



If you need this information in another format or require a reasonable accommodation to attend this meeting, contact the City's ADA Coordinator at 785-229-3635. Please provide advance notice of at least two (2) working days. TTY users please call 711.

**101 S. Hickory
PO Box 60
Ottawa, KS 66067-0060**
Phone: 785-229-3600
Fax: 785-229-3639
www.ottawaks.gov
www.facebook.com/ottawaks

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

A Study Session is scheduled for **November 28, 2016 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 November 14, 2016 Study Session, November 21, 2016 Study Session and November 16, 2016 Regular Meeting *Pgs. 2-8*
- b. City of Ottawa and Ottawa Main Street Association 2017 Agreement - Richard U. Nienstedt & Blaine Finch *Pgs. 9-10*

III. Items for Presentation and Discussion

- a. Leadership Academy Project Presentations - Leadership Academy Class (in Commission Chambers)
- b. City Manager's Report
- c. Commissioner's Reports
- d. Mayor's Report

IV. Announcements

- November 29, 2016 Leadership Academy Graduation, 6:00 pm, NCCC
- December 5, 2016 Study Session, 4:00 pm, City Hall
- December 7, 2016 **Regular** Commission Meeting, 7:00 pm, City Hall
- December 12, 2016 Study Session, 4:00 pm, City Hall
- December 14, 2016 City/County Joint Mtg with Engineers, 11:30 am-1:00 pm, City Hall
- December 19, 2016 Study Session, 4:00 pm, City Hall
- December 21, 2016 **Regular** Commission Meeting, 9:30 am, City Hall
- December 21, 2016 City/County/USD 290 Joint Mtg with Legislators, 12:00 pm, Franklin County Annex

V. Adjourn

Motion: _____ Second: _____ Time: _____

VI. Items Already Placed

52 Tips for Successful Public Service by E.A. Mosher

#49. At least once a year, schedule a governing body discussion about how you are governing. Review the processes and procedures. Sit back and ask "How are we doing? How can we do better?"

Pkt Pg #1

**Study Session Minutes
Ottawa, Kansas
Minutes of November 14, 2016**

The Governing Body met at 4:00 pm this date with the following members present and participating to wit: Mayor pro tem Reed, Commissioner Jorgensen, Commissioner Skidmore, and Commissioner Graves. Mayor Caylor was absent. A quorum was present.

Mayor pro tem Reed called the meeting to order.

Public Comments

None offered at this time.

Minutes to Review

The Governing Body reviewed minutes from the November 7, 2016 Study Session and agreed by consensus to place this item on the next Regular Meeting agenda on November 16, 2016.

Ordinance—Amending Chapters 17 & 18 of Municipal Code

The Governing Body heard from City Attorney Blaine Finch and Public Works Director Michael Haeffele requesting approval of an ordinance to amend Chapters 17 and 18 of the Municipal Code to eliminate conflicting height requirements of clearance of limbs above sidewalks.

Mr. Haeffele explained the objective is to bring both chapters into alignment and eliminate conflicting height requirements for limb clearance above sidewalks and trees overhanging the sidewalk are to be at least 9 feet above the sidewalk for pedestrian traffic.

City Manager Richard U. Nienstedt further explained the City has the equipment to assist trimming limbs overhanging the street. It was agreed by consensus to place this item on the next Regular Meeting agenda.

2017 Cereal Malt Beverage License Renewals

The Governing Body heard from Assistant Finance Director Betty Simpson who explained the different types of Cereal Malt Beverage (CMB) licenses, the difference between a CMB and a Drinking Establishment license, and the different application and licensing processes. Mrs. Simpson also reviewed a list of applications received for 2017 CMB License Renewals and the Governing Body agreed by consensus to place this item on the next Regular Meeting agenda.

Resolution—Revised Building Permit Fee Schedule

The Governing Body heard from Community Development Director Wynndee Lee and Chief Building Official Jim Sherman who explained the process by which the proposed fees would be determined and the revised fee resolution would allow for a more equitable fee assessment based on project valuation versus the current method of square foot valuation.

City Manager Richard U. Nienstedt asked Mrs. Lee to provide a fee schedule that shows the fee changes in a table and a county fee schedule comparison. It was agreed by consensus to place this item on the next Regular Meeting agenda.

Update—Budget Amendments

The Governing Body considered amendments to the 2016 Budget. Finance Director Scott Bird explained the city has two funds that need to be amended before the end of the year. The first being the Library Fund, which resulted in the City receiving more funding from the county for the Library for 2015 and 2016. The second fund is the Special Alcohol Fund which is used to assist in the funding of the Dare Officer. Moneys have been held for the last three years and should be transferred to the General Fund. Mr. Bird further explained he will continue to monitor the budget for necessary amendments.

City Manager's Report

City Manager Richard U. Nienstedt reported there will not be a Joint City/County/USD 290 luncheon on Wednesday, November 16, 2016.

Commissioner's Reports

Commissioner Jorgensen reported on the following:

- Wednesday, November 16, 2016 – Contractor's Meeting at 5 pm in City Hall Study Session Room

Commissioner Skidmore reported on the following:

- Ottawa High School football team had a successful year
- Wished them luck for next season

Mayor pro tem's Report

None

Announcements

Mayor pro tem Reed announced the following:

- November 16, 2016 Regular Commission Meeting, 9:30 am, City Hall
- November 21, 2016 Study Session, 4:00 pm, City Hall
- November 24-25, 2016 Thanksgiving Holiday, City Hall CLOSED
- November 29, 2016 Leadership Academy Graduation, 6:00 pm, NCCC
- December 21, 2016 City/County/USD 290 Joint Meeting with Legislators, 12:00 pm, Franklin County Annex

Adjournment

There being no further business to come before the Governing Body, Commissioner Skidmore made a motion, seconded by Commissioner Graves, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor pro tem Reed declared the meeting duly adjourned at 4:26 pm.

Amy Finch, City Clerk

November 14, 2016

**Regular Meeting Minutes
Commission Chambers
101 S Hickory, Ottawa, Kansas
Minutes of November 16, 2016**

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 Caylor, Commissioner Jorgensen, and Commissioner Skidmore. Commissioner Reed and Commissioner Graves were absent. A quorum was present.

Mayor Caylor called the meeting to order.

The Mayor welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag. The invocation was given by Rick Oglesby.

Consent Agenda

Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore, to approve the consent agenda, to include this regular meeting agenda, minutes from the October 19, 2016 and November 2, 2016 Regular Meetings, October 24, 2016 and November 7, 2016 Study Sessions, and applications for Cereal Malt Beverage Licenses for the year 2017. 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 conflicts or outside communications that might influence their ability to consider today's issues impartially. None were given at this time.

Recognition of New Employees

The Governing Body heard from Human Resources Director Michelle Stegman who introduced the following new employee:

Jenna Johnson, Human Resources Receptionist

The Governing Body also heard from Community Development Director Wynndee Lee who introduced the following new employee:

Melanie LaMar, Permit Technician

2016 Employee Service Awards

Each year the League of Kansas Municipalities recognizes "faithful, continuous service" to Kansas communities. This year the City of Ottawa is proud to recognize 13 employees with a combined total of 230 years of service to Kansas communities. The Governing Body recognized the following employees for their years of service:

10 years: Larabe Alexander, J.W. Hawkins, Mat Simonson, Michelle Stegman

15 years: Barry Coulson, Shawn Dillon, Susan Hughes, Aaron Procaccini, A.J. Schmidt, and Blaine Stewart

30 years: Kevin Hanson

35 years: Scott Bird and Kris Peterson

Ordinance—Amending Chapter 17 of the Municipal Code

The Governing Body reviewed an ordinance amending Chapter 17 of the Municipal Code.

The Governing Body heard from Public Works Director Michael Haeffele who explained this ordinance will change the height requirement for limbs over a sidewalk to 9 feet to coincide with the limb requirement height in Chapter 18. Commissioner Skidmore made a motion, seconded by Commissioner Jorgensen, 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. 3939-16.

Resolution—Amending Chapter VI, Article VII, Permit Fees

The Governing Body heard from Chief Building Official Jim Sherman who reviewed a resolution to amend permit fees effective December 1, 2016. Mr. Sherman explained the process by which the proposed fees would be determined and the revised fee resolution would allow for a more equitable fee assessment based on project valuation versus the current method of square foot valuation.

The Governing Body also heard from Community Development Director Wynndee Lee who stated City Attorney Blaine Finch requested a change in the language of the resolution for clarity. Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore, to adopt the resolution. 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. 1706-16.

City Manager’s Report

City Manager Richard U. Nienstedt reported on the following:

- No City/County/USD 290 Joint Luncheon today
- Having the right to express ourselves makes this country great
- There is work to be done in this community, state, and country

Commissioner’s Reports

Commissioner Skidmore reported on the following:

- Congratulated Ottawa High School football team
- Looks forward to Ottawa High School basketball season

Commissioner Jorgensen reported on the following:

- Attended ECKAN's banquet last night celebrating 50 years
- Presented an award for Community Action to City Manager Richard U. Nienstedt, received by the City of Ottawa from ECKAN
- ECKAN recognized the City of Ottawa for the city's help with housing in the community

City Manager Richard U. Nienstedt stated many people work together to make this a better place to live and work and to bring voices to those who cannot speak on their own behalf.

Mayor's Report

Mayor Caylor reported on the following:

- Loyalty and fairness are part of what we believe our community deserves
- Work to better our community
- Go out and help someone

Announcements

Mayor Caylor announced the following:

- November 21, 2016 Study Session, 4:00 pm, City Hall
- November 24-25, 2016 Thanksgiving Holiday – City Offices CLOSED
- November 28, 2016 Study Session, 4:00 pm, City Hall
- December 5, 2016 Study Session, 4:00 pm, City Hall
- December 7, 2016 Regular Meeting, 7:00 pm, City Hall

Adjournment

There being no further business to come before the Governing Body, Commissioner Skidmore made a motion, seconded 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 10:06 am.

Amy Finch, City Clerk

**Study Session Minutes
Ottawa, Kansas
Minutes of November 21, 2016**

The Governing Body met at 4:00 pm this date with the following members present and participating to wit: Mayor Caylor, Commissioner Graves, Commissioner Jorgensen, and Commissioner Reed. Commissioner Skidmore was absent. A quorum was present.

Mayor Caylor called the meeting to order.

Public Comments

The Governing Body heard from Ottawa Area Chamber of Commerce President/CEO John Coen who formally invited the City Commission and the public to the Mayor's Tree Lighting Ceremony at 5:30 pm Saturday, November 26, 2016 at Haley Park.

Ottawa Main Street Association & City of Ottawa 2017 Agreement

The Governing Body heard from City Manager Richard U. Nienstedt who reviewed the City of Ottawa and Ottawa Main Street Association (OMSA) 2017 Agreement and answered questions from the Governing Body and OMSA Board Members. Mr. Nienstedt stated all organizations receiving city-allocated funds would be under an agreement in 2017, setting the expectations of this Governing Body that allocates the funds.

The Governing Body also heard from City Attorney Blaine Finch who further explained the funding section of the agreement and answered questions from the Governing Body and OMSA Board Members.

The Governing Body agreed to bring this item back to the next Study Session on November 28, 2016 for further review.

Quarterly Report—Franklin County Economic Development Council

The Governing Body heard from Franklin County Economic Development Council (FCDC) Executive Director James Oltman who provided a presentation on the FCDC Quarterly Report and answered questions from City Manager Richard U. Nienstedt and the Governing Body.

Monthly Financial and Activity Report—October

The Governing Body reviewed the October Monthly Financial and Activity reports with City Staff.

City Manager's Report

City Manager Richard U. Nienstedt reported on the following:

- Budget amendment needed on the Economic Development Fund
- Joint City/County meeting on December 14, 2016 at lunch time for Rock Creek Business Park design and marketing presentation

Commissioner's Reports

Commissioner Jorgensen wished everyone a happy Thanksgiving holiday.

Mayor's Report

Mayor Caylor wished everyone a happy Thanksgiving and said she is thankful for living in a wonderful community.

Announcements

Mayor Caylor announced the following:

- November 24-25, 2016 Thanksgiving Holiday, City Hall CLOSED
- November 28, 2016 Study Session, 4:00 pm, City Hall
- November 29, 2016 Leadership Academy Graduation, 6:00 pm, NCCC internal
- December 5, 2016 Study Session, 4:00 pm, City Hall

Adjournment

There being no further business to come before the Governing Body, Commissioner Reed made a motion, seconded by Commissioner Graves, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Caylor declared the meeting duly adjourned at 5:09 pm.

Amy Finch, City Clerk

FUNDING AGREEMENT

THIS AGREEMENT is entered into by and between City of Ottawa, Kansas, hereinafter called “City,” and the Ottawa Main Street Association hereinafter called “OMSA,” for the calendar year 2017.

BACKGROUND: The City and OMSA agree, that in the interest of expanding the economic base of the Main Street district in the City of Ottawa they wish to contract with the Ottawa Main Street Association; a third-party entity, to conduct the following development activities in their interest:

- a. Coordinate community resources to aid in the retention and expansion of existing commercial businesses and residential development in downtown Ottawa.
- b. Carry out development activities in harmony with the four key areas identified by the National Main Street Association: Economic Vitality, Design, Promotion, and Organization.
- c. Work cooperatively with other community organizations to accomplish the shared goals of increasing business, jobs and economic prosperity for the Ottawa community.
- d. Serve as an advisor to the City for its role in downtown development activity.
- e. Serve as a conduit for relevant economic data to the City and its development partners.
- f. Participate, along with other community organizations to conduct internal and external marketing campaigns for downtown Ottawa.
- g. Conduct other community development activities within the City as appropriate.

ADDITIONAL RESPONSIBILITIES: The following additional duties are required by the City as a mechanism for maintaining a funding relationship with OMSA for development services:

- a. Provide reporting and tracking of OMSA’s activities consisting of the following:
 - 1.) Provide monthly electronic fiscal and activity reports to the City Commissions.
 - 2.) Provide a quarterly verbal report to the City Commission including financial and activity summaries.
- b. Conduct an annual planning session which shall include participation by appropriate City leadership.
- c. Conduct an annual financial review or audit that shall be submitted to the City Commission. If a financial review is completed in lieu of an audit, it shall be performed by an independent CPA.
- d. Prepare and submit a detailed annual budget for the following fiscal year to the City before May 15th, 2017. This budget shall include line item comparisons for revenues and expenditures for the two preceding fiscal years.
- e. Actively participate in discussions regarding ways to improve efficiency by partnering with other community organizations—CVB, FCDC, Chamber, etc.--and explore ways to reduce duplication of services.

TERM: The term of this agreement shall be from January 1, 2017 to December 31, 2017 and may be extended for additional annual terms upon mutual written consent by the parties hereto.

FUNDING: The City agrees to pay \$_____annually in equal monthly installments for economic and community development services as described above per the following conditions:

- a. The City retains the authority to withhold monthly payments with 30 days’ written notice to OMSA. Prior to withholding any funds, the City shall notify both the director and President of the Board of OMSA in writing of the concerns leading to such withholding and allow the OMSA Board 30 days to address and remedy any violation of this agreement that would disqualify their receipt of continued funding.
- b. Should the City choose to discontinue funding before the completion of this contract term, it shall have the right to be repaid any City funds remaining in OMSA accounts, including any reserve contributions, based on a pro-rated portion of those funds paid into the OMSA accounts during that fiscal year only.

CONFIDENTIALITY: All parties involved in this agreement understand and agree that information related to economic development activity is of a sensitive nature and should be treated with confidentiality where appropriate. All parties also agree that any confidential information discussed regarding development activity shall not be used for any personal or professional profit.

AMENDMENTS AND ADDENDUMS: This Agreement may be amended at any time upon mutual written agreement by all parties. The parties may also agree to contract for the provision of additional services such as marketing or grant writing as an addendum to this Agreement. Such additional agreements shall be in writing and appended to this document.

RELATIONSHIP: It is understood and agreed that OMSA, its officers, employees, agents and assigns are engaged and retained as independent contractors and not as officers, agents or employees of the City and that OMSA has no authority to bind the City.

INDEMNIFICATION AND HOLD HARMLESS: OMSA agrees, as an independent contractor, to indemnify and hold harmless the City from any and all claims arising out of OMSA's or its agent(s) activities in the performance of this Agreement.

NOTICE: When any provision of this agreement requires a written notice, it shall be deemed to have been validly given if delivered in person, sent by facsimile or sent by registered or certified mail, postage prepaid, to the following:

OMSA
Attn: Director
112 W. 2nd
Ottawa, KS 66067
(785) 242-2085

City of Ottawa
Attn: City Manager
101 S. Hickory
Ottawa, KS 66067
(758) 229-3637

COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS:

This Agreement is to be construed and enforced in accordance with the laws of the State of Kansas. The parties shall abide by all federal, state and local laws, ordinances and regulations, including compliance with applicable nondiscrimination provisions.

NOW, THEREFORE, the parties to this Agreement bind themselves, their heirs, successors and assigns to the performance of the terms set forth above and affix their signatures below:

City of Ottawa, Kansas

Ottawa Main Street Association

Mayor

Chairperson

Date:_____

Date:_____

Attest:

Attest: