

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of  
February 3, 2010**

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 Reed, Commissioner Humm, Commissioner Fleer and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Pledge of Allegiance and the invocation was conducted by members of Ottawa's Cub Scout Packs, and Scout Troops in celebration of the 100<sup>th</sup> Boy Scout Anniversary.

**Consent Agenda**

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included the agenda and minutes from the December 21, 2009 and January 4, 2010 Study Sessions; and the January 6, 2010 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

**Public Comments**

Thereupon, the Governing Body heard from OU Student Senate Representative Jake McMillian. Mr. McMillian reported the OU students desire to be more involved in the community. In addition, Mr. McMillian encouraged suggestions or recommendations from the Governing Body on how OU students could become more involved in the community.

**Declaration**

Thereupon, 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-Scout Week**

Thereupon, Mayor Jorgensen read a proclamation recognizing Scout Week and the 100<sup>th</sup> Anniversary of Boy Scouts. The Boy Scouts of America were incorporated on February 8, 1910, and this year the Boy Scouts of America celebrate their 100<sup>th</sup> Anniversary. Each year this anniversary is commemorated with Scout Week. Boy Scouts provide an educational program for boys and young adults to build character, to train in the responsibilities of participating citizenship, and to develop personal fitness. Members of Ottawa's Cub Scout Packs and Boy Scout Troops were present. Thereupon, Dennis Nowatzke, Eagle Scout, Twin Rivers District Representative accepted the proclamation.

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**2009 “If I Were Mayor, I Would...”**

Thereupon, Mayor Jorgensen explained the League of Kansas Municipalities sponsors an annual essay contest for seventh grade students to write essays entitled, “If I Were Mayor, I would....” The City received 18 entries this year from Mr. Mendell’s and Mrs. Lemp’s classes at Ottawa Middle School. The Commissioners and representatives from the Youth in Government program judged the essays. Winners were selected based on the criteria of creativity, clarity, sincerity of thought and the proper use of grammar. The winners were announced as follows:

- Janina Mills – First Place
- Tyler Kaub – Second Place
- Katie Webber – Third Place

Thereupon, Mayor Jorgensen requested the First Place Winner Janina Mills read her essay. Thereupon, the Mayor thanked all the students who participated in the contest.

**Public Hearing: Tax-Abatement-Hasty Awards**

Thereupon, the Governing Body heard from Director of Finance Scott Bird who reported on the tax abatement application for Hasty Awards being considered at tonight’s public hearing. The application is for a ten-year, 100% abatement for the Hasty facility, which recently located in the City’s Industrial Park. Mr. Bird explained a resolution and ordinance will be brought to the Governing Body in the near future if the application is to move forward.

Thereupon, Mayor Jorgensen opened a public hearing to consider a tax abatement application for Hasty Awards at 7:21 pm.

There being no one to speak to this issue the Mayor closed the public hearing at 7:22 pm.

**2010 Agreement: Economic Development**

Thereupon, the Governing Body considered a 2010 Agreement for Economic Development Services from the Ottawa/Franklin County Economic Development, Inc. that is reviewed annually. (O/FCED) Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the agreement.

During discussion it was explained Franklin County and the O/FCED have already agreed to the terms of the proposed contract for 2010. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

**Prairie Spirit Rail Trail Lighting Project**

Thereupon, the Governing Body reviewed a request to award the contract for the Prairie Spirit Rail Trail Lighting Project. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Reed, to award the contract to McElroy Construction.

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During discussion it was explained the stimulus grant funding for this project provides \$153,500 with an additional estimated \$24,150 to be funded by the City. City Staff recommended awarding the contract to McElroy Construction. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly awarded to McElroy Construction.

### **Love's/Granger Contract**

Thereupon, the Governing Body reviewed a request to award the contract for the Love's/Granger sanitary sewer and water service to Nowak Construction. Thereupon, Commissioner Reed made a motion, seconded by Commissioner Fler, to approve the request.

During discussion it was explained this project will provide sewer and water service to the Love's Granger project on 59 Highway, just south of I-35. City Staff recommended awarding the contract to Nowak Construction. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved with Nowak Construction.

### **Ordinance-Restore Hobby Cars**

Thereupon, the Governing Body reviewed an ordinance declaring certain vehicles as Vintage, Classic, Muscle or Modern Classic within the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained this ordinance will allow City residents to restore hobby cars on their properties, and limits permits to no more than 50 to be issued at any one time. Criteria and regulations are detailed in the ordinance. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adopted and the ordinance was duly numbered Ordinance No. 3744-10.

### **Resolution-Restore Hobby Cars**

Thereupon, the Governing Body reviewed a resolution determining the fee structure for permits issued for the restoration of Vintage, Classic Muscle or Modern Classic Vehicles. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained the resolution sets the fee at \$50 for permits issued to residents restoring hobby cars on their properties. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1510-10.

### **Ordinance-Zoning Regulations**

Thereupon, the Governing Body reviewed an ordinance amending existing zoning regulations to allow for the use of shipping containers as temporary storage. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the ordinance.

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During discussion it was explained the Planning Commission recommended approval of the amendments to the Supplemental District Regulations by a 6-1 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3745-10.

### **Ordinance-Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone property within the Urban Growth Area located at 2738 Rock Creek Road from Franklin county A-2 Transitional Agricultural District to City C-S, Countryside District. Thereupon, Commissioner Reed made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the owner of the property requested this rezone. The Planning Commission recommended approval by a 7-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adopted and the ordinance was duly numbered Ordinance No. 3746-10.

### **Ordinance-Urban Growth Area**

Thereupon, the Governing Body reviewed an ordinance to rezone property within the Urban Growth Area, Franklin County, Kansas, and updating the section of the zoning map which is part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained the ordinance will rezone an area in the Urban Growth Area (UGA) from Franklin County zoning to City zoning. Addresses included in this rezone are: 3655 US Highway, 3353 US 59 Highway, 3593 US 59 Highway, 3599 US 59 Highway, 3633 US 59 Highway, 3645 US 59 Highway, 3705 US 59 Highway, 2721 Sand Creek Road and 2720 Sand Creek Road. The Planning Commission recommended approval of this rezone action by a 7-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3747-10.

### **Youth in Government**

Thereupon, the Governing Body heard from Youth Delegate Zach George reported on the following:

- Thanked the Governing Body for allowing youth to attend the “City Hall Day” event at the state capitol
- Working on the planning of the service project (reducing storm water runoff)
- Rain gardens
- March 5-6 KOFO Lawn & Garden Show
- Rain barrel workshops in April & May
- Working on a grant with City Manager Intern Casey Sharp for a rain garden site at Kanza Park

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### **City Manager Report**

Thereupon, Mayor Jorgensen announced the City Manager Richard Nienstedt wasn't at the meeting tonight due to his father having surgery today.

### **Announcements**

Thereupon, the Mayor announced:

1. February 8, 2010: Study Session at 4 pm
2. February 15, 2010: Study Session at 4 pm
3. February 17, 2010: Next Regular Meeting at 9:30 am
4. February 17, 2010: City/County/USD 290 Joint Luncheon, Franklin County Commission Chambers, Franklin County Annex
5. March 5, 2010: Mayor's Prayer Breakfast, 7:30 – 9 am, Sacred Heart Parish Center, 426 S Cedar.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 7:36 pm.

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Carolyn S. Snethen, City Clerk

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