

**Regular Meeting Minutes  
Commission Chambers  
101 S Hickory, Ottawa, Kansas  
Minutes of October 4, 2017**

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 Skidmore, Commissioner Graves, and Commissioner Jorgensen. Commissioner Crowley was 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 Scott Dickinson, Sheriff Chaplain.

**Consent Agenda**

Commissioner Graves made a motion, seconded by Commissioner Skidmore, to approve the consent agenda, to include this regular meeting agenda; minutes from the August 16, 2017 Regular Meeting, August 21, 2017 Study Session and August 31, 2017 Special Call Holiday Inn CID II Meeting; approval of new member Randy Hinderliter to the Ottawa Memorial Auditorium Board; and a 2017 application for a Cereal Malt Beverage license, original and unopened containers, not for consumption on the premises at 1621 S. Main, for Haag Inc. DBA Kicks 66 of Ottawa. The motion was considered and upon being put, all present voted aye. The Mayor declared the consent agenda duly approved.

**Public Comments**

None

**Declaration**

None were given at this time.

**Proclamation—Ottawa High School Wall of Honor Days**

Commissioner Jorgensen read a proclamation recognizing October 6 and 7, 2017 as Ottawa High School Wall of Honor Days. This proclamation honors the 2017 Inductees: Bernice “Bud” F. Humphrey, Vernon M. Hay, and Scott D. Bird. Candie Campbell, OHS Wall of Honor Coordinator, accepted the proclamation and thanked the Governing Body for their support.

**Proclamation—Domestic Violence Awareness Month**

Commissioner Graves read a proclamation recognizing October 2017 as Domestic Violence Awareness Month. Domestic Violence Awareness Month focuses attention on victims of domestic violence and their children and promotes the support of shelters and community programs that serve them. Cassie Myers, Franklin County Program Coordinator with Willow Domestic Violence Center, accepted the proclamation, provided statistics on domestic violence in Kansas, and thanked the Governing Body for the recognition.

**Proclamation—Fire Prevention Week**

Commissioner Skidmore read a proclamation recognizing October 8-14 as Fire Prevention Week. Since 1922, fire departments have actively supported Fire Prevention Week, making it the longest running public health and safety observance on record.  
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This year's campaign focus is "Every Second Counts: Plan 2 Ways Out!" Fire Chief Tim Matthias accepted the proclamation and thanked the Governing Body for the recognition. Chief Matthias reminded citizens that free smoke detectors are available from the Ottawa Fire Department.

**Ordinance—Amending Municipal Code Section on Retail Tobacco Sales**

The Governing Body heard from City Clerk Amy Finch who reviewed an ordinance amending Chapter 11, Article IX, Sections 11-94 and 11-905 allowing for a city-issued biennial tobacco sales license to match the term and expiration date of the state-issued retail cigarette dealer's license and answered questions from the Governing Body. Commissioner Skidmore made a motion, seconded by Commissioner Graves, to approve this ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly approved and the ordinance was duly numbered Ordinance No. 3961-17.

**Resolution—Accepting Final Public Improvements at Sunflower Elementary School**

The Governing Body heard from Community Development Director Wynndee Lee who reviewed a resolution requesting approval to accept public improvements associated with all public streets, storm drainage system, sanitary sewer system, water lines, and electrical as approved by the City Engineer, all located within the Sunflower Elementary School USD 290. Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore, to adopt this resolution. The motion was considered and upon being put, all present voted aye. The Mayor declared this resolution duly adopted and the resolution was duly numbered Resolution No. 1739-17.

**Resolution—Approving Final Plat & Accepting Dedication of Easements and Rights-of-Way at Sunflower Elementary School**

The Governing Body heard from Community Development Director Wynndee Lee who reviewed a resolution requesting approval of the final plat and accepting all utility, storm drainage and pedestrian easements, and all rights-of-way, as approved and recommended by the City Engineer, and approved by the Planning Commission, all located at Sunflower Elementary School. Commissioner Graves made a motion, seconded by Commissioner Skidmore, to adopt this 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. 1740-17.

**Resolution—Public Hearing for Annexation at 426-436 S. Beech**

The Governing Body heard from Community Development Director Wynndee Lee who reviewed a resolution declaring an interest in, and establishing a public hearing on November 1, 2017 at 7 pm at City Hall Commission Chambers, for the consideration of annexation of property located at 426 and 436 S. Beech Street.

Commissioner Skidmore made a motion, seconded by Commissioner Graves, to adopt this 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. 1741-17.

**Resolution—Public Hearing for Annexation at 241 N. Cherry**

The Governing Body heard from Community Development Director Wynndee Lee who reviewed a resolution declaring an interest in, and establishing a public hearing on November 1, 2017 at 7 pm at City Hall Commission Chambers, for the consideration of annexation of property located at 241 N. Cherry Street and answered questions from the Governing Body.

Commissioner Graves made a motion, seconded by Commissioner Skidmore, to adopt this 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. 1742-17.

**Resolution—Public Hearing for Annexation at 2324 E. Logan**

The Governing Body heard Community Development Director Wynndee Lee who reviewed a resolution declaring an interest in, and establishing a public hearing on November 1, 2017 at 7 pm at City Hall Commission Chambers, for the consideration of annexation of property located at 2324 E. Logan Street.

Commissioner Skidmore made a motion, seconded by Commissioner Graves, to adopt this 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. 1743-17.

**Resolution—Annexation of Property at 3198 K-68 Highway**

The Governing Body heard from Community Development Director Wynndee Lee who reviewed a resolution requesting the Board of County Commissioners of Franklin County to find and determine that the annexation of land, commonly known as 3198 K-68 Highway, will not hinder or prevent proper growth and development of the area.

It was explained the Kansas Department of Transportation, property owner, signed the Consent for Annexation and requested to connect to public water. Mrs. Lee stated this annexation does not require a public hearing by the City Commission but does require action by the County Commission and will be brought back to the City Commission at a later date. Utilities Director Dennis Tharp stated this property is already connected to the sanitary sewer system.

Commissioner Jorgensen made a motion, seconded by Commissioner Graves, to adopt this 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. 1744-17.

**City Manager's Report**

City Manager Richard U. Nienstedt invited Community Development Director Wynndee Lee to provide details on the Rush the Rails events.

Mrs. Lee provided the following:

- Privileged to with the group of people putting on this first time event
- Rush the Rails event begins in Osawatomie and ends in Council Grove
- Friday, October 6, 2017 from 6-9 pm, Street Dance on Main Street between 1<sup>st</sup> and 2<sup>nd</sup> Streets
- Saturday, October 7, 2017 from 8 am-12 pm, riders and runners will come through Ottawa on the Flint Hills Nature Trail

### **Commissioner's Reports**

Commissioner Graves reported on the following:

- Emphasized importance of having an escape plan as part of Fire Safety Week

Commissioner Skidmore reported on the following:

- Touched by recent events in Las Vegas, NV
- Bad people are rare, good people are everywhere

### **Mayor's Report**

Mayor Caylor reported on the following:

- Reminder during Fire Safety Week to check batteries in smoke detectors

Fire Chief Matthias reminded citizens to change batteries in their smoke detectors when the time changes for Daylight Savings Time.

### **Announcements**

Mayor Caylor announced the following:

- October 9, 2017 Study Session, 4:00 pm, City Hall
- October 16, 2017 Study Session, 4:00 pm, City Hall
- October 18, 2017 Regular Meeting, 9:30 am, City Hall
- October 18, 2017 Joint City/County/USD 290 Mtg, 12:00 pm, USD 290 District Office
- October 23, 2017 Study Session CANCELED

Mayor Caylor announced the need for an executive session with the City Attorney and City Manager present for a period of 10 minutes, beginning at 7:50 pm, with no action taken after the executive session.

### **Executive Session**

#### **Recess**

Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore, to recess into executive session with City Attorney Blaine Finch and City Manager Richard U. Nienstedt present to discuss a matter of attorney-client privilege and for the purpose of receiving and having confidential communication with the board's attorney for a period of 10 minutes beginning at 7:50 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed.

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### **Reconvene**

Commissioner Graves made a motion, seconded by Commissioner Jorgensen, to reconvene into open session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 8:00 pm.

### **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. The Mayor declared the meeting duly adjourned at 8:00 pm.

/s/ Amy Finch  
Amy Finch, City Clerk