

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of December 1, 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 Reed, Commissioner Jorgensen, Commissioner Humm, Commissioner Fleer, and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Director of Finance Scott Bird.

Consent Agenda

Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the Agenda, Cereal Malt Beverage License renewal “not for consumption on the premises, and “for consumption on the premises” (see listing below). The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

License Renewal

These businesses have applied for a Cereal Malt Beverage License renewal, original and unopened containers, not for consumption on the premises. Each has been reviewed by Police Department, Fire Department and the City Attorney, with no cause for denial discovered (businesses are listed by physical address).

- Taylor Oil, Inc. d/b/a Amoco, 2305 S. Cedar
- Wal-Mart Stores, Inc. 2101 Princeton Road
- C&J Management, d/b/a Country Mart, 2138 Princeton Circle Drive
- Gasmart USA, 2243 Princeton
- Damani, Inc. d/b/a Logan Street 66, 304 E. Logan
- Casey's General Store, 334 N. Main
- Casey's General Store, 940 N. Main
- Casey's General Store, 1019 W. Seventh
- Zarco 66, Inc., 2518 E. Logan
- Leiszler Oil Co., d/b/a Short Stop #23, 1621 S. Main
- C-Prop holdings, LLC d/b/a Ottawa Mini Mart, 2120 Princeton Road
- Walgreen, Co., 1445 S. Main
- Bishop's Brew, 120 E. Dundee

These businesses have applied for a Cereal Malt Beverage License renewal, for consumption on the premises. Each has been reviewed by Police Department, Fire Department and the City Attorney, with no cause for denial discovered (businesses are listed by physical address).

- Bishop's Brew, 120 E. Dundee
- Pizza Village, Inc., 330 S. Main
- Ping Enterprise, d/b/a China Palace, 910 S. Main

December 1, 2010

Artmartin Properties, d/b/a Sandbar Sub Shop, 127 S. Main
NPC International, d/b/a Pizza Hut #4739, 2314 S. Princeton Road
Windmill Café, 1010 N. Main
Crystal Plaza, 209 S. Main
Pizza Time Pub, 208 S. Main

Public Comments

None offered at this time.

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.

Ordinance-Rezone

Thereupon, the Governing Body reviewed an ordinance rezoning an area 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, Kansas. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained address included in this rezone include: 1224 E Seventh Street, 2199 E 15th Street, 2940 Neosho Road, 2950 Neosho Road, 3046 Neosho Road, 1104 E Ninth Street, 1310 E Seventh Street, 3060 Neosho Road, 1111 E Ninth Street, 1228 E Seventh Street, 1232 E Seventh Street, 1302 E Seventh Street, and 3087 Marshall Road. The Planning Commission recommended these rezones by a 5-0 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. 3771-10.

Ordinance-Comprehensive Plan

Thereupon, the Governing Body reviewed an ordinance adopting amendments to Map 1, City Limits, Planning Area & Natural Features, and Map 7, the Future Land Use Map of the Comprehensive Plan for the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained the Planning Commission recommended approval of these amendments by a 5-0 vote. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3772-10.

Ordinance- General Obligation Refunding Bonds, 2010-B

Thereupon, the Governing Body reviewed an ordinance authorizing the issuance and delivery of \$3,295,000 principal amount of General Obligation Refunding Bonds, Series 2010-B, of the City December 1, 2010

of Ottawa, Kansas, for the purpose of providing funds to refund (refinance) certain outstanding certificates of participation of the city issued to finance electric system improvements. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained Financial Advisor Greg Vahrenberg of Piper Jaffray & Co. had advised the bond market has become more favorable over the last ten days for conducting the Electric Certificates of Participation refinancing. The final savings to the City is \$184,684, which is net of all costs. In addition, the "present value savings percentage" on this refinancing is 4.7%. An Ordinance and Resolution has been prepared by the City's Bond Council Dotty Riley. Mr. Vahrenberg addressed questions from the Governing Body. 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. 3773-10.

Resolution-General Obligation Refunding Bonds, Series 2010-B

Thereupon, the Governing Body reviewed a resolution prescribing the form and details of and authorizing the delivery of \$3,295,000 principal amount of General Obligation Refunding Bonds, Series 2010-B, of the City of Ottawa, Kansas, previously authorized by an Ordinance of the City. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this is a procedural step in the issuance of the Refunding (Refinancing) Bonds for the Electric Certificates of Participation. 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. 1541-10.

City Manager Employment Agreement

Thereupon, the Governing Body heard from City Attorney Bob Bezek who reviewed the proposed employment agreement. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to approve the City Managers employment agreement for 2010-2012.

During discussion Mr. Bezek explained the agreement changes as follows:

1. The term of the current contract of employment shall be extended for one (1) year. The new contract shall be for two years, commencing on the 29th day of November, 2010 and extend through the 29th day of November, 2012.
2. The parties agreed to examine compensation issues and any other issue associated with compensation in July, 2011.
3. The moving and relocation expense component of the former contract is extended into the current contract, and shall be a benefit to the City Manager through November 29, 2011.
4. Five days of vacation shall be added to the contract.

December 1, 2010

5. Severance pay shall be extended to five (5) months in the event of a non-cause termination at the election of the Governing Body. Severance pay shall not apply to a “for cause” termination or a resignation by the City Manager.
6. All parties to this agreement shall participate and attend a goal setting process to identify the goals and objectives for the City Manager and the City for the coming year.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

Youth in Government Report

Thereupon, the Governing Body heard from Youth Delegate Courtney Evans who reported 4 members of Youth in Government were attending the National League of Cities conference in Denver, Colorado. The next meeting will be held December 6 and delegates will be voting on the Service Project.

Report from Ottawa University Student Body

Thereupon, the Governing Body heard from Ottawa University Student Body Sophomore Andrew McCluney who reported on the following:

- Shoe Drive
- Food Drive
- Suicide Prevention program
- Student Senate open positions
- Vesper’s Sunday, December 4
- Finals

Reports by Mayor

Thereupon, Mayor Reed read a letter of congratulations from Governor Parkinson on being designated as a “Playful City”. Mayor Reed announced she had received a similar letter from Congresswoman Lynn Jenkins.

Announcements

Thereupon, the Mayor announced:

1. December 6, 2010: Study Session at 4 pm
2. December 13, 2010: Study Session at 4 pm
3. December 15, 2010: Next Regular Meeting at 9:20 am

Adjournment

There being no further business to come before the Governing Body Commissioner Humm made a motion, seconded by Commissioner Fleer, 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 7:32 pm.

Carolyn S. Snethen, City Clerk

December 1, 2010