

CITY OF OGDEN

222 Riley Avenue, P.O. Box C
(785) 539-0311
Ogden, Kansas 66517-0843

May 07, 2014

The Regular Meeting of the Governing Body for the City of Ogden was scheduled on Wednesday, May 07, 2014 at 7:00 p.m.

The meeting was called to order at 7:00 p.m.

The following members were present: Paul Werle, Ward Nations, Ed Burch, Brian Still and Mayor Pence. Attorney Irvine was present. Ken Carroll was not present.

Mayor Pence invited the public to present comments to the Governing Body.

Approval of Agenda:

Burch moved to approve the Agenda. Seconded by Still. Motion carried.

Approval of Minutes:

Nations moved to approve the Minutes of the April 15, April 16, April 23, April 28 and April 30, 2014 Council Meetings. Seconded by Burch. Motion carried.

Ronald Bach: Request exception to Chapter 2 Article 115 Vicious Animals.

Ronald Bach was not present.

Attorney Irvine commented that he has prepared an ordinance that addresses this situation and will present it to the Council for the next meeting.

Ken Carroll arrived at 7:04p.m.

Richard Faulkner, Zoning Administrator: Request for Rezoning.

Faulkner commented that the Planning Commission held a public hearing on April 28, 2014 to hear a request to rezone properties located at 114 Riley, 120 Riley, 115 14th St. and approximately 113 14th St. The applicant is requesting to rezone these properties to Central Business District (C-1), so that they may build a Dollar General Store.

Faulkner commented that the Planning Commission has voted unanimously to recommend approval of the request.

Burch inquired if the contractor had plans to minimize noise during construction.

Faulkner commented that the City has a noise ordinance in place that prohibits them from working from 11:00 p.m. to 7:30 a.m.

Burch inquired as to the starting date for the project.

Faulkner commented that contractor had communicated to him that they were anticipating having the store opened by February of next year and that it usually takes about 3 months to construct a facility.

Still inquired about water run-off from the project.

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Faulkner commented that they have an option to have a detention facility on the property. Faulkner commented that the other option would be to discharge the water runoff into the creek to the east of the property, but they would be required to get a floodplain permit and a no rise certificate and that he has discussed these requirements with them.

Mayor Pence asked if anybody in attendance had any input. There was none. Nations moved to approve the request for the rezoning of 114 Riley, 120 Riley, 115 14th St. and 113 14th St. Seconded by Burch. Motion carried.

Richard Faulkner, Zoning Administrator: Request to Vacate Alley.

Faulkner commented that the Planning Commission held a public hearing to consider a request to vacate an alley located in block 20 in Ogden. Block 20 is located between Riley Ave. and 14th Street, east of Elm St. He commented that all adjacent property owners have signed a petition stating that they consent to the alley being vacated.

Faulkner commented that the utility companies that use the alley have also consented to the alley being vacated with the understanding that a utility easement shall be retained. The petitioner (Dollar General) shall maintain utility easement as requested by the utility companies.

Faulkner commented that the Planning commission voted unanimously to recommend approval of the request to vacate the alley.

Jim Wood commented that he intended to place a gate across entrance of his portion of the vacated alley and understood that any utility that needed to access their utilities could remove the gate to gain access.

Nations moved to adopt Ordinance 697, AND ORDINANCE VACATING AN ALLEY IN BLOCK 20 OF THE CITY OF OGDEN, KANSAS. Seconded by Burch. Motion carried.

James Wood: Questions regarding vacating the alley in Block 20.

Woods questions were addressed in the previous agenda items.

Richard Faulkner, Zoning Administrator: Planning Commission and Board of Zoning Appeal Appointments.

Faulkner commented Michael Coulter's and Chris Soder's terms expire in May and the Planning Commission is requesting that they be appointed to another term.

Faulkner commented that Chris is expecting to be transferred from this area in September. Therefore, the Planning Commission is also requesting that Bill Robb be appointed to the seat that Chris shall vacate in September. Mr. Robb had served on the Commission in Chris's absence before and has made a positive contribution to the Commission.

Faulkner commented that Mona Bass's term on the Board of Zoning Appeals expires in May and she has agreed to continue to serve, if appointed.

Faulkner commented that their terms expire in May 2014 and they have agreed to serve 3 year terms if appointed.

Faulkner commented that the Planning Commission and Staff recommend that these members be appointed.

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Still moved to accept the Planning Commission's recommendations for the appointments of Michael Coulter, Chris Soder and Bill Robb to the Planning Commission and Mona Bass to the Board of Zoning Appeals. Seconded by Burch. Motion carried.

Faulkner commented that he had submitted the general application for funding to KDOT for the Bulb Outs. He commented there were no programs that could help with the funding for that project.

City Foreman: Misc. Items.

The Interim City Foreman was not present.

City Attorney: Misc. Items.

Attorney Irvine commented that he has sent out the latest draft of the Personnel Policy and that he still has a couple of changes to make before final consideration.

City Clerk: Misc. Items.

Clerk presented the Council with a map that showed an inventory of all City owned property. Council discussed the commercial property owned by the city and others.

Clerk presented the Council with a copy of the letter that will be sent out inviting property owners who have dilapidated structures an opportunity to participate in the demolition grant program.

Clerk inquired of the Council as to whether setting a deadline of 5-31-14 for property owners to respond giving their permission to have their property become a part of the demolition grant was acceptable to the Council.

Consensus of the Council was that 5-31-14 was an acceptable date.

Mayor & Council: Misc. Items.

Nations recused himself from the Council Meeting at 7:55p.m.

Executive Session: Non-Elected Personnel Issues.

Werle moved to recess into Executive Session until 8:10 p.m. for Non-Elected Personnel Issues. Seconded by Still. Motion carried.

Carroll moved to return to Regular Session. Seconded by Werle. Motion carried.

Selection of a City Foreman.

Burch moved to hire Ward Nations as City Foreman at \$21.77/hr. with the stipulation that he is required to obtain his Wastewater license by 1-1-15 and at the time Nations obtains his Wastewater license; his pay would be increased to \$22.45/hr. Seconded by Still. Motion carried.

Nations returned to the meeting at 8:15p.m.

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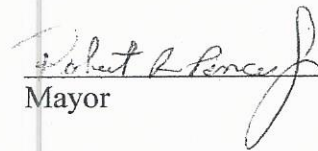
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Selection of a Community Center Coordinator:

Burch moved to hire Jodi Reid as Community Center Coordinator at \$13.01/hr. Seconded by Still. Motion carried.

Still moved to adjourn the meeting. Seconded by Nations . Motion carried.
Time 8:20p.m.

David C. Ward
City Clerk



Mayor