

**Regular Meeting Minutes
Commission Chambers
101 S Hickory, Ottawa, Kansas
Minutes of October 5, 2016**

The City Governing Body met at 7:00 pm this date, for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Caylor, Commissioner Graves, Commissioner Jorgensen, and Commissioner Skidmore. Commissioner Reed was absent. A quorum was present.

Mayor Caylor called the meeting to order and stated Commissioner Reed is at another function representing the City Commission and will join the meeting soon.

The Mayor welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag. The invocation was given by Pastor Ron Galvin, Westminster Presbyterian Church.

Consent Agenda

Commissioner Graves made a motion, seconded by Commissioner Skidmore to approve the consent agenda. The consent agenda included this regular meeting agenda, minutes from the September 12, 2016 and September 19, 2016 Study Sessions, September 12, 2016 Special Call for Leadership Session, September 21, 2016 Regular Meeting and corrected minutes from the September 7, 2016 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

Mayor Caylor asked the Commissioners to declare any conflict or communication they've had that might influence their ability to consider today's issues impartially. Commissioner Jorgensen announced he will abstain from discussion and voting on the resolution authorizing the issuance and delivery of \$530,000 of general obligation renewal temporary notes and the resolution authorizing the issuance and delivery of \$2,000,000 of general obligation renewal and improvement temporary notes due to his relationship with Kansas State Bank.

Proclamation—Ottawa High School Wall of Honor Days

Mayor Caylor read a proclamation honoring the Ottawa High School Wall of Honor 2016 inductees Brigadier General Glen Jamison (1918), Terry Wollen (1964), and Ron Small (1982). OHS Wall of Honor Coordinator Candie Campbell accepted the proclamation and thanked the Governing Body for their support of local events and programs.

Proclamation—Community Planning Month

Commissioner Skidmore read a proclamation recognizing October 2016 as Community Planning Month. Community Planning Month is an opportunity to publically recognize the dedication of Planning Commission members as well as highlight the importance of sound planning and plan implementation. Planning Commission Chairman John Boyd accepted the proclamation and thanked the Governing Body for the recognition of their efforts and for their continued support.

October 5, 2016

Resolution—\$530,000 General Obligation Renewal Temporary Notes

Commissioner Jorgensen excused himself from the meeting at 7:11 pm.

The Governing Body reviewed a resolution authorizing the issuance and delivery of \$530,000 of General Obligation Renewal Temporary Notes. This maturing note was issued for the Ottawa Municipal Airport T-hanger project.

The Governing Body heard from City Financial Advisor David Arteberry who explained Kansas State Bank currently owns the \$530,000 temporary notes and they agreed to purchase the reissue.

Commissioner Reed arrived at 7:13 pm.

The Governing Body also heard from Bond Counsel Tyler Ellsworth who introduced himself and Mr. Arteberry and explained he assists the City with bonds and Mr. Arteberry ensures the bonds make financial sense for the City. It was further explained this resolution and the next resolution authorize debt.

Mr. Ellsworth also explained slight revisions were made to the resolutions to clean up changes and make adjustments to the series 2016-1 t-hanger notes to make interest payments payable semi-annually. Mr. Ellsworth explained city staff and the bank had input on this change.

The Governing Body heard from Mr. Arteberry who stated the following and answered questions from the Governing Body:

- \$530,000 General Obligation Renewal Temporary Note interest rate is 1.5%
- \$2,000,000 General Obligation Renewal and Improvement Temporary Note interest rate is 2% and explained the difference in the rate is due to interest on the larger note being taxable
- Based on structure of bonds these rates are in line with expectations

Mayor Caylor welcomed Commissioner Reed to the meeting. Commission Skidmore made a motion, seconded by Commissioner Reed to adopt the resolution. The motion was considered and upon being put, passed by the following vote: Commissioner Reed aye, Commissioner Skidmore aye, Commissioner Graves aye, Mayor Caylor aye, and Commissioner Jorgensen abstained. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1703-16.

Resolution--\$2,000,000 General Obligation Renewal & Improvement Temporary Notes

The Governing Body reviewed a resolution authorizing the issuance and delivery of \$2,000,000 of General Obligation Renewal and Improvement Temporary Notes. This maturing note was issued for the Rock Creek Business Park land acquisition and design costs for water and wastewater service.

The Governing Body heard from Bond Counsel Tyler Ellsworth who stated this request is similar to the resolution just considered except for the amount.

Mayor Caylor asked City Financial Advisor David Arteberry to explain the bid process. Mr. Arteberry explained the following:

- Most cost effective on \$530,000 notes to reach out to Kansas State Bank, current owner of notes, to purchase the reissuance
- The \$2,000,000 note was not held with a local institution
- \$2,000,000 note: prepared a bidding sheet and sent out to regional banks
- \$2,000,000 note: Kansas State Bank and Arvest Bank submitted bids
- \$2,000,000 note: Kansas State Bank offered a lower rate and their bid was selected based on this

Commissioner Reed made a motion, seconded by Commissioner Graves to adopt the resolution. Commissioner Skidmore stated he appreciated the bids submitted. The motion was considered and upon being put, passed by the following vote: Commissioner Graves aye, Commissioner Reed aye, Commissioner Skidmore aye, Mayor Caylor aye, and Commissioner Jorgensen abstained. The Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1704-16.

Commissioner Jorgensen returned to the meeting at 7:21 pm.

Ordinance—Amending Municipal Code 16-309

The Governing Body heard from Police Chief Dennis Butler who reviewed an ordinance amending Municipal Code, Penalties or Possession of Marijuana and answered questions from the Governing Body.

During discussion it was explained this ordinance amends Municipal Code 16-309, Penalties for Possession of Marijuana described in 16-307 and 16-308. HB2462 was enacted on July 1, 2016 resulting in changes to possession of marijuana penalties described in State Statute 21-5706. The first conviction of possession of marijuana changed from a Class A misdemeanor to a Class B misdemeanor; the second conviction from a DSL5 felony to a Class A misdemeanor.

Commissioner Skidmore made a motion, seconded by Commissioner Reed to adopt the ordinance. 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. 3935-16.

Ordinance—Acquire Land by Condemnation for Sidewalk Improvements

The Governing Body heard from City Attorney Blaine Finch who requested the Governing Body move to withdraw this item from this agenda. It was further explained that before an ordinance is adopted on a condemnation, a resolution should be adopted first that allows for the legal description of the interest in the land to be condemned to be placed on file with the City Clerk and when condemning private property for a public purpose every possible constitutional safeguard should be followed to favor the property owner before their interest in their land is condemned.

October 5, 2016

Commissioner Reed made a motion, seconded by Commissioner Jorgensen to withdraw this item from the agenda. The motion was considered and upon being put, all present voted aye. The Mayor declared the motion duly approved.

Ordinance—Amending Zoning Regulation

The Governing Body heard from Community Development Director Wynndee Lee who reviewed an ordinance amending Zoning Regulation, Article 24, Supplemental District Regulations for ADA and answered questions from the Governing Body.

During discussion it was explained certain language pertaining to ADA ramps on residential lots was inadvertently omitted during previous amendments to the zoning regulations that was discovered by new Community Development staff and this ordinance puts the intended language back in the Zoning Regulations. Mrs. Lee explained there were no public comments at the September 14, 2016 Public Hearing held on this matter and staff recommends approval of the amendments. Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore to adopt the ordinance. The motion was considered and upon being put, all present voted aye. The ordinance was duly adopted and the ordinance was duly numbered Ordinance No. 3936-16.

City Manager's Report

City Manager Richard U. Nienstedt reviewed a request for the City to pay \$47,939 for the City's portion of costs associated with the USD 290 New Elementary Public Improvements Package – 19th Street Alternate Turn Lane and asked the Governing Body to approve this payment. Mr. Nienstedt answered questions from the Governing Body and explained the bids came back \$10-12,000 more than expected; however, City staff identified three funds to cover the cost. Commissioner Skidmore made a motion, seconded by Commissioner Graves to approve the payment of \$47,939 for costs associated with the 19th Street Alternate Turn Lane near the new elementary school. The motion was considered and upon being put, all present voted aye. The Mayor declared the request duly approved.

Mr. Nienstedt thanked the Governing Body for the flexibility to work the school district on this project.

Commissioner's Reports

Commissioner Reed reported on the following:

- Represented the City Commission at the candlelight vigil on the Courthouse lawn for Willow Domestic Violence Center this evening at 7pm
- Congratulated Mayor Caylor and Community Service Officer Larabe Alexander for being voted favorite community leaders

Commissioner Jorgensen reported on the following:

- Thanked Commissioner Reed for representing the City at the Willow Domestic Violence Center event this evening
- Recently reminded of a domestic violence situation that resulted in the loss of someone close to him

October 5, 2016

Mayor's Report

Mayor Caylor reported on the following:

- Attended Best of Franklin County reception last week and was proud to accept award on behalf of the City for Forest Park being voted the best place to hold an event
- Thanked the Ottawa Herald for highlighting the best of Franklin County

Announcements

Mayor Caylor announced the following:

- October 7, 2016 Ottawa Police Foundation Chamber Coffee, 8:00 am, NCCC
- October 8-10, 2016 League of Kansas Municipalities Annual Conference, Overland Park
- October 10, 2016 Study Session, 4:00 pm, City Hall CANCELED
- October 17, 2016 Study Session 4:00 pm, City Hall
- October 17, 2016 Commission Leadership Session, 5:00 pm, City Hall

Adjournment

There being no further business to come before the Governing Body, Commissioner Skidmore made a motion, followed by Commissioner Jorgensen to adjourn the meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly adjourned at 7:38 pm.

Amy Finch, City Clerk