news on May 3, 2012
- Provided an update on the Davis Rd, K-68 intersection improvement project

Commissioners' Reports

Commissioner Richards reported on the following:

- Thanked Director of Planning/Codes/Inspections Wynndee Lee for the article in the Kansas Government Journal regarding the park built by the community at Kanza Park
- It is severe weather season; be prepared and have a safety plan with your family
- May 3, 2012 is National Day of Prayer. Events will be held at noon at the Franklin County Courthouse and at 7 pm at Cornerstone Church.

Commissioner Caylor reported on the following:

- Thanked the Planning and Codes City staff for putting on the patio and deck building educational workshop that she recently attended.
- Thanked the ladies and gentlemen of the Ottawa High School Boys and Girls Basketball teams for being good athletes and fine citizens.
- Ottawa, Kansas is one of five cities in Kansas designated as a Playful City
- Encouraged everyone to watch for children in the warmer weather.

Mayor's Report

Mayor Jorgensen reported on the following:

- Reviewed priorities: Streets & Sidewalk Improvements, Economic Development, and Parks
- City Manager Richard Nienstedt announced the May 16, 2012 Regular Meeting is rescheduled for 7 pm

May 2, 2012

Announcements

The Mayor announced the following:

- May 7, 2012: Special Call Meeting—15th Street sidewalk project ribbon cutting, 2:30 pm
- May 7, 2012: Study Session, 4:00 pm
- May 14, 2012: Study Session, 4:00 pm
- May 16, 2012: Special Call Meeting—County Summit, Franklin County Annex, 7:30 am
- May 16, 2012: Special Call Meeting—Next Regular Meeting, rescheduled to 7 pm

Adjournment

There being no further business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Richards, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 8:33 pm.

Carolyn S. Snethen, City Clerk