

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

A Study Session is scheduled for **January 9, 2012 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. Revised minutes from the November 16, 2011 Regular Meeting. These minutes were approved at the December 21, 2012 meeting. Upon review, it was discovered that a page had been omitted from the agenda packet. *pp. 1-4*
- b. Minutes from the November 21, November 28, December 5, December 12, and December 19, 2011 Study Sessions; the November 29 and December 21, 2011 Special Call Meetings; and the December 7, and December 21, 2011 Regular Meetings. *pp. 5-28*
- c. A proclamation recognizing Catholic Schools Week, January 29 – February 5, 2012. *p. 29*
- d. Contractor agreement documents for the Ottawa Municipal Airport Runway 17-35 improvements. *p. 30*
- e. The 2011 Kansas Department of Transportation (KDOT) Federal Fund Exchange Agreement. *pp. 31-43*

III. Items for Presentation and Discussion

- a. A Stormwater Utility briefing. *pp. 44-53*
- b. November Monthly Financial and Activity Report
- c. City Manager's Report
A discussion of the Urban Growth Area agreement.
A discussion of the proposed wastewater rate schedule for 2012-2016.
- d. Commissioners' Reports
- e. Mayor's Report

IV. Announcements

- January 16, 2012 Martin Luther King, Jr. Holiday – City offices closed
- January 16, 2012 Study Session canceled
- January 18, 2012 **NEXT REGULAR MEETING**, 9:30 am
- January 18, 2012 Joint City/County/USD 290 Luncheon, USD 290, 1404 S. Ash, 12:00 Noon
- January 23, 2012 Study Session, 4:00 pm
- January 30, 2012 Study Session, 4:00 pm
- February 1, 2012 Regular Meeting, 7:00 pm
- February 6, 2012 Study Session, 4:00 pm
- February 13, 2012 Study Session, 4:00 pm
- February 15, 2012 Regular Meeting, 9:30 am

V. Adjourn

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of November 16, 2011**

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 Ramsey, Commissioner Richards, Commissioner Caylor, and Commissioner Jorgensen. Commissioner Reed was absent. 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 Pastor Joel Frederikson of First Baptist Church.

Consent Agenda

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to approve the consent agenda. The consent agenda included the agenda and minutes from the October 19, 2011 Regular Meeting and the October 24, 2011 Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

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.

Retirement Recognition-Charlie King

Thereupon, the Governing Body recognized Charlie King on the occasion of his retirement from the City of Ottawa, Public Works Department, after 26 years of service to the City. With this recognition the City took time to recognize his service and thank him for a job well done. Thereupon, Mr. King thanked the Governing Body for the recognition.

2011 Employee Service Awards

Thereupon, Mayor Ramsey explained each year the League of Kansas Municipalities recognizes "faithful, continuous service" to Kansas communities. This year the City of Ottawa is proud to recognize 18 employees with a combined total of 365 years of service to Kansas communities.

November 16, 2011

Unofficial until approved

Thereupon, the following employees were recognized for years of service to the City of Ottawa:

35 Years	30 Years	25 Years	15 Years	10 Years
Carl Elder	Scott Bird	Kevin Hanson	Jo Ann Nowatzke	Aaron Procaccini
	Rick Geist	Ron Hughes	Gary Skiles	Shawn Dillon
	Bob Hollon			Blaine Stewart
	Kris Peterson	20 Years		Jeff Diehl
	Rick Oglesby	Jim Bradley		Barry Coulson
		Tim Ahrens		Susan Hughes

2012 OFCED Contract

Thereupon, the Governing Body reviewed the 2012 OFCED Contract. Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to approve the contract.

During discussion it was explained this is the annual review of the OFCED contract to provide economic development services to the City. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved.

Ordinance-Amending City of Ottawa's Comprehensive Plan

Thereupon, the Governing Body reviewed an ordinance amending Chapter 4 of the City of Ottawa's Comprehensive Plan. Thereupon, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained the Planning Commission recommended approval of this amendment with 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. 3800-11.

Ordinance-Amending Subdivision Regulations

Thereupon, the Governing Body reviewed an ordinance amending Article 4, Subdivision Design Standards, Section 4-1, Applicability; Article 7, Improvements, Section 7-2, Required Improvements; Article 14, Soil Erosion and Sediment Control, Section 14-2, Definitions, Section 14-3, Permits, Section 14-6, Design Requirements, and Section 14-7, Inspection, of the Subdivision Regulations, Ordinance No. 3510-05, for the City of Ottawa. Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor, to adopt the ordinance.

During discussion it was explained the Planning Commission recommended approval of this ordinance with 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. 3801-11.

November 16, 2011

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Ordinance-Amending Zoning Regulations

Thereupon, the Governing Body reviewed an ordinance amending Article 20 Landscaping, Section 20-3 General Conditions, Section 20-6 Planting Requirements within Parking Areas, and Section 20-7 Timing for Establishing Landscaping; Article 28 Site Plans, Section 28-1 Intent, Section 28-2 Applicability, Section 28-5 Submission Requirements, and Section 28-6 Standard Review of the Zoning Regulations, Ordinance No. 3501-05, for the City of Ottawa.

During discussion it was explained the Planning Commission recommended approval of this ordinance with 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. 3802-11.

City Manager's Report

Thereupon, City Manager Richard Nienstedt reported on the following:

- Joint luncheon scheduled for November 16, 2011 was canceled
- Thanked the Governing Body for taking the time to recognize our employees and their accomplishments

Commissioner's Report

Thereupon, Commissioner Caylor reported on the following:

- Many families are enjoying the Kanza Park playground
- Expressed appreciation of all services by employees of the City

Thereupon, Commissioner Richards reported on the following:

- Great celebration for Veterans Week with the involvement of many local organizations
- Encouraged citizens to support our community by shopping locally

Thereupon, Commissioner Jorgensen reported on the following:

- Thanked the City employees for their longevity of service
- Wished everyone a happy Thanksgiving

Mayor's Report

Thereupon, Mayor Ramsey wished everyone a happy Thanksgiving.

Announcements

Thereupon, the Mayor announced:

- November 17, 2011: League of Kansas Municipalities (LKM) Legislative Supper, Leawood, Ks at 5:30pm
- November 21, 2011: Study Session at 4 pm
- November 24-25, 2011: Thanksgiving – City offices closed
- November 28, 2011: Study Session at 4 pm
- November 29, 2011: Special Call Meeting – Annual Legislative Dinner, Neosho County Community College at 5:30 pm

Adjournment

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting at 10:23 am.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 21, 2011**

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

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Report-National League of Cities (NLC) Congress of Cities

Thereupon, the Governing Body heard from Commissioner Caylor and City Manager Richard Nienstedt who reported on the recent National League of Cities (NLC) Congress of Cities Conference in Phoenix, AZ.

City Manager's Report

Thereupon, City Manager Richard Nienstedt discussed the 2012 Legislative Priorities for the Annual Legislative Dinner on November 29, 2011.

Thereupon, the Governing Body heard from City Attorney Bob Bezek who discussed solicitation in street intersections. Thereupon, the Governing Body agreed by consensus to have the City Attorney bring information back to the Governing Body for review.

Commissioner's Reports

Thereupon, Commissioner Jorgensen discussed the importance of community branding.

Announcements

Thereupon, the Mayor announced:

- November 24-25, 2011: Thanksgiving – City offices closed
- November 28, 2011: Study Session at 4 pm
- November 29, 2011: Annual Legislative Dinner, Neosho County Community College at 5:30 pm

Open Agenda

Thereupon, Director of Finance Scott Bird proposed a public hearing to be held at the next Regular Meeting on December 7, 2012 for consideration of the Mac Fasteners tax abatement application. Thereupon, the Governing Body agreed by consensus to place this item.

November 21, 2011

Unofficial until approved

Adjournment

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 28, 2011**

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

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the October 31, 2011 Study Session and the November 2, 2011 Regular Meeting and agreed to place these items on the next Regular Meeting Agenda on December 7, 2011.

Ordinance-Rezoning Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including address 2194 US 59 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

Ordinance-Rezoning Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including addresses 2520 Eisenhower Road, 2489 Old US 50 Highway, 2459 Old US 50 Highway and 2449 Old US 50 Highway. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

Ordinance-Rezoning Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area including addresses 2551 Kingman Road, 2515 Eisenhower Road, 2597 US 59 Highway, 2599 US 59 Highway, 2571 US 59 Highway, 2573 US 59 Highway, 2545 US 59 Highway, 2646 S Princeton Road, 2598 US 59 Highway, 2526 US 59 Highway and 2619 Kingman Road. The Planning Commission recommended approval of this rezone with a 7-0 vote. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

Tax Abatement-Mac Fasteners

Thereupon, the Governing Body reviewed an application for a tax abatement for Mac Fasteners and agreed to place this item on the next Regular Meeting Agenda.

November 28, 2011

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During discussion it was announced the public hearing will be held at the next Regular Meeting on December 7, 2011.

City Manager's Report

Thereupon, City Manager Richard Nienstedt reported on the following:

- November Sales Tax report
- 2012 Legislative Priorities for the Annual Legislative Dinner on November 29, 2011 at 5:30 pm
- Electronic avenues for community interaction and feedback

Commissioner's Report

Thereupon, Commissioner Richards discussed advertising the sale of the old City Hall building.

Announcements

Thereupon, the Mayor announced:

- November 29, 2011: Annual Legislative Dinner, Neosho County Community College at 5:30 pm
- December 5, 2011: Study Session at 4 pm
- December 7, 2011: Next Regular Meeting at 7 pm

Adjournment

There being no further business to come before the Governing Body Commissioner Richards made a motion, seconded by Commissioner Caylor, to adjourn the meeting.

Carolyn S. Snethen, City Clerk

Special Call Meeting
2011 Legislative Dinner - 5:30 pm-November 29, 2011
Neosho County Community College-Auditorium, 900 E Logan St, Ottawa, Kansas
City of Ottawa-Franklin County-USD 290
Participation in tonight's discussion is for invited guests as follows:

State Senators

Pat Apple, 12th District
Jeff King, 15th District

Ottawa City Commission and Staff

Gene Ramsey, Mayor
Blake Jorgensen, Mayor Pro-Tem
Sara Caylor, Commissioner
Linda Reed, Commissioner
Jeffrey O. Richards, Commissioner
Richard U. Nienstedt, City Manager
Scott Bird, Director of Finance
Wynndee Lee, Director of Planning/Codes

Franklin County Commission and Staff

Ed Taylor, Commission Chair, 2nd District
Don Stottlemire, Vice Chair, 5th District
Steve Harris, Commissioner, 4th District
David Hood, Commissioner, 3rd District
Colton Waymire, Commissioner, 1st District
Lisa Johnson, County
Administrator/Counselor
Shari Perry, County Clerk

Media

Doug Carder, Ottawa Herald
Brad Howard, KOFO
Jeanny Sharp, Ottawa Herald
Mat Simonson, City Media Specialist

Franklin County School District Superintendents

Dotson Bradbury, Superintendent, USD 287
Jim White, Superintendent, USD 288
Tom Heiman, Superintendent, USD 289
Susan Rader, Board of Education, USD 289
Juanita Peckham, Board of Education, USD 289
November 29, 2011

State Reps

Bill Feuerborn, 5th District Rep
TerriLois Gregory, 10th District Rep
Bill Otto, 9th District Rep
Willie Prescott, 59th District Rep

USD 290 Board of Education and Staff

Brandon Jones, Board President
Darrell Bourque, Board Vice President
Dennis George, Board Member
Marge Stevens, Board Member
Brian Kane, Board Member
David White, Board Member
Susan Ward, Board Member
Dean Katt, Superintendent
Carolyn Snethen, City Clerk
Leslie Quillen, Asst. to the City Manager

Special Guests

Bob Bezek, City Attorney, City of Ottawa
Almeda Edwards, Chamber of Commerce
Legislative Action Committee
Kevin Eichner, President, Ottawa University
Dale Ernst, Dean – Ottawa Campus, NCCC
Terri Chartier, Interim Director,
Ottawa Library
Tom Weigand, President/CEO Ottawa Area
Chamber of Commerce
Cierra Gardner, Youth in Government Rep
Jordan Gray, Youth in Government Rep
Abagael Pruitt, Youth in Government Rep
Alex Reed, Youth in Government Rep
Brooke Sage, Youth in Government Rep
Danon Taylor, Youth in Government Rep

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6. Franklin County opposes any further exemptions to the ad valorem property tax base or the state/local sales tax base. We support a thorough and comprehensive review of all exemptions and repeal of those exemptions that would not merit a state appropriation. Exemptions only shift the burden of financing vital services to an increasingly narrow tax base. We oppose any legislation that sweeps fees intended for distribution to local government into the state general fund for use by the state.

Franklin County Schools 2012 Legislative Priorities

The four school districts in Franklin County had a combined total of **60** Standard of Excellence Awards on the 2011 Kansas State Assessments—up from 42 in 2010.

Wellsville received **18** Standard of Excellence Awards

West Franklin received **13** Standard of Excellence Awards

Central Heights received **7** Standard of Excellence Awards

Ottawa received **22** Standard of Excellence Awards

1. Franklin County Schools Oppose Changing the School Finance Formula
 - Fund the Current Formula
 - Add the additional \$25 million needed to maintain the current level of funding
 - A \$36 cut on the BSAPP would be a reduction in funding this year
 - Wellsville – \$51,000 Central Heights - \$22,000
 - West Franklin – \$49,816 Ottawa - \$120,000
2. Franklin County Schools Oppose Shifting the Tax Burden to Local School District Taxpayers. Maintain State Aid Equalization for local property taxes.
3. Fund All-Day Kindergarten and Support Early Childhood Programs
Add additional funding to the programs that have the greatest impact on student success.
4. Develop a Multi-Year Finance Plan
A multi-year plan will enable districts to plan ahead and manage cash balances more efficiently.

Thereupon, the Mayor thanked everyone for attending and adjourned the meeting at 7:37 pm.

Carolyn S. Snethen, City Clerk

November 29, 2011

Unofficial until approved

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
December 5, 2011**

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

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes from the November 7 and November 14, 2011 Study Sessions and agreed to place these items on the next Regular Meeting Agenda on December 7, 2011.

Cereal Malt Beverage-Not for Consumption

Thereupon, the Governing Body reviewed applications for license renewal to sell Cereal Malt Beverages in original and unopened containers, not for consumption on the premises. Each application was reviewed by the Police Department and City Attorney, with no cause for denial discovered. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Consent Agenda.

The applications were received from the following businesses:

- 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 7th
- Leiszler Oil Co, Inc. d/b/a Short Stop #23, 1621 S Main
- C-Prop Holdings LLC, d/b/a Ottawa Mini Mart, 2120 Princeton Road
- Walgreen's, 1445 S Main
- Love's Travel Stop #258, 203 E 27th Street
- Zarco 66, Inc., 2518 E Logan
- Bishop's Brew, 120 E Dundee

December 5, 2011

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Cereal Malt Beverage-For Consumption

Thereupon, the Governing Body reviewed applications for license renewal to sell Cereal Malt Beverages for consumption on the premises. Each application was reviewed by the Police Department and City Attorney, with no cause for denial discovered. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Consent Agenda.

The applications were received from the following businesses:

- Pizza Village, Inc., 330 S Main
- Ping Enterprise, d/b/a China Palace, 910 S Main
- NPC International d/b/a Pizza Hut #4739, 2314 S Princeton Road
- Windmill Café, 1010 N Main
- John Duncan, d/b/a Pizza Time Pub, 208 S Main
- RR Management, LLC, d/b/a Poncho's of Ottawa, 429 S main
- Bishop's Brew, 120 E Dundee

Resolution-Describing City Limits

Thereupon, the Governing Body reviewed a resolution describing the City limits, including property annexed in 2011 and agreed to place this item on the next Regular Meeting Agenda.

Ordinance-Solicitation

Thereupon, the Governing Body reviewed an ordinance prohibiting solicitation on streets, intersections and alleys except by obtaining a permit from the City Commission and agreed to place this item on the next Regular Meeting Agenda.

Grant Application-Law Enforcement

Thereupon, the Governing Body reviewed a grant application to the Commission on Accreditation of Law Enforcement Agencies (CALEA) to partially fund the fees associated with accreditation of the Ottawa Police Department. Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Richards, to give Chief Butler and Mayor Ramsey the authority to execute the document. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the authority to execute the document duly granted.

Monthly Financial and Activity Report-October

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of October.

City Manager's Report

Thereupon, City Manager Richard Nienstedt shared his appreciation for receiving the Buford R. Watson Jr. Award for Excellence in Public Administration.

Adjournment

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to adjourn the meeting at 5:42 pm.

Carolyn S. Snethen, City Clerk

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of December 7, 2011**

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 Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. 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 Jorgensen made a motion, seconded by Commissioner Reed, to approve the consent agenda. The consent agenda included the agenda and minutes from the October 31, November 7 and November 14, 2011 Study Sessions; November 2, 2011 Regular Meeting; applications for license to sell Cereal Malt Beverages in original and unopened containers, not for consumption on the premises; and applications for license to sell Cereal Malt Beverages, for consumption on the premises. 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 Senator Jerry Moran's District Representative Bill Maness who explained his interest in learning about and representing Ottawa.

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.

Public Hearing-Mac Fasteners Tax Abatement

Thereupon, Mayor Ramsey announced a public hearing for the consideration of an application for a tax abatement for Mac Fasteners.

Thereupon, Mayor Ramsey opened the public hearing at 7:08 pm.

The Governing Body heard from Director of Finance Scott Bird who provided a brief overview of the proposed tax abatement.

The Governing Body then heard from Norman Wooge, 3790 Pawnee, who spoke in opposition of the Mac Fasteners tax abatement.

December 7, 2011

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During discussion, Mr. Bird explained more information will be brought to the Governing Body at a later time and no action is requested at this time.

There being no one else to speak to this issue Mayor Ramsey closed the public hearing at 7:12 pm.

Public Hearing-Amendments to 2011 Budget

Thereupon, Mayor Ramsey announced a public hearing for the consideration of amendments to the 2011 Budget.

Thereupon, Mayor Ramsey opened the public hearing at 7:13 pm.

During discussion, Director of Finance Scott Bird explained additional expenditures are to be made from existing revenues and beginning cash carryover and cannot and do not require additional tax levies.

There being no one else to speak to this issue Mayor Ramsey closed the public hearing at 7:15 pm.

Adoption-Amended 2011 Budget

Thereupon, the Governing Body considered the adoption of the Amended 2011 Budget. Commissioner Caylor made a motion, seconded by Commissioner Richards, to adopt the Amended 2011 Budget. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Amended 2011 Budget duly adopted.

Ordinance-Municipal Code

Thereupon, the Governing Body reviewed an ordinance amending Chapter 11, Article 4 of the Ottawa Municipal Code prohibiting solicitation on the streets, intersections, and alleys except by obtaining a permit from the City Commission. Commissioner Jorgensen made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained the ordinance prohibits solicitation in the streets of Ottawa, except when an application is presented and permission is granted in writing by the City Commission. The motion was considered and upon being put, passed by the following vote: Commissioner Jorgensen aye, Commissioner Caylor aye, Commissioner Reed aye, Commissioner Richards aye, Mayor Ramsey nay. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3803-11.

Ordinance-Rezoning Urban Growth Area

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. Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained the address in this rezone is 2194 US 59 Highway. The Planning Commission recommended approval of this rezone with 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. 3804-11.

Ordinances-Rezone within City of Ottawa and Urban Growth Area

Thereupon, the Governing Body reviewed ordinances to rezone areas within the City of Ottawa and 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 Richards made a motion, seconded by Commissioner Caylor, to adopt the ordinances.

During discussion it was explained the addresses in this rezone include:

Addresses within the City

2571 US 59 Highway
2573 US 59 Highway
2545 US 59 Highway

Addresses within the Urban Growth

2551 Kingman Road
2515 Eisenhower Road
2597 US 59 Highway
2599 US 59 Highway
2646 S Princeton Road
2598 US 59 Highway
2526 US 59 Highway
2619 Kingman Road

The Planning Commission recommended approval with a vote a 7-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance with properties located "within the City" and the ordinance "within the Urban Growth Area" duly adopted. Thereupon, the Mayor declared the ordinances duly numbered (within the city) Ordinance No. 3805A-11 and (within Urban Growth) Ordinance No. 3805-11.

Ordinance-Rezoning Urban Growth Area

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. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the ordinance.

During discussion it was explained addresses in this rezone include: 2520 Eisenhower Road, 2489 Old US 50 Highway, 2459 Old US 50 Highway and 2449 Old US 50 Highway. The Planning Commission recommended approval of this rezone with 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. 3806-11.

Resolution-Territorial Limits & Boundaries of the City of Ottawa, Kansas

Thereupon, the Governing Body reviewed a resolution defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas, and rescinding Resolution No. 1397-06. Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adopt the resolution.

During discussion it was explained according to Kansas Statue K.S.A. 12-517, before the last day of December in any given year in which any property has been annexed into the City, the Governing Body shall declare by resolution the entire boundary of the City. Approximately 140.79 acres were annexed into the City of Ottawa in 2011. This resolution defines the current City limits. 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. 1561-11.

Commissioner's Report

Thereupon, Commissioner Richards announced the downtown stores will be open late Wednesday night and encouraged the citizens to shop locally.

Mayor's Report

Thereupon, Mayor Ramsey congratulated City Manager Richard Nienstedt for receiving the Buford Watson City Manager of the Year Award and announced a reception in his honor will be held January 4, 2012.

Announcements

The Mayor announced:

- December 12, 2011: Study Session at 4 pm
- December 19, 2011: Study Session at 4 pm
- December 21, 2011: Regular Meeting at 9:30 am
- December 26, 2011: Christmas Holiday (observed) – City offices closed
- December 26, 2011: Study Session canceled
- January 2, 2012: New Year's Day (observed) – City offices closed
- January 2, 2012: Study Session canceled

Executive Session

Recess

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Caylor to recess into Executive Session for a period of 15 minutes to discuss attorney-client privilege with the City Attorney and City Manager present and to reconvene into Open Session at 7:45 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor to reconvene at 7:45 pm into Regular Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Caylor made a motion, seconded by Commissioner Reed, to recess back into Executive Session to continue discussion related to attorney-client privilege for a period of 10 minutes with the City Attorney and City Manager present and to reconvene back into Open Session at 7:57 pm.

Reconvene

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Caylor to reconvene at 7:57 pm into Regular Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Richards, to adjourn the meeting at 7:58 pm.

Carolyn S. Snethen, City Clerk

December 7, 2011

Unofficial until approved

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
December 12, 2011**

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

Mayor Ramsey called the meeting to order.

Public Comments

None offered at this time.

Guest Speaker

Thereupon, the Governing Body heard from State Senator Pat Apple, 12th District, who discussed the Southeast Economic Summit scheduled for November 17, 2011 in Iola, Kansas.

Quarterly Recognition-City Employees

Thereupon, the Governing Body reviewed a request to place the quarterly recognition of City employees who have recently completed professional development programs and introduction of new employees on the next Regular Meeting Agenda. The Governing Body agreed to place this item on the next Regular Meeting Agenda on December 21, 2011.

Resolution-Depository Institutions

Thereupon, the Governing Body reviewed a resolution defining depository institutions for and funds held by the City of Ottawa, Kansas and agreed to place this item on the next Regular Meeting Agenda.

Applications-Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed applications for the Neighborhood Revitalization Program including two commercial structures and two residential structures which have been recommended for inclusion in the program by the Review Committee. The Governing Body agreed to place these items on the next Regular Meeting Agenda.

Service Line Warranty Program

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who gave an overview of the National League of Cities utility service line warranty program. After discussion, the Governing Body asked for additional information.

Commissioner's Report

Commissioner Jorgensen reported on prevalent issues for discussion at the 2012 Legislative Meeting.

Commissioner Richards reported that Crist Auto has moved from its location at I-35.

December 12, 2011

Unofficial until approved

Mayor's Report

Mayor Ramsey reported on the following:

- Christmas banners are displayed
- Thanked the electric crew for their work on the banners
- Inquired on status of 15th Street Sidewalk Project
- Joint luncheon is canceled
- OFCED "Labor Shed " Meeting scheduled for December 21, 2011 at the Country Club at 1:30 pm

Executive Session

Recess

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Caylor, to recess into Executive Session to discuss attorney-client privilege with the City Attorney and City Manager present for a period of 20 minutes and to reconvene into Open Session at 5:21 pm in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Reed made a motion, seconded by Commissioner Richards, to reconvene at 5:21 pm into Regular Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body Commissioner Richards made a motion, seconded by Commissioner Reed, to adjourn the meeting at 5:21 pm.

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
December 19, 2011**

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

Mayor Ramsey called the meeting to order.

Public Comments

Thereupon, Commissioner Caylor introduced the new Main Street Program Director Becci Shisler.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes from the November 16, 2011 Regular Meeting and agreed to place this item on the next Regular Meeting Agenda on December 21, 2011.

Ordinance-Zoning Regulations on Permitted Uses

Thereupon, the Governing Body reviewed an ordinance amending zoning regulations on permitted uses in the Countryside District and accessory uses and fences in the Urban Growth Area and agreed to place this item on the next Regular Meeting Agenda.

Ordinance-Rezone Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning. Addresses in this Phase 24 rezone include: 2387 Old US-50 Highway, 2402 Old US-50 Highway, 2439 Old US-50 Highway, 2434 Old US-50 Highway, 2428 Old US-50 Highway, 2424 Old US-50 Highway, 2415 Old US-50 Highway, 2393 Old US-50 Highway, and 2389 Old US-50 Highway. The Planning Commission recommended approval of these rezones with a 6-0 vote. Staff requested this item be placed on the January 4, 2012 Regular Meeting Agenda. The Governing Body agreed to place this item on the January 4, 2012 Regular Meeting Agenda.

Ordinance-Rezone Urban Growth Area

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the Urban Growth Area from Franklin County zoning to City zoning. Addresses in this Phase 25 rezone include: 2430 Eisenhower Ave, 2360 Labette Road, 2404 Labette Road, 2700 Eisenhower Ave, 2446 Labette Road, 2450 Labette Road, 2454 Labette Road, 2420 Labette Road, and 2410 Labette Road. The Planning Commission recommended approval of these rezones with a 6-0 vote. Staff requested this item be placed on the January 4, 2012 Regular Meeting Agenda. The Governing Body agreed to place this item on the January 4, 2012 Regular Meeting Agenda.

December 19, 2011

Unofficial until approved

Resolution-Wastewater Rate Schedule

Thereupon, the Governing Body reviewed a resolution increasing the wastewater rate schedule for 2012-2016 and agreed to place this item on the January 4, 2012 Regular Meeting Agenda. The purpose of the increases is to provide for general operations and to fund improvements to the Eastside interceptor.

2012 Citizen Survey

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who discussed plans to conduct a 2012 Citizen Survey. Mr. Nienstedt will bring a final version at a later date for review.

City Manager's Report

Thereupon, City Manager Richard Nienstedt reported on the Community Corrections position.

Commissioner's Report

Commissioner Caylor reported on the following:

- An incident of street solicitation at 23rd Street last week that was promptly handled by the Police Department.
- The City allows the Winter Adventures program to use the Ottawa Municipal Auditorium for activities.

Youth in Government

The Governing Body heard from Youth in Government (YIG) Representative Ciera Gardner who asked the Commission how YIG could take part in stamping the cement for the Safer Routes to School program.

The Commissioners offered the following suggestions for additional service projects YIG could become involved in:

- Back Pack Snack project to battle hunger in schools
- "Bicycle Rodeo" to promote Safer Routes to School
- Educational and promotional aspects of Safer Routes to School program
- Organizing donations for Hope House
- YIG form a partnership with the Play Taskforce

Mayor's Report

The Mayor inquired on the timeline of the 15th Street Sidewalk project.

Director of Planning/Codes/Inspections Wynndee Lee discussed the impact of the temperature and weather on the project and explained the City's Engineer is monitoring the progress closely.

Announcements:

The Mayor announced:

- December 21, 2011: Regular Meeting at 9:30 am
- December 21, 2011: Special Call Meeting – Labor Shed luncheon meeting, Great Life Fitness, 1001 E Logan Street, Noon-1:30 pm
- December 26, 2011: Christmas Holiday (observed) – City offices closed

Adjournment

There being no further business to come before the Governing Body Commissioner Jorgensen made a motion, seconded by Commissioner Richards, to adjourn the meeting.

Carolyn S. Snethen, City Clerk

**CITY COMMISSION
Regular Meeting Minutes
Commission Chambers
101 S. Hickory, Ottawa, Kansas
Minutes of December 21, 2011**

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 Ramsey, Commissioner Richards, Commissioner Caylor, Commissioner Jorgensen, and Commissioner Reed. 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 Pastor Michael Schooley, Crosspointe Community Church.

Consent Agenda

Thereupon, Commissioner Richards made a motion, seconded by Commissioner Jorgensen, to approve the consent agenda. The consent agenda included the agenda and minutes from the November 16, 2011 Regular Meeting. 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

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.

Fourth Quarter Recognition of City Employees

Thereupon, the Governing Body recognized the fourth quarter City employees who have been promoted or have recently completed educational and professional development programs, and those new to the City. The following employees were recognized:

Tony Hurtado, Police Department

Tony recently completed the Glock Armorer's Certification Course.

David Buehler, Utilities/Water Production

David has completed the Utility Management Certification program by passing the UMC Certification exam administered by Water University, a program supported by the National Rural Water Association and the state rural water association.

December 21, 2011

Unofficial until approved

Wynndee Lee, Director, Planning and Codes

Wynndee was presented the Ottawa University Distinguished Service Award in October at the Ottawa University Alumni Banquet. This award honors alumni for exceptional service to their church and community. Wynndee was recognized for her service through Rotary, Habitat for Humanity, United Way, First Baptist Church, and her service on the OU Board of Trustees and its committees.

Jim Bradley, Director, Utilities

Jim was awarded the Max Embree Award, named after the highly regarded Max Embree. Employees of KMEA member Cities who has been active in the Agency for at least 5 years are eligible. Nominees must possess skills in administration, public relations, accounting; human resources; and community leadership, and possess a strong desire to increase the positive image of Public Power in the state of Kansas.

Richard U. Nienstedt, City Manager

Richard was awarded the Buford Watson, Jr. Award for Excellence in Public Management/ City Manager of the Year Award. This award is given each year by the Kansas Association of City Managers to a local government manager who has displayed the attributes of the late Buford M. Watson, Jr. (former City Manager of Lawrence, KS) which includes serving as a role model in dealing with constituents, valuing customer satisfaction and encouraging new members of the profession.

Clancy Moore, Public Works/Streets Department

Clancy joined the City on October 10 as an Equipment Operator I.

Applications-Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed applications for the Neighborhood Revitalization Program. Commissioner Caylor made a motion, seconded by Commissioner Richards, to approve the applications.

During discussion it was explained two commercial structures (126 N Poplar and 412 S Main) and two residential structures (528 S Oak and 733 Liberty) have been recommended for inclusion in the program by the Review Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Ordinance-Zoning Regulations

Thereupon, the Governing Body reviewed an ordinance amending Article 8, Country Side District, Section 8-201, Permitted Uses; and Article 24, Supplemental District Regulations, Section 24-6, Accessory Uses, and Section 24-705 for Certain Fences Prohibited, of the Zoning Regulations, Ordinance No. 3501-05 for the City of Ottawa, Kansas. Commissioner Reed made a motion, seconded by Commissioner Richards, to adopt the ordinance.

December 21, 2011

Unofficial until approved

During discussion it was explained the proposed amendments to the City's regulations are related to farm animals and fences. The Planning Commission recommended this amendment with a 6-0 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. 3807-11.

Resolution-Depository Institutions

Thereupon, the Governing Body reviewed a resolution defining depository institutions for and funds held by the City of Ottawa, Kansas. Commissioner Caylor made a motion, seconded by Commissioner Reed, to adopt the resolution.

During discussion it was explained this is an administrative update of those persons in the organization who have the authority to act on behalf of the City concerning bank accounts and other business transactions. The change is necessary due to a change in Finance personnel. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was numbered Resolution No. 1562-11.

City Manager's Report

The City Manager reported on the following:

- Labor Shed luncheon meeting at Great Life Fitness, 1001 E Logan Street, December 21, 2011 from Noon-1:30
- Wished everyone a Merry Christmas.
- Thanked the Commission and Staff for all of the hard work done on behalf of our community.

Commissioner's Reports

Commissioner Caylor reported on the following:

- Thanked the City Manager for all he does for the community and congratulated him on his recent award.
- Watch for more children to be out during Winter Break.

Commissioner Reed wished everyone a Merry Christmas.

Commissioner Richards reported on the following:

- Winter Adventures program starts this evening for children.
- Wished everyone a Merry Christmas and a Happy New Year.

Commissioner Jorgensen reported on the following:

- He attended the ATC Truck Covers reception last night with City Manager Richard Nienstedt and Director of Planning/Codes/Inspections Wynndee Lee.
- Welcomed ATC Truck Covers to our Industrial Park as a nice addition.
- Wished everyone a Merry Christmas.

Mayor's Report

The Mayor reported on the following:

- Wished everyone a Merry Christmas and a Happy New Year.
- Congratulated the City Manager on his recent honor.

Announcements

The Mayor announced the following:

- December 21, 2011: Special Call Meeting – Labor Shed luncheon meeting at Great Life Fitness, 1001 E Logan Street, from Noon-1:30 pm
- December 26, 2011: Christmas Holiday (observed) – City offices closed
- December 26, 2011: Study Session canceled
- January 2, 2012: New Year's Day (observed) – City offices closed
- January 2, 2012: Study Session canceled
- January 4, 2012: Regular Meeting at 7 pm

Adjournment

There being no further business to come before the Governing Body Commissioner Caylor made a motion, seconded by Commissioner Reed, to adjourn the meeting at 9:56 am.

Carolyn S. Snethen, City Clerk

City Commission
Special Call Minutes
December 21, 2011
Great Life Fitness, 1001 E Logan Street
Ottawa, Kansas

The Governing Body met at 12 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Caylor, Commissioner Richards, and Commissioner Jorgensen. Commissioner Reed was absent. A quorum was present.

The Governing Body was in attendance at this Special Call meeting in order to participate in the OFCED Labor Shed luncheon.

Thereupon, the Governing Body adjourned the meeting at 1:30 pm.

Carolyn S. Snethen, City Clerk

December 21, 2011

Unofficial until approved



PROCLAMATION



WHEREAS, Catholic Schools Week is an annual national celebration of the important role that Catholic elementary and secondary schools across the country play in providing an education that emphasizes not only academics, but also spiritual, moral, and social values, and;

WHEREAS, Sacred Heart Catholic School, Ottawa, Kansas has been an academic institution in our community for 60 years, and;

WHEREAS, the mission of Sacred Heart School is to love God and one another, to help each other, and to learn for today and tomorrow, and;

WHEREAS, This year's theme is "Catholic Schools: Faith. Academics. Service." Students and alumni of Sacred Heart Catholic School provide vital contributions to our community, and through a well-balanced curriculum, tools to master academic, social and technological skills, and the cultural appreciation needed for success and life-long learning, Sacred Heart students are well prepared to contribute positively to church and society through leadership and service.

WHEREAS, the continuing support of this community and its citizens contributes to Sacred Heart's ability to achieve its mission.

NOW, THEREFORE, the governing body of the City of Ottawa, Kansas, does hereby proclaim January 29 – February 5, 2012 as:

CATHOLIC SCHOOLS WEEK

And urges all citizens of Ottawa to recognize the many accomplishments and opportunities that this outstanding school provides to our community.

SIGNED this 18th day of January 2012.

Gene Ramsey, Mayor

CITY OF OTTAWA, KANSAS
MEMORANDUM

TO: Richard U. Nienstedt, City Manager
FROM: Andy Haney
SUBJECT: Contractor Agreement Documents for Runway 17-35 Improvements
COPY TO: Matt Jacobs (Lochner)
DATE: December 6, 2011

During August the City Commission approved the recommendation to retain Emery Sapp & Sons (ES&S) for the construction project. The FAA has concurred with all actions, and the Agreement documents have been received for signature by the City of Ottawa.

As a summary, the runway reconstruction project includes:

- removal and replacement of the runway and crossing taxiways (new concrete);
- replacing runway lighting with LED systems; and
- installing underground steel casing for a future waste water handling system.

Total anticipated project construction costs as of this report are summarized as follows:

	Total	FAA	City
Construction Agreement (ES&S)	\$ 2,065,774	\$ 1,962,485.47	\$ 103,288.71
Construction Services (Lochner and City)	\$ 147,100	\$ 139,745.00	\$ 7,355.00
Wastewater System	\$ 23,749		\$ 23,749.00
TOTALS	\$ 2,236,623	\$ 2,102,230	\$ 134,393

ES&S has met with City of Ottawa representatives, Airport business operators, and the design consultant to review the impact of this project. All are aware that the Airport must be closed during this project, and the contractor has committed to minimize this period of closure to the best of their ability. The project schedule prepared by ES&S indicates the Airport will be closed on/about April 23, 2012, and remain closed until August 20, 2012.

RECOMMENDATION: That the City Commission authorizes staff to sign the construction agreement documents that will result in construction by Emery Sapp & Sons next spring/summer.

PROJECT NO. 30 U-0087-11
FUND EXCHANGE
CITY OF OTTAWA, KANSAS

A G R E E M E N T

PARTIES: **BARBARA W. RANKIN, Acting Secretary of Transportation,** Kansas Department of Transportation (KDOT) hereinafter referred to as the “Secretary,”

The City of Ottawa, Kansas, hereinafter referred to as the “City,”

Collectively referred to as the “Parties.”

PURPOSE: Secretary has authorized a fund exchange program which allows local units of government to exchange some or all of the federal funds allocated to them in a specific federal fiscal year for state funds allocated to Secretary.

Secretary and City desire to exchange state transportation funds (“State Funds”) for all, or a portion of, the annual allotment of City’s Highway Bridge Program and/or Surface Transportation Funds (“Federal Funds.”) City has requested \$140,007.78 of their annual allotment for federal fiscal year 2011 of Federal Funds be exchanged for State Funds. Secretary and City are empowered by the laws of Kansas to enter into agreements incident to the financing, construction, and maintenance of city roads utilizing federal or state funds.

EFFECTIVE

DATE: The Parties in consideration of the premises and to secure the approval of the Project shall mutually agree to perform in accordance with this Agreement as of the date signed by Secretary or designee.

ARTICLE I

SECRETARY AGREES:

1. To reimburse City, with State Funds, for one hundred percent (100%) of costs incurred pursuant to this Agreement, up to a maximum of \$126,007.00. Secretary agrees to make partial payments to the City for amounts not less than \$1,000 and no more frequently than monthly. Such payments will be made after receipt of proper billing.

ARTICLE II

CITY AGREES:

1. The total dollars exchanged under this Agreement are contingent upon the availability of State funds. If, in the judgment of Secretary, sufficient State Funds are not

appropriated to continue the function performed in this Agreement, Secretary may terminate this Agreement. Secretary will not be responsible to City for any reduction in State Funds.

2. The total dollars exchanged under this Agreement are also contingent upon the availability of Federal funds. If, due to Congressional funding restrictions, sufficient Federal funds have not been allotted to City, Secretary shall exchange funds in the amount available.

3. City agrees it shall not deposit the State Funds exchanged into the operating budget for City.

4. State Funds exchanged pursuant to this Agreement shall be used on specific road and bridge projects, including but not limited to roadway construction, reconstruction or rehabilitation, pavement preservation programs, bridge construction, replacement, rehabilitation, repair and removal, construction of low water crossing, safety improvement programs. State Funds exchanged pursuant to this Agreement shall be used on specific road and bridge projects only, as pre-approved by Secretary.

5. State Funds exchanged pursuant to this Agreement may be used for all phases of a road and bridge project including, but not limited to preliminary engineering, right of way acquisition, utility relocation, construction and inspection. City understands if used for right of way acquisition, the acquisition shall be done in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, and administrative regulations contained in 49 C.F.R., pt. 24, entitled Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.

6. To allow Secretary to retain and use \$140,007.78 of City's Federal Funds in exchange for State Funds. City understands Secretary may use the captured funds for any purpose or for any project throughout the state.

7. Secretary is authorized by City to take such steps as are deemed by Secretary to be necessary or advisable for the purpose of securing the benefits of the current Federal-Aid Transportation Act for this exchange.

8. To participate and cooperate with Secretary in an audit which will occur either annually or by project. City shall make its records and books available to representatives of Secretary for audit for a period of five (5) years after date of final payment under this Agreement. If any such audits reveal payments have been made with state funds by the City for items considered non-participating, the City shall promptly reimburse the Secretary for such items upon notification by the Secretary.

9. To adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Agreement.

10. Upon completion of the road or bridge project, the City shall notify Secretary and participate in a final review of the road or bridge project.

11. To the extent permitted by law, City agrees to defend, indemnify, hold harmless, and save the Secretary and his or her authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the City or the City's employees.

12. To follow all applicable laws and statutes governing the projects undertaken pursuant to this Agreement.

ARTICLE III

THE PARTIES AGREE:

1. The Special Attachment No. 1 attached hereto, pertaining to the implementation of the Civil Rights Act of 1964, is hereby made a part of this Agreement.

2. The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 10-11), which is attached hereto, are hereby incorporated in this contract and made a part thereof.

3. This Agreement and all contracts entered into under the provisions of this Agreement shall be binding upon Secretary and City and their successors in office.

4. No third party beneficiaries are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

5. The application submitted by City for Federal Fund exchange is hereby incorporated into this Agreement and made a part thereof.

6. Any State Funds exchanged pursuant to this Agreement may be carried over in the next federal fiscal year by City

The signature page immediately follows this paragraph.

IN WITNESS WHEREOF the Parties hereto have caused this Agreement to be signed by their duly authorized officers on the day and year first above written.

ATTEST:

CITY OTTAWA, KANSAS

CITYCLERK (Date)

CHAIRMAN

(SEAL)

MEMBER

MEMBER

Kansas Department of Transportation
Barbara W. Rankin, Acting Secretary of Transportation

By: _____
Jerome T. Younger, P.E. (Date)
Deputy Secretary for Engineering and
State Transportation Engineer



**KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF LOCAL PROJECTS
REQUEST TO EXCHANGE FEDERAL FUNDS**

County/City:

Ottawa/Franklin

Federal Funds to Be Exchanged:

\$ 140,008

The Secretary of Transportation is hereby requested to make available to the city/county state funds in exchange for the city's/county's allotment of federal funds in the amount stated above.

We understand that the amount of state funds provided by the Secretary will be calculated at an exchange rate of \$0.90 of state funds per dollar of federal funds. We further understand that the state funds must be used for transportation project(s) in accordance with the program guidelines and will be paid on a reimbursement basis as the city/county incurs costs on the project(s).

Proposed project(s) to use the state funds are listed on the attached sheets.

Contact Person:

Andy Haney

Title: **Public Works Director**

Address:

City Hall, P.O. Box 60, Ottawa, KS 66067

Phone:

(785) 229-3630

Email: **ahaney@ottawaks.gov**


*Signature**

Andy Haney

Typed or Printed Name

Public Works Director

Title

February 25, 2011

Date

**The representative signing this request must be authorized by law to bind the city/county to an agreement.*



REQUEST TO EXCHANGE FEDERAL FUNDS Project List: (Attach as many sheets as needed)

Project Location: **K-68 Highway (west city limits to Marais des Cygnes River bridge)**

Scope of Work: **mill, asphalt overlay, marking**

Estimated Construction Start Date: **May 2011**

Estimated Costs: (Only show those costs for which you will request reimbursement)

Design	\$ N/A
Right of Way	\$ N/A
Utility Adjustments	\$ N/A
Construction	\$ 100,000
Inspection	\$ 15,000
Total Estimated Costs	\$ <u>115,000</u>

Project Location: **Parking Lot B (NE corner @ 2nd and Walnut)**

Scope of Work: **mill, asphalt overlay, marking**

Estimated Construction Start Date: **May 2011**

Estimated Costs: (Only show those costs for which you will request reimbursement)

Design	\$ N/A
Right of Way	\$ N/A
Utility Adjustments	\$ N/A
Construction	\$ 28,000
Inspection	\$ N/A
Total Estimated Costs	\$ <u>28,000</u>

CITY OF OTTAWA, KANSAS

MEMORANDUM

TO: Kansas Department of Transportation – Bureau of Local Projects
Attn: Eric Dietcher

FROM: Andy Haney, Public Works Director

COPY TO: City Commission
Richard U. Nienstedt, City Manager
Scott Bird, Finance Director

SUBJECT: Federal Fund Exchange Application for FFY 2011

DATE: February 25, 2011

The City of Ottawa has not yet determined the final listing of street improvement projects for FFY 2011. However, there are two known projects at this point. Those projects, listed on the previous page, are:

1. KLINK Project 63-60 U-2218-01 (estimate for City's 50% share is shown). This is a resurfacing project for a portion of K-68 Highway within the city limits; and
2. Resurfacing (some milling) and remarking Municipal Parking Lot B at the northeast corner of the intersection of 2nd and Walnut Streets.

Federal Exchange Funds will first be applied to project no. 1, above. Any remaining Federal Exchange Funds of the \$140,008 requested) will be applied as reimbursement for project no. 2, above.

Should there be any remaining Federal Exchange Funds following completion of both projects shown above, the City of Ottawa desires to apply those funds to projects in our 2011 Street Rehabilitation Program. The City Commission has not yet considered or approved the 2011 program. That action is anticipated in March 2011. Those projects may include:

- slurry seal projects; and/or
- asphalt overlay projects.

In hopes of dispensing with forms for each project, the pages immediately following are lists of street sections that may be subject to slurry or overlay improvements during FFY 2011. This determination is based on scoring/ evaluation within our pavement management program.

The **Project Location** is shown for each segment of street improvement being considered.

We anticipate **Construction Start Dates** for the projects as early as May 2011, and completing those projects no later than the end of September 2011.

The **Estimated Construction** cost for each project is shown in the **PROJECT ESTIMATE** column for each of those potential projects, and represents the total reimbursement that the City of Ottawa anticipates claiming from the Federal Funds Exchange Program for any given project. Nothing other than construction is anticipated to be submitted for reimbursement.

The City Commission authorized staff to proceed with this application on Monday, February 21, 2001.

Please contact me if you have any questions at ahaney@ottawaks.gov or (785) 229-3630.



PENDING CITY OF OTTAWA SLURRY SEAL PROJECTS

STREET NAME	FROM	TO	PROJECT ESTIMATE
Willow Ln.	Maple St.	Chestnut St.	\$ 19,174.00
Willow Ln.	Chestnut St.	Willow St.	\$ 17,008.00
Willow Ln.	Willow St.	(dead end street)	\$ 11,118.00
2nd St.	Walnut St.	Locust St.	\$ 21,764.00
2nd St.	Locust St.	Elm St.	\$ 21,724.00
2nd St.	Elm St.	Maple St.	\$ 21,820.00
4th St.	Locust St.	Elm St.	\$ 16,792.00
4th St.	Maple St.	Willow St.	\$ 16,886.00
1st St.	Cedar St.	Hickory St.	\$ 22,808.00
3rd St.	Locust St.	Elm St.	\$ 16,596.00
5th St.	Cherry St.	Sycamore St.	\$ 24,350.00
King St.	Blackhawk St.	Wilson St.	\$ 23,146.00
Maple St.	12th St.	11th St.	\$ 40,336.00
Rockwood Dr.	15th St.	15th St.	\$113,634.00
Walton St.	Lincoln St.	Burrough St.	\$ 26,098.00
Willow St.	W. 8th St.	7th St.	\$ 32,944.00
Willow Street	W. 6th St.	5th St.	\$ 31,764.00
5th St.	Ash St.	Pine St.	\$ 43,004.00
Mulberry St.	4th St.	3rd St.	\$ 23,426.00
Tremont St.	8th St.	7th St.	\$ 28,802.00
Tremont St.	9th St.	8th St.	\$ 28,688.00
Willow Street	4th St.	3rd St.	\$ 31,854.00
15th St.	Entrance to church	Twyman St.	\$ 45,788.00
8th St.	Burrough St.	Cherry St.	\$ 26,578.00
Hemlock St.	Blackhawk St.	Wilson St.	\$ 34,508.00
Poplar St.	8th St.	7th St.	\$ 37,390.00
10th St.	Walnut St.	Locust St.	\$ 18,246.00
15th St.	Hickory St.	Main St.	\$ 29,934.00
Poplar St.	6th St.	5th St.	\$ 31,842.00
15th St.	Maple St.	Willow St.	\$ 32,146.00
Ash St.	19th St.	17th St.	\$ 71,962.00
Hickory St.	15th St.	14th St.	\$ 40,474.00
Wilson St.	alley E of Cleveland	Cleveland St.	\$ 18,000.00
15th St.	Osage St.	Entrance to church	\$ 36,800.00
8th St.	Lincoln St.	Burrough St.	\$ 24,990.00
12th St.	College St.	Cedar St.	\$ 35,866.00
4th St.	Willow St.	Ash St.	\$ 17,198.00
5th St.	Sycamore St.	Mulberry St.	\$ 24,114.00
Willow Ln.	Maple St.	Chestnut St.	\$ 19,174.00
Willow Street	7th St.	6th St.	\$ 32,108.00
15th St.	Elm St.	Maple St.	\$ 29,204.00

PENDING CITY OF OTTAWA ASPHALT OVERLAY PROJECTS

Page 1 of 2

STREET NAME	FROM	TO	PROJECT ESTIMATE
6th St.	Maple St.	Willow St.	\$ 8,027
Logan St.	Cedar St.	Hickory St.	\$ 10,008
Powhattan St.	Hickory St.	Main St.	\$ 2,381
King St.	Massasoit St.	Red Jacket St.	\$ 6,434
Cedar St.	Logan St.	Powhattan St.	\$ 6,797
Poplar St.	4th St.	3rd St.	\$ 6,519
9th St.	Cypress St.	Olive St.	\$ 4,948
Logan St.	Oak St.	Cedar St.	\$ 4,766
5th St.	Poplar St.	Oak St.	\$ 7,041
Hickory St.	10th St.	9th St.	\$ 10,551
Sycamore St.	4th St.	3rd St.	\$ 5,851
Spruce St.	Powhattan St.	Fairway Dr.	\$ 12,825
Ramp (2nd onto K-68)	2nd St.	Hwy. 68	\$ 8,443
8th St.	Cypress St.	Olive St.	\$ 3,860
10th St.	Cedar St.	Hickory St.	\$ 6,936
Locust St.	1st St.	(dead end)	\$ 6,758
2nd St.	Walnut St.	Locust St.	\$ 9,098
9th St.	Cedar St.	Hickory St.	\$ 5,132
Locust St.	6th St.	5th St.	\$ 13,194
Powhattan St.	N. Hemlock St.	Spruce St.	\$ 3,059
Powhattan St.	Oak St.	Cedar St.	\$ 4,871
6th St.	Willow St.	Ash St.	\$ 8,247
9th St.	Poplar St.	Oak St.	\$ 6,401
9th St.	Hickory St.	Princeton St.	\$ 5,445
Hickory St.	11th St.	10th St.	\$ 10,567
3rd St.	Maple St.	Willow St.	\$ 5,088
4th St.	Cedar St.	Hickory St.	\$ 7,076
5th St.	Hickory St.	Main St.	\$ 19,252
Blackhawk St.	Main St.	King St.	\$ 3,863
13th St.	Cedar St.	Hickory St.	\$ 9,883
7th St.	Burrough St.	Linwood St.	\$ 6,602
Rockwood Ln.	Rockwood Dr.	(dead-end)	\$ 1,820

PENDING CITY OF OTTAWA ASPHALT OVERLAY PROJECTS

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STREET NAME	FROM	TO	PROJECT ESTIMATE
Locust St.	4th St.	3rd St.	\$ 11,593
3rd St.	Elm St.	Maple St.	\$ 4,647
9th St.	Mulberry St.	Poplar St.	\$ 7,449
King St.	Red Jacket St.	Blackhawk St.	\$ 5,351
Elm St.	15th St.	13th St.	\$ 17,587
Locust St.	8th St.	7th St.	\$ 14,129
Poplar St.	5th St.	4th St.	\$ 8,695
6th St.	Pine St.	Beech St.	\$ 4,502
Elm St.	13th St.	11th St.	\$ 9,896
13th St.	Hickory St.	Main St.	\$ 8,591
5th St.	Mulberry St.	Poplar St.	\$ 6,492
9th St.	Oak St.	Cedar St.	\$ 6,125
Cypress St.	9th St.	8th St.	\$ 8,230
Locust St.	7th St.	6th St.	\$ 11,506
Willow Street	5th St.	4th St.	\$ 8,646
19th St.	Ash St.	Osage Dr.	\$ 16,948
3rd St.	Walnut St.	Locust St.	\$ 4,590
4th St.	Elm St.	Maple St.	\$ 4,602
Wilson St.	Locust St.	Cleveland	\$ 8,461
Sycamore St.	Grant St.	Garfield St.	\$ 13,698
14th St.	Hickory St.	Main St.	\$ 8,504
9th St.	Princeton St.	Main St.	\$ 3,541
Locust St.	9th St.	8th St.	\$ 7,217
2nd St.	Maple St.	Willow St.	\$ 7,713
4th St.	Walnut St.	Locust St.	\$ 4,659
5th St.	Walnut St.	Locust St.	\$ 5,608
5th St.	Elm St.	Maple St.	\$ 5,887
Sycamore St.	Red Jacket St.	Blackhawk St.	\$ 8,678
Mulberry St.	Logan St. (68)	Powhattan St.	\$ 5,753
Hickory St.	12th St.	11th St.	\$ 9,614
Locust St.	5th St.	4th St.	\$ 11,658
5th St.	Maple St.	Willow St.	\$ 5,873

KANSAS DEPARTMENT OF TRANSPORTATION

Special Attachment
To Contracts or Agreements Entered Into
By the Secretary of Transportation of the State of Kansas

NOTE: Whenever this Special Attachment conflicts with provisions of the Document to which it is attached, this Special Attachment shall govern.

THE CIVIL RIGHTS ACT OF 1964, and any amendments thereto,
REHABILITATION ACT OF 1973, and any amendments thereto,
AMERICANS WITH DISABILITIES ACT OF 1990, and any amendments thereto,
AGE DISCRIMINATION ACT OF 1975, and any amendments thereto,
EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY
POPULATIONS AND LOW INCOME POPULATIONS 1994, and any amendments thereto,
49 C.F.R. Part 26.1 (DBE Program), and any amendments thereto

NOTIFICATION

The Secretary of Transportation for the State of Kansas, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), §504 of the Rehabilitation Act of 1973 (87 Stat. 355) and the Americans with Disabilities Act of 1990 (42 USC 12101), the Age Discrimination Act of 1975 (42 USC 6101), the regulations of the U.S. Department of Transportation (49 C.F.R., Part 21, 23, and 27), issued pursuant to such Act, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (1994), and the DBE Program (49 C.F.R., Part 26.1), hereby notifies all contracting parties that, the contracting parties will affirmatively ensure that this contract will be implemented without discrimination on the grounds of race, religion, color, gender, age, disability, national origin, or minority populations and low income populations as more specifically set out in the following “Nondiscrimination Clauses”.

CLARIFICATION

Where the term “Consultant” appears in the following “Nondiscrimination Clauses”, the term “Consultant” is understood to include all parties to contracts or agreements with the Secretary of Transportation of the State of Kansas.

Nondiscrimination Clauses

During the performance of this contract, the Consultant, or the Consultant’s assignees and successors in interest (hereinafter referred to as the “Consultant”), agrees as follows:

- 1) Compliance with regulations: The Consultant will comply with the regulations of the U.S. Department of Transportation relating to nondiscrimination in its federally-assisted programs and codified at Title 49, Code of Federal Regulations, Parts 21, 23 and 27, (hereinafter referred to as the “Regulations”). The Regulations are herein incorporated by reference and made a part of this contract.
- 2) Nondiscrimination: The Consultant, with regard to the work performed by the Consultant after award and prior to the completion of the contract work, will not discriminate on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations in the selection and retention of subcontractors, including in the procurements of materials and leases of equipment. The Consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) Solicitations for Subcontractors, including Procurements of Material and Equipment: In all solicitations, either competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant’s obligation under this contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations.

- 4) Information and Reports: The Consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and the Secretary of the Transportation of the State of Kansas will be permitted access to the Consultant's books, records, accounts, other sources of information, and facilities as may be determined by the Secretary of Transportation of the State of Kansas to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Consultant is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to the Secretary of Transportation of the State of Kansas and shall set forth what efforts it has made to obtain the information.
- 5) Employment: The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, gender, age, disability, or national origin.
- 6) Sanctions for Noncompliance: In the event of the Consultant's noncompliance with the nondiscrimination provisions of this contract, the Secretary of Transportation of the State of Kansas shall impose such contract sanctions as the Secretary of Transportation of the State of Kansas may determine to be appropriate, including, but not limited to,
 - (a) withholding of payments to the Consultant under the contract until the Consultant complies, and/or
 - (b) cancellation, termination or suspension of the contract, in whole or in part.
- 7) Disadvantaged Business Obligation
 - (a) Disadvantaged Business as defined in the Regulations shall have a level playing field to compete for contracts financed in whole or in part with federal funds under this contract.
 - (b) All necessary and reasonable steps shall be taken in accordance with the Regulations to ensure that Disadvantaged Businesses have equal opportunity to compete for and perform contracts. No person(s) shall be discriminated against on the basis of race, color, gender, or national origin in the award and performance of federally-assisted contracts.
 - (c) The Consultant, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Consultant shall carry out applicable requirements of 49 C.F.R. Part 26 in the award and administration of Federally-assisted contracts. Failure by the Consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.
- 8) Executive Order 12898
 - (a) To the extent permitted by existing law, and whenever practical and appropriate, all necessary and reasonable steps shall be taken in accordance with Executive Order 12898 to collect, maintain, and analyze information on the race, color, national origin and income level of persons affected by programs, policies and activities of the Secretary of Transportation of the State of Kansas and use such information in complying with Executive Order 12898.
- 9) Incorporation of Provisions: The Consultant will include the provisions of paragraphs (1) through (8) in every subcontract, including procurements of materials and equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The Consultant will take such action with respect to any subcontract or procurement as the Secretary of Transportation of the State of Kansas may direct as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, however, that, in the event a Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the State to enter into such litigation to protect the interests of the State.

CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 10-11), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the _____ day of _____, 20_____.

1. **Terms Herein Controlling Provisions:** It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.
2. **Kansas Law and Venue:** This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.
3. **Termination Due To Lack Of Funding Appropriation:** If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges-hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of the State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.
4. **Disclaimer Of Liability:** No provision of this contract will be given effect that attempts to require the State of Kansas or its agencies to defend, hold harmless, or indemnify any contractor or third party for any acts or omissions. The liability of the State of Kansas is defined under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).
5. **Anti-Discrimination Clause:** The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) if it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration.

Contractor agrees to comply with all applicable state and federal anti-discrimination laws.

The provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting State agency cumulatively total \$5,000 or less during the fiscal year of such agency.

6. **Acceptance Of Contract:** This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.
7. **Arbitration, Damages, Warranties:** Notwithstanding any language to the contrary, no interpretation of this contract shall find that the State or its agencies have agreed to binding arbitration, or the payment of damages or penalties. Further, the State of Kansas and its agencies do not agree to pay attorney fees, costs, or late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit any damages available to the State of Kansas or its agencies at law, including but not limited to the implied warranties of merchantability and fitness for a particular purpose.
8. **Representative's Authority To Contract:** By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.
9. **Responsibility For Taxes:** The State of Kansas and its agencies shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.
10. **Insurance:** The State of Kansas and its agencies shall not be required to purchase any insurance against loss or damage to property or any other subject matter relating to this contract, nor shall this contract require them to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the contractor shall bear the risk of any loss or damage to any property in which the contractor holds title.
11. **Information:** No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.
12. **The Eleventh Amendment:** "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."
13. **Campaign Contributions / Lobbying:** Funds provided through a grant award or contract shall not be given or received in exchange for the making of a campaign contribution. No part of the funds provided through this contract shall be used to influence or attempt to influence an officer or employee of any agency or a member of the Legislature regarding any pending legislation or the awarding, extension, continuation, renewal, amendment or modification of any government contract, grant, loan, or cooperative agreement.

CITY OF OTTAWA, KANSAS
MEMORANDUM

TO: City Manager and City Commission
FROM: Andy Haney
SUBJECT: Stormwater Utility
DATE: January 5, 2012

This is provided for information only. No Commission action is requested at this time.

Staff has been working to develop an appropriate recommendation for development of a Stormwater Utility, including associated fees that would be assessed to properties. A Stormwater Task Force (focus group) has been working with us on this project. We had hoped to be able to provide a complete recommendation by this time, but there is enough concern in the Task Force related to the fees being considered that staff needs to continue working within the community to develop a plan that will be considered acceptable within the community.

The attached ordinance establishing the utility is provided for your information. We do not propose that it be adopted at this point. This ordinance has been progressing for several months with input from different groups, and we believe it to be a complete and accurate proposal. Some of the elements that are called for by this ordinance are yet to be developed in an acceptable format.

While we have a target date to establish the utility and begin collecting fees on July 1, 2012, that timetable may be delayed in order to obtain general public approval of the process. Our preference is to adjust according to what we learn through the Task Force and other groups in order to finalize the recommendation for implantation.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A STORMWATER MANAGEMENT PROGRAM AND A STORMWATER UTILITY FEE FOR THE CITY OF OTTAWA, KANSAS, FOR THE PURPOSE OF PLANNING, DESIGNING, FUNDING, CONSTRUCTING AND MAINTAINING STORMWATER MANAGEMENT, SEDIMENT AND EROSION CONTROL, AND FLOOD AND STORMWATER DISCHARGE PROGRAMS, PROJECTS AND FACILITIES, AND REVIEWING AND APPROVING STORMWATER MANAGEMENT AND SEDIMENT CONTROL PLANS FOR LAND DISTURBING ACTIVITIES, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF AND PROVIDING FOR STORMWATER MANAGEMENT RATES TO BE SET BY RESOLUTION OF THE GOVERNING BODY.

WHEREAS, the City of Ottawa maintains a system of storm and surface water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities, and other components as well as natural waterways. The stormwater system in the City needs regular maintenance and improvements; and

WHEREAS, all property in the City uses or benefits from the maintenance of the stormwater system. The extent of use of the stormwater system by each property is dependent on factors that influence runoff, including land use and the amount of impervious surface on the property; and

WHEREAS, the costs of improving, maintaining, operating and monitoring the stormwater system should be equitably allocated, to the maximum extent practicable, to all properties based on the impact of runoff from the impervious areas of the property on the stormwater management system; and

WHEREAS, management of the stormwater system to protect the public health, safety and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user fee system that is reasonable and equitable so that each user of the system pays to the extent to which the user contributes to the need for it. The City is responsible for the provision of a planned and orderly system for managing and mitigating the effects of development on stormwater and appropriate balancing between development and preservation of the natural environment. To accomplish these ends, the City desires to create a Stormwater Management Program and Stormwater Utility; and

WHEREAS, the Stormwater Management Program will also initiate innovative and proactive approaches to stormwater management to address problems in areas of the City that currently are prone to flooding, protect against replication of these types of problems and the creation of similar problems in newly developing areas of the City, and assist in meeting the mandates of the National Pollutant Discharge Elimination System (NPDES) as created by the Federal Clean Water Act and associated state and federal laws and their supporting regulations; and

WHEREAS, the Stormwater Utility Fee imposed by this ordinance is neither a tax nor a special assessment, but a charge (in the nature of tolls, fees or rents) for services rendered or available.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS,

UTILITIES

Chapter 14

ARTICLE VI. STORMWATER UTILITY

Sec. 14-601 Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings indicated:

Billing Period means the service period identified on the utility bill. Each account shall be billed monthly in arrears of the service period. A developed property that receives a City of Ottawa water or sewer utility service shall be billed monthly in arrears of the service.

City Attorney and his or her designee provides legal counsel for the City Commission, City Manager and City staff.

City Manager means the City Manager for the City of Ottawa, Kansas or his or her designee.

Customer means anyone receiving and being billed for water/sewer utility services from the City.

Developed Property means real property that has been altered from its natural state by the addition of any improvements such as buildings, structures or other impervious area.

Dwelling Unit means a singular unit or apartment providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation.

Equivalent Residential Unit (ERU) means a unit of measure that is equal to the average impervious area per dwelling unit located on residential property within the City limits.

Equivalent Residential Unit Rate (ERU Rate) means the amount charged for each ERU in calculating the Stormwater Utility Fee.

Exempt Property means public rights of way, public streets, public alleys, residential and non-residential driveways, and public sidewalks.

Fee or Stormwater Utility Fee means the charge established under this Article to be billed to customers/owners to fund the costs of Stormwater Management Program and of operating, maintaining and improving the Stormwater System in the City.

Governing Body means the Mayor and elected Commissioners as set out in Chapter 2 of the Code of the City of Ottawa, KS.

Impervious Area means the number of square feet of hard surfaced areas which either prevent or delay the entry of water into soil mantle as it entered under natural conditions as Undeveloped Property and/or causes water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions as Undeveloped Property including, but not limited to, roofs, sidewalks, patios, most conventionally surfaced streets, pavement, driveways, parking lots, athletic courts and any other oiled, graveled, or compacted surface.

UTILITIES Chapter 14

Non-Residential Property means any property that is designated by the Utility Billing System in a billing category other than residential.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318 and 405 of the federal Clean Water Act.

Property Owner means the property owner of record as listed in the County Assessment Roll. A property owner includes any individual, corporation, firm, partnership or group of individuals acting as a unit, and any trustee, receiver or personal representative.

Residential Property means any property designated by the Utility Billing System as residential.

- a) *Master Water Meter Residential* means developed property which contains both a master water meter pursuant to Chapter 14 of the City Code; and 2) residential property.
- b) *Multiple Water Meter Residential* means developed property that contains both 1) multiple water meters pursuant to Chapter 14 of the City Code; and 2) residential property.

Stormwater or *Stormwater Runoff* means runoff, surface flow, and drainage resulting from precipitation (which may include surface water, snowmelt, and and/or ground water).

Stormwater Management Fund or Fund means the enterprise Fund created by this Article to operate, maintain and improve the City's Stormwater System and for such other purposes as stated in this Article.

Stormwater Management Program means the planning, design, construction, regulation and enforcement, improvement, repair, maintenance, control measures, public education, citizen participation and operation of facilities and programs relating to water, flood plains, flood control, grading erosion, tree conservation and sediment control.

Stormwater System means the system or network of storm and surface water management facilities including but not limited to inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basin, infiltration facilities and other components as well as all natural waterways located within the corporate City limits and/or the City's area of zoning authority.

Stormwater Utility means the utility created by this Article for the purpose of implementing and funding the Stormwater Management Program.

Stormwater Utility Fee see *Fee*

Undeveloped Property means real property that has not been altered from its natural state by dredging, filling, removal of trees and vegetation, creation of impervious surfaces or other activities that have disturbed or altered the topography or soils on the property.

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Utility Billing System means the system utilized by the City of Ottawa to create a periodic utility bill and any or all upgrades or modifications to that system.

Sec. 14-602 Findings and Statements of Policy.

- A. The City maintains a system of storm and surface water management facilities including, but not limited to, inlets, conduits, manholes, channels, ditches, drainage easements, retention and detention basins, infiltration facilities and other components as well as natural waterways. The stormwater system needs regular maintenance and improvements.
- B. All developed property in the City either uses or benefits from the maintenance of the stormwater system. The extent of use of the stormwater system by each property is dependent on factors that influence runoff and overland flow, including land use and the amount of impervious surface on the property.
- C. The costs of improving, maintaining, operating and monitoring the stormwater system should be allocated, to the extent practicable, to all developed properties based on the impact of runoff from the impervious areas of the property on the stormwater management system.
- D. Management of the stormwater system to protect the public health, safety and welfare requires adequate revenues and it is in the interest of the public to finance stormwater management adequately with a user fee system that is reasonable and equitable so that each user of the system pays to the extent to which the user contributes to the need for it. The City is responsible for the provision of a planned and orderly system for managing and mitigating the effects of development on stormwater and appropriate balancing between development and preservation of the natural environment. To accomplish these ends, the City desires to create a Stormwater Management Program (SWMP) and Stormwater Utility.
- E. The Stormwater Management Program will also initiate innovative and proactive approaches to stormwater management within the City to address problems in areas of the City that currently are prone to flooding, protect against replication of these types of problems in newly developing areas of the City, and assist in meeting the mandates of the National Pollutant Discharge Elimination System (NPDES) as created by the Federal Clean Water Act and associated state and federal laws and their supporting regulations.
- F. The Stormwater Utility Fee imposed by this Article is neither a tax nor a special assessment, but a charge (in the nature of tolls, fees or rents) for services rendered or available.

Sec. 14-603 Establishment of Stormwater Management Program and Stormwater Utility.

Pursuant to this Article, Chapter 14, the City's general home rule authority, its nuisance abatement authority, its police powers and all other authority, the governing body does hereby establish both a

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Chapter 14

Stormwater Management Program and a Stormwater Utility and hereby declares its intention to operate the same.

Sec. 14-604 Administration of the Stormwater Management Program.

Under the Stormwater Utility, the City Manager shall have the power to undertake the following activities to administer the Stormwater Management Program:

- A. To advise the governing body on matters relating to the Stormwater Management Program and to make recommendations to the governing body concerning the adoption of ordinances, resolutions, policies and regulations in furtherance of the objectives of the Stormwater Management Program.
- B. The acquisition by gift, purchase or eminent domain of real property, easements thereon and/or interests therein necessary to construct, operate and maintain stormwater management facilities.
- C. To undertake the engineering and design, debt service and related financing expenses, construction costs for new facilities and enlargement or improvement of existing facilities, operation and maintenance of the stormwater system.
- D. Regulate, establish standards, review and inspect land use or property owner activities when such activities have the potential to affect the quantity, timing, velocity, erosive forces, quality, environmental value or other characteristics of stormwater which would flow into the stormwater management system or in any way affect the implementation of the Stormwater Management Program.
- E. Monitoring, sampling and inspection of stormwater management facilities.
- F. Water quality monitoring and water quality programs.
- G. Retrofitting developed areas for pollution control.
- H. Inspection and enforcement activities.
- I. Analyze the cost of services and benefits provided by the Stormwater Utility and the structure of fees, service charges, credits and other revenues on a regular basis and make recommendations to the governing body regarding the same.
- J. To undertake expenditures as required to implement these activities, including costs of capital improvements, operations, maintenance and other costs as may be required.
- K. Other activities, which are reasonably required.

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Sec. 14-605 Classification of Property for Purposes of Determining the Stormwater Utility Fee.

For purposes of determining the Stormwater Utility Fee, all properties in the City are classified into one of the following classes:

- A. Residential property.
 - 1. Residential Fee. The Commission has determined that a flat Stormwater Utility Fee shall be charged against all residential properties classified as a dwelling unit. The Commission reserves the right to amend or adjust this Stormwater Utility Fee or to establish a formula for calculating the Stormwater Utility Fee at any time.
 - 2. The Equivalent Residential Unit (ERU) is hereby established for purposes of calculating the Stormwater Utility User Fee. The ERU is hereby established to be 2,600 square feet of Impervious Area.
 - 3. The initial ERU rate to be used for calculating the Stormwater Utility Fee per ERU shall be established by resolution, with recommended revisions set by resolution of the governing body. The Stormwater Utility User Fee for residential property shall be the ERU rate multiplied by the number of individual dwelling units existing on the property.
 - a. Multiple Water Meter Residential: the charge for each water customer shall be the ERU multiplier times the ERU rate.
 - b. Master Water Meter Residential: the charge for the single water customer shall be the ERU rate multiplied by one (1).
- B. Non-residential Property.

For non-residential property, the charge shall be the ERU rate times the square footage of all impervious area of the property divided by 2,600 square feet. Non-residential properties with shared impervious area shall be charged on a proportionate amount as determined by the City Manager.

- C. Undeveloped Property.

There shall be no fee for undeveloped property.

Sec. 14-606 Stormwater Utility Fee.

Effective **July 1, 2011**, a monthly service charge is imposed upon all developed property, not including exempt property as defined in 14-601, in the City to fund Stormwater Management Programs. The amount of the fee will be established by resolution.

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Thereafter, the monthly service charge shall be calculated annually on January 1 and monthly during the following 12 month period. This service charge shall be known as the Stormwater Utility Fee ("Fee"). The Fee shall be calculated to ensure adequate revenues to fund the costs of the Stormwater Management Program and to provide for the operation, maintenance and capital improvements of the stormwater system in the City.

The City Manager shall make an annual recommendation to the governing body as to the monthly charge necessary to fulfill the proposed purpose of the Stormwater Management Program. The fee will then be established by resolution.

Sec. 14-607 Charges for Tax-Exempt Properties.

The governing body finds that all real property in the City contributes to stormwater runoff and either uses or benefits from the maintenance of the stormwater system. Therefore, except as otherwise provided in Section 14-601, all developed property in the City, including property that is exempt from property tax shall be charged the appropriate Stormwater Utility Fee.

Sec. 14-608 When Stormwater Utility Fee Payable; Interest and Penalties; Lien on Real Property; Abatement of Small Amounts Due.

The Stormwater Utility Fee shall become part of the monthly water bill sent to utility customers, paid in accordance with Chapter 14, Article 2, Water Service. Any account that is inactive in the utility billing system shall not be charged the Stormwater Utility Fee until the account becomes active. In the event any person, shall fail to pay the user charges when due, water service shall be terminated as provided in section Chapter 14, Article 2 of Municipal Code of the City of Ottawa, Kansas.

Sec. 14-609 Requests for Appeal or Correction of the Stormwater Utility Fee.

A customer/property owner may request an appeal or correction of the fee by submitting the request in writing to the Director of Finance (or his/her designee) within thirty (30) days after the issue date of the contested bill. Grounds for appeal or correction of the fee include:

- A. Incorrect classification of the property for purposes of determining the fee; and
- B. Errors in the identification of the property subject to the fee.

The Director of Finance shall make a determination within thirty (30) days after receipt of the customer/property owner's completed written request for appeal or correction of the fee. The Director's decision on a request for appeal or correction of the fee shall be final. A customer/property owner must comply with all rules and procedures adopted by the City when submitting a request for appeal or correction of the fee and must provide all information necessary for the Director to make a determination on a request for correction of the fee. The burden of proof shall be on the customer/property owner to demonstrate, by clear and convincing evidence, that the determination of the Director, from which the appeal is being taken, is erroneous. The Director shall notify the

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customer/property owner in writing of the decision. Failure to comply with the provisions of this subsection shall be grounds for denial of the request. The filing of a notice of appeal shall not stay the imposition or duty to pay the fee. If the Director determines that the fee should not be paid or the amount is less than the amount appealed, the City shall issue a refund in the appropriate amount to the customer/property owner. All refunds shall be without interest.

Sec. 14-610 Rules and Regulations, Authority to Promulgate.

The City Manager shall promulgate such reasonable rules and regulations as may from time to time be necessary to properly conduct and administer the operation of the stormwater management system. Violations of such rules and regulations will be punishable as provided in this Article. Fees for insufficient fund checks or other uncollectible instruments of payment may be established from time to time.

Sec. 14-611 Right of Entry and Inspection.

The City Manager shall have access to any premises within the City's stormwater management program area, and shall have authority to direct compliance with the provisions of this Article and with the rules and regulations promulgated pursuant to the authority set forth in this Article.

Sec. 14-612 Failure to Comply with Article and Rules; Duty of Director; Discontinuance of Service; Prosecution.

If the City Manager shall discover, upon any premises served by the stormwater management program, any violation of this Article, or of any rule or regulation promulgated there under, the City Manager shall order cessation of the prohibited practice or discontinue service to the premises or both, and s/he may request the City Attorney to prosecute the offending customer/property owner.

Sec. 14-613 Time for Payment; Disconnection for Non-Payment; Reconnection or Disconnection Charge; Exemptions; Waivers.

Each customer shall make payment of the amount shown on his/her statement to be due at the Office of the Department of Utilities in City Hall during regular hours on or before the due date or within fifteen (15) days thereafter; provided, that if the due date is the twenty-fifth (25th) day of a calendar month, payment may be on or before the tenth (10th) day of the calendar month following. If the amount due is not paid within said time, the account shall be classified as delinquent and shall therefore have a late payment fee consisting of the greater of ten dollars (\$10.00) or ten percent (10%) of the billed amount.

Sec. 14-614 Unpaid and Delinquent Utility Bills, Costs of Collection.

After authorization by the City Manager, on any collection action filed by the City Attorney or any attorney acting on behalf of the City of Ottawa, for an unpaid and delinquent stormwater utility bill, the City hereby authorizes the said attorney to include as the costs of the action the reasonable collection costs, including but not limited to reasonable attorney fees necessary there under, as a lawful damage to be sought by the City Attorney in any collection.

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Sec. 14-615 Stormwater Utility Fee Credits.

The Governing Body may, by resolution, establish a system of credits for best management practices (BMPs) that assist in minimizing site-specific stormwater runoff and/or reducing site pollutants in stormwater runoff or any other similar BMP measure. This credit may reduce the Stormwater Utility Fee that is imposed in Section 14-605.

Sec. 14-616 Severability.

If any provision of this Article is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the policy and the applicability thereof to other persons and circumstances shall not be affected thereby.

Sec. 14-617 Codification.

This Ordinance shall be incorporated into the Municipal Code of the City of Ottawa.

Sec. 14-618 Effective Date.

This Ordinance shall be in full force and effect from its adoption and after publication in the Ottawa Herald.

PASSED AND ADOPTED this _____ day of _____, 2011.

Attest:

City Clerk

Mayor



CITY OF OTTAWA

November Monthly Financial and Activity Report

Presented to the City Commission
January 9, 2012

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COMBINED STATEMENT OF REVENUE, EXPENDITURES, AND CASH BALANCE

November-11 FUNDS	Beginning	Beginning	Revenue		Transfers		Disbursements		Ending Cash		
	Balance 1/1/2011	Balance 11/1/2011	Current Mo.	Year To Date	Current Mo.	Year To Date	Current Mo.	Year To Date	Cur. Mo.	YTD	11/30/11
GENERAL FUND	1,359,280	1,730,612	414,520	6,527,078	114,254	1,103,039	699,995	7,430,005	(171,220)	200,112	1,559,391.43
SPECIAL REVENUE											
Community Services	3,203	74		1,024	11,000	126,600	10,095	129,848	905	(2,224)	979.14
Auditorium	35,306	37,759	2,158	122,128			8,472	125,988	(6,314)	(3,860)	31,445.40
Airport	5,687	2,126		1,750	4,000	65,711	5,342	72,365	(1,342)	(4,904)	783.47
Special Park & Recreation	87,876	84,376	5,109	54,801			3,877	57,069	1,232	(2,268)	85,608.27
Special Alcohol Program	(0)	57		18,057		(18,000)				57	56.71
Library	(0)	(0)		723,657				723,657			(0.00)
Economic Development	121,869	149,808	1,210	52,878			8,947	32,675	(7,737)	20,203	142,071.96
Special Streets	215,783	328,669	642	387,857			498	274,828	143	113,029	328,812.55
Equipment Reserve	1,032,047	901,725		191,995		93,000	13,261	428,578	(13,261)	(143,583)	888,463.37
Revolving Loan Fund	106,505	146,476	193	40,174				10	193	40,164	146,668.65
Risk Management	285,391	299,340	40	31,048		392,037	10,715	419,811	(10,675)	3,274	288,665.21
RMS Grant				77,126							
Neighborhood Stabilization Grant	0	0		212,029				212,029			0.00
Trails Grant	0	3,000		3,000						3,000	3,000.00
SRO Grant		55,955		55,955			55,955	55,955	(55,955)		
Domestic Violence Fund	(19,041)	(13,872)	15,006	164,955			1,134	145,914	13,872	19,041	0.00
G.O. DEBT	308,865	243,101		681,211	60,000	370,000		1,091,717	60,000	(40,505)	303,101.11
ENTERPRISE FUNDS											
Stormwater Utility		(6,689)						6,689		(6,689)	(6,689.34)
Water	533,710	844,812	218,737	2,390,863	(51,750)	(565,169)	153,002	1,500,606	13,985	325,088	858,797.50
Wastewater Operating	853,411	892,273	183,676	2,079,123	(87,635)	(906,898)	76,860	1,114,181	19,182	58,044	911,454.97
Electric Operating	3,486,381	4,436,941	1,021,133	14,418,119	(118,417)	(1,297,771)	980,396	12,247,469	(77,680)	872,879	4,359,260.22
Power Supply Fund	858,149	1,136,399	34,220	456,542		(65,000)		79,072	34,220	312,470	1,170,619.22
Electric Construction	3,126,679	2,567,443	598	19,024				577,663	598	(558,638)	2,568,040.73
Utility Credits	121,788	117,055	105	(1,928)			484	3,183	(379)	(5,111)	116,676.65
CAPITAL PROJECTS											
Take Charge Challenge		(2,906)	5	21,430				24,331	5	(2,902)	(2,901.62)
US 59 Turnback	(134,653)	(18,745)	18,745	295,135			450	160,932	18,295	134,203	(450.00)
Airport Hangars 2009-2010	211,913	20,315		840,394				1,031,991		(191,598)	20,314.99
Sidewalk Grant 15th Street		(26,095)					2,366	28,462	(2,366)	(28,462)	(28,461.94)
Storm Water Utility	510	(413)						923		(923)	(412.57)
Love's Grainger TIF	12,548	(120,644)						23,261		(23,261)	(120,643.58)
South HWY 59 TDD	992	3,117	255	1,654					255	1,654	3,372.20
KLINK Project		(20,185)		131			89,797	101,129	(89,797)	(100,998)	(109,981.22)
Hwy 59 Water Line	0	0		111				111,145		(111,034)	0.00
59 Hwy Water Line Cosnt	0	0		486				5,264		(4,777)	0.00
Sewer Construction Fund											
East Side Interceptor		(86,373)					29,172	93,521	(29,172)	(93,521)	(115,545.11)
Davis Road Project		(6,132)									(6,132.25)
Water Construction Fund	(0)	(1,691)						64,348		(64,348)	(1,691.40)
Levee Improvement	0	(27,768)		6,837			2,603	21,223	(2,603)	(14,385)	(30,370.72)
TIF PROJECT FUND	2,894	2,901		4						4	2,901.02
Swimming Pool	(0)	(0)		0						0	(0.00)
Wastewater Treatment	0	0						5,737		(5,737)	0.00
Sidewalk Improvements	0	0						16,020		(16,020)	0.00
Airport Improvements Grant	(47,753)	(13,763)		30,391			4,820	4,820	(4,820)	25,571	(18,582.79)
TRUST & AGENCY FUNDS											
Health Insurance	1,493,499	1,687,781	204,845	2,295,086			167,371	167,371	37,474	2,127,715	1,725,255.29
WWTP Funding	505,590	414,869		1,364	68,548	702,451			68,548	703,815	483,416.83
Total	14,568,429	15,761,707	2,121,199	32,201,490			2,325,611	28,685,313	(204,412)	3,516,177	15,557,294.35

ANALYSIS OF COMBINED SALES AND COMPENSATING USE TAX

November-11

COUNTY (1.0%)	2006	2007	2008	2009	2010	2011	12 Mo. Running Total		Change Dollars	Change Percent
							2010	2011		
January	91,963	93,708	89,315	99,330	86,536	80,430	1,011,941	1,035,471	\$ (6,106.71)	-7.06%
February	106,211	92,769	92,872	78,086	76,809	95,342	1,010,664	1,054,005	\$ 18,533.08	24.13%
March	90,074	75,378	91,131	91,862	98,077	88,872	1,016,879	1,044,800	\$ (9,205.00)	-9.39%
April	87,825	81,443	80,668	77,113	70,085	69,281	1,009,851	1,043,996	\$ (803.82)	-1.15%
May	105,874	103,746	98,901	76,061	91,428	89,714	1,025,218	1,042,281	\$ (1,714.55)	-1.88%
June	97,040	82,034	92,921	81,165	93,497	102,444	1,037,551	1,051,228	\$ 8,946.94	9.57%
July	95,011	85,376	86,070	95,918	81,315	86,902	1,022,948	1,056,815	\$ 5,586.89	6.87%
August	120,048	98,135	96,731	75,528	91,366	89,754	1,038,786	1,055,203	\$ (1,611.87)	-1.76%
September	91,338	53,294	88,029	86,768	81,664	89,932	1,033,682	1,063,471	\$ 8,267.51	10.12%
October	97,344	101,391	92,318	82,931	91,504	94,804	1,042,255	1,066,771	\$ 3,300.65	3.61%
November	98,996	89,654	94,877	85,370	91,476	93,010	1,048,360	1,068,306	\$ 1,534.38	1.68%
December	95,245	90,664	92,200	94,603	87,821		1,041,578			
SAME MO. YTD	1,081,723	956,928	1,003,832	930,131	953,757	980,485			\$ 26,727.50	2.80%
ANNUAL TOTAL	1,176,968	1,047,592	1,096,032	1,024,734	1,041,578					
CITY (1.1%)	2006	2007	2008	2009	2010	2011	2010	2011		
January	108,215	202,613	212,934	236,376	204,441	179,538	2,284,533	2,233,860	\$ (24,902.88)	-12.18%
February	119,932	218,533	217,822	172,012	162,122	209,172	2,274,643	2,280,911	\$ 47,050.31	29.02%
March	104,722	176,137	217,785	206,993	210,746	196,175	2,278,396	2,266,339	\$ (14,571.13)	-6.91%
April	105,392	190,033	181,986	177,587	145,922	147,293	2,246,732	2,267,710	\$ 1,370.25	0.94%
May	119,845	246,560	230,197	171,836	201,864	198,268	2,276,759	2,264,114	\$ (3,595.40)	-1.78%
June	111,030	192,106	205,400	186,228	194,427	235,300	2,284,959	2,304,987	\$ 40,872.36	21.02%
July	109,644	201,426	201,828	232,192	172,342	187,599	2,020,669	2,140,706	\$ 15,256.81	8.85%
August	144,335	229,212	225,479	143,616	190,976	183,443	2,272,470	2,312,711	\$ (7,532.84)	-3.94%
September	187,598	191,932	203,613	195,227	186,893	195,331	2,264,136	2,321,149	\$ 8,438.09	4.51%
October	201,952	227,123	198,464	186,409	197,011	203,309	2,274,737	2,327,447	\$ 6,298.27	3.20%
November	201,377	199,027	205,837	189,281	198,170	204,378	2,283,626	2,333,655	\$ 6,207.98	3.13%
December	200,897	205,672	199,825	218,712	193,849		2,258,763			
SAME MO. YTD	1,514,041	2,274,702	2,301,346	2,097,756	2,064,914	2,139,805			\$ 74,891.82	3.63%
ANNUAL TOTAL	1,714,938	2,480,374	2,501,171	2,316,469	2,258,763					
CITY/CO. TO DATE	2,595,764	3,231,630	3,305,178	3,027,887	3,018,671	3,120,290	Tot. Bdgt.	Tot YTD	\$ 101,619.32	3.37%
TOTAL	2,891,906	3,527,966	3,597,203	3,341,202	3,300,341		3,312,440		\$ 3,036,403.33	2.76%

CITY OF OTTAWA

November 2011

ELECTRIC CONSUMPTION REPORT

		METERS	CURRENT KWH	YTD KWH	CURRENT \$	YTD \$	UNIT	COST
SMALL BUS, URBAN	THIS YR	575	762,854	10,928,720	\$82,349.25	\$1,224,775.78	.107948	.112069
	LAST YR	561	719,637	10,135,479	\$77,078.83	\$1,115,062.28	.107107	.110015
SMALL BUS, RURAL	THIS YR	7	5,413	83,767	\$679.10	\$10,584.55	.125457	.126357
	LAST YR	8	5,595	105,026	\$708.54	\$12,858.26	.126638	.122429
LARGE POWER	THIS YR	106	4,371,698	55,908,748	\$406,822.06	\$5,431,793.68	.093058	.097154
	LAST YR	104	4,296,952	62,291,201	\$396,762.53	\$5,731,551.93	.092335	.092012
RES URBAN	THIS YR	5,114	2,831,517	49,098,272	\$309,578.63	\$5,530,053.54	.109333	.112632
	LAST YR	5,118	2,773,266	49,807,376	\$300,138.47	\$5,453,394.60	.108225	.109489
RES RURAL	THIS YR	10	5,277	93,838	\$652.18	\$11,378.37	.123589	.121255
	LAST YR	9	5,476	88,295	\$651.87	\$10,434.75	.119041	.118180
SCHOOL/CITY	THIS YR	115	1,055,904	14,019,907	\$74,768.30	\$1,058,916.72	.070809	.075529
	LAST YR	122	1,020,280	14,116,980	\$70,113.07	\$1,020,110.61	.068719	.072261
AREA LIGHTS	THIS YR	300	22,500	247,425	\$5,013.79	\$56,566.63	.222835	.228621
	LAST YR	308	23,100	257,100	\$5,114.90	\$58,070.97	.221424	.225869
STREET LIGHTS	THIS YR	14	41,178	436,131				
	LAST YR	14	39,381	435,417				
CURRENT TOTALS		6,241	9,096,341	130,816,808	\$879,863.31	\$13,324,069.27	.096727	.101852
LAST YEAR TOTALS		6,244	8,883,687	137,236,874	\$850,568.21	\$13,401,483.40	.095744	.097652
PERCENT CHANGE		1.00 %	1.02 %	.95 %	1.03 %	.99 %		
CONSUMER SALES KWH			9,096,341	130,816,808				
NET ENERGY/LOAD			10,539,395	141,166,916				
ENERGY ACCOUNTED FOR			9,096,341	130,816,808				
KWH LOSS			1,443,054	10,350,108				

CITY OF OTTAWA

WATER CONSUMPTION REPORT

November 2011

		METERS	CURRENT CCF	YTD CCF	CURRENT \$	YTD \$	UNIT COST	
RURAL SMALL BUS	THIS YR	4	56	728	\$330.44	\$3,816.18	5.900714	5.242005
	LAST YR	4	41	621	\$262.81	\$3,542.32	6.410000	5.704219
LARGE BUSINESS	THIS YR	99	6,941	76,806	\$34,567.29	\$367,944.49	4.980159	4.790569
	LAST YR	93	5,977	69,632	\$28,484.44	\$324,153.59	4.765675	4.655238
SCHOOLS	THIS YR	30	2,497	20,709	\$9,544.23	\$83,997.36	3.822278	4.056079
	LAST YR	31	1,883	16,827	\$7,937.35	\$72,726.61	4.215268	4.322018
WHOLESALE	THIS YR	5	11,688	143,178	\$24,203.40	\$286,556.46	2.070790	2.001400
	LAST YR	4	10,899	124,712	\$21,404.09	\$239,598.09	1.963858	1.921211
STATE FEE	THIS YR				\$1,008.01	\$11,216.11		
	LAST YR				\$897.49	\$10,565.35		
RURAL LARGE BUS	THIS YR	2	709	8,264	\$3,373.63	\$37,582.89	4.758293	4.547784
	LAST YR	2	655	8,402	\$3,071.98	\$36,140.03	4.690045	4.301360
CITY	THIS YR	42	1,516	50,397	\$2,572.01	\$29,355.29	1.696576	.582480
	LAST YR	42	1,186	21,745	\$2,217.89	\$28,457.88	1.870059	1.308709
RESIDENCE	THIS YR	4,437	26,344	294,198	\$104,671.30	\$1,135,854.48	3.973250	3.860850
	LAST YR	4,439	23,471	280,556	\$95,494.27	\$1,068,016.84	4.068606	3.806786
RURAL RES	THIS YR	3	21	151	\$132.35	\$1,221.79	6.302380	8.091324
	LAST YR	3	20	347	\$122.29	\$1,493.33	6.114500	4.303544
BULK	THIS YR	1	199	2,141	\$1,486.60	\$13,865.74	7.470351	6.476291
	LAST YR	1	137	1,749	\$987.06	\$9,627.51	7.204817	5.504579
SMALL BUSINESS	THIS YR	488	4,508	54,653	\$18,944.71	\$213,524.58	4.202464	3.906914
	LAST YR	479	4,708	53,530	\$18,433.57	\$201,739.86	3.915371	3.768725
CURRENT TOTALS		5,111	54,479	651,225	\$200,833.97	\$2,184,935.37	3.686447	3.355115
LAST YEAR TOTALS		5,098	48,977	578,121	\$179,313.24	\$1,996,061.41	3.661172	3.452670
PERCENT CHANGE		1.00 %	1.11 %	1.13 %	1.12 %	1.09 %		
CONSUMER SALES CCF			54,479	651,225				
TREATED WATER GAL			40,761,000	549,746,000				
WATER ACCOUNTED FOR-GAL			40,750,292	487,116,300				
WATER LOSS			10,708	62,629,700				

OTTAWA FIRE DEPARTMENT OTTAWA, KANSAS



Jeff Carner
Fire Chief

Monthly Report November, 2011

Calls for Service: The department responded to 112 calls for service and experienced an estimated \$1,500 in fire loss.

Inspections: A total of 52 business and residential inspections were completed.

Training: Shift personnel conducted 276 hours of training with most of these hours associated with utilizing specialized rescue equipment.

Public Education: During the month we delivered three public education programs.

Respectfully submitted,



Jeff H. Carner

720 West Second Street
Ottawa, Kansas 66067
Phone 785-229-3700 Fax 785-229-3705 Emergency - 911

Ottawa Fire Department

Incident Type Report (Summary)

Alarm Date Between {11/01/2011} And {11/30/2011}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
11 Building fire	1	0.89%	\$300	20.00%
131 Passenger vehicle fire	1	0.89%	\$1,200	80.00%
143 Grass fire	1	0.89%	\$0	0.00%
	<u>3</u>	<u>2.67%</u>	<u>\$1,500</u>	<u>100.00%</u>
2 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	80	71.42%	\$0	0.00%
357 Extrication of victim(s) from machinery	1	0.89%	\$0	0.00%
	<u>81</u>	<u>72.32%</u>	<u>\$0</u>	<u>0.00%</u>
4 Hazardous Condition (No Fire)				
412 Gas leak (natural gas or LPG)	1	0.89%	\$0	0.00%
423 Refrigeration leak	1	0.89%	\$0	0.00%
424 Carbon monoxide incident	1	0.89%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.89%	\$0	0.00%
444 Power line down	1	0.89%	\$0	0.00%
462 Aircraft standby	1	0.89%	\$0	0.00%
	<u>6</u>	<u>5.35%</u>	<u>\$0</u>	<u>0.00%</u>
5 Service Call				
551 Assist police or other governmental agency	2	1.78%	\$0	0.00%
	<u>2</u>	<u>1.78%</u>	<u>\$0</u>	<u>0.00%</u>
6 Good Intent Call				
6112 Medical Call - Dispatched & cancelled en	1	0.89%	\$0	0.00%
631 Authorized controlled burning	7	6.25%	\$0	0.00%
651 Smoke scare, odor of smoke	2	1.78%	\$0	0.00%
	<u>10</u>	<u>8.92%</u>	<u>\$0</u>	<u>0.00%</u>
7 False Alarm & False Call				
732 Extinguishing system activation due to	1	0.89%	\$0	0.00%
733 Smoke detector activation due to	2	1.78%	\$0	0.00%
741 Sprinkler activation, no fire -	1	0.89%	\$0	0.00%
743 Smoke detector activation, no fire -	3	2.67%	\$0	0.00%
745 Alarm system activation, no fire -	3	2.67%	\$0	0.00%
	<u>10</u>	<u>8.92%</u>	<u>\$0</u>	<u>0.00%</u>

Total Incident Count: 112

Total Est Loss: \$1,500

**City of Ottawa Human Resources Department
Monthly Report for November 2011**

TRAINING/EDUCATION:

11/01/2011 hearing tests were conducted on 84 employees by Examinetics
11/02/2011 Human Resources Assistant attended Use of Technology to Stalk presentation given by Chief Butler
11/09/2011 Competent Person for Excavation & Trench Training provided by Mid West Fire Training Associates for 23 employees
11/10/2011 Confined Space Entry provided by Mid West Fire Training Associates for 24 employees
11/18/2011 Human Resources Director attended Kansas Public Risk Management Association quarterly meeting in Emporia
11/29/2011 Human Resources Assistant attended Public Speaking Class at Johnson County Community College

PERSONNEL MANAGEMENT:

Annual Open Enrollment Meetings for employees were held 11/28/2011

EMPLOYEE RECRUITMENT/SELECTION:

Hiring Freeze: Five full-time positions have remained vacant since 2009 due to the hiring freeze (Plans Examiner in Planning & Codes Dept.; Account Clerk in Finance Dept.; Equipment Operator in Public Works Dept./Streets Division; Maintenance Worker in Utilities Dept./Water Distribution/Wastewater Maintenance Division; and CAD Operator in Utilities Dept.)

RISK MANAGEMENT/LOSS CONTROL:

11/29/2011 The November Safety Committee meeting was held at the Law Enforcement Center; a draft of the proposed Safety Grant Program was reviewed; 8 accidents were discussed

TORT CLAIMS:

None

DAMAGE TO CITY PROPERTY:

7/9/2011 driver was traveling east on 15th Street, turned too wide and struck street sign on NE corner of 15th and Cedar and drove off, driver located and arrested; damage estimate \$375.97; request for payment letter mailed 7/29/2011; 2nd request for payment letter mailed 8/31/2011; third and final request for payment letter mailed 11/7/2011; will be turned over to Finance for collection through State Setoff Program

10/20/2011 driver made left turn out of Casey's parking lot onto Keokuk, lost control and struck utility pole; damage estimate: \$4,561.45; information faxed to driver's insurance company 11/30/2011

DAMAGE TO CITY PROPERTY (cont'd):

10/29/2011 driver was northbound on North Main, dropped cell phone and when attempted to pick it up hit a road sign; damage estimate \$216.19; request for payment letter mailed 11/7/2011

CITY VEHICLE ACCIDENTS:

10/30/2011 driver backing out of private driveway backed into legally parked unoccupied city vehicle; claim filed with other driver's insurance

11/1/2011 Public Works employee was backing up in private parking lot, struck light pole; minor damage to vehicle, no repairs will be made

WORK INJURIES:

No new injuries to report!

Ottawa Information Technology (IT) Department

Date: December 15, 2011

To: Richard Nienstedt, City Manager and City Commission

From: Chuck Bigham, IT Director

Subject: November Monthly Report

IT Trouble Tickets & Other-

47 new calls for Service logged, 46 closed (*examples- can't send mail, locked up, error conditions, won't power-on, Blackberry not syncing, possible virus, can't find folder, print problems, won't boot, battery backup beeping etc.*)

Government Access Channel (GAC)

New Programs- City and County Commission, NASA news and information, White House Chronicle, Legislative Dinner, Around the Services, Prairie Paws Animal Shelter Adopt a Pet, Downtown Lighting Ceremony.

of different programs played- 16 (*examples- City and County meetings, NASA news, White House Chronicles*)

Web Site

4 News articles posted, Upcoming events continually updated.

Videos posted include 2 City Commission meetings.

FaceBook-

Updates Provided- Videos Posted (same as website). 4 News Articles Linked. Plug-in implemented for public feedback to website. Posted new photos of 15th street sidewalk and bike lane project. All public comments and questions have been properly responded to.

Total Likes: 526 See attached graphs

Other Activities-

Filmed Top Star competition for Police Department, Prairie Paws Animal Shelter Adopt a pet filmed and edited posted to channel. Posted new health benefits and "cambush" to Intranet. Found new DVD recorder that enables us to record closed captioning. Discussed the electronic agenda and awaiting feedback as to what is expected for final product. Filmed and took photos of Downtown Lighting ceremony posted video to channel. Implemented a new plug-in for public input that can be attached from FaceBook to news articles on our website.

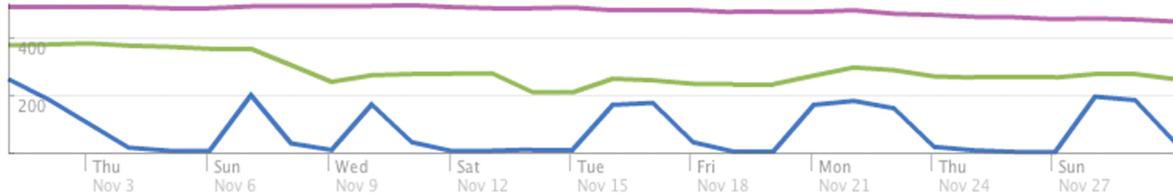
Mat received an Employee Commendation from the Ottawa Police Department for excellence in filming and producing a video of the department's annual STAR team competition.

Users [See Details](#)

New Likes? **14** ↓6.7% Lifetime Likes? **526** Monthly Active Users? **457** ↓6.5%

Active Users?

Daily Active Users Weekly Active Users Monthly Active Users



Interactions [See Details](#)

Post Views? **12,296** ↓39% Post Feedback? **51** ↓60%

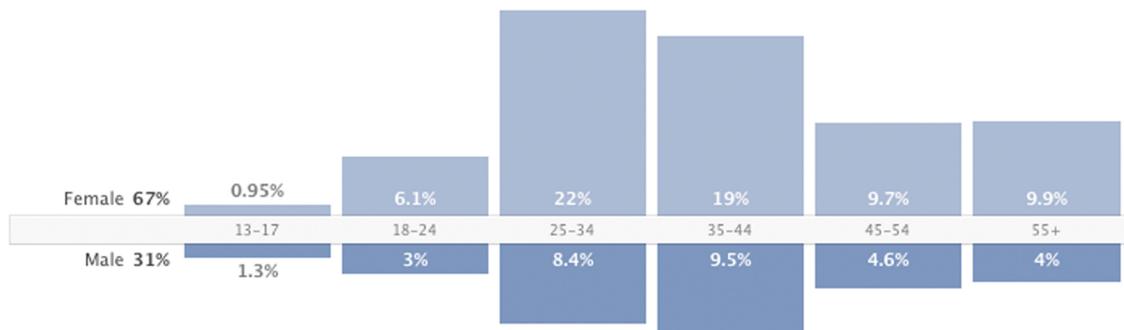
Page Content Feedback?

Likes Comments



Demographics

Gender and Age?



Countries?

515 United States
6 Canada
1 United Kingdom
1 Japan
1 Afghanistan

Cities?

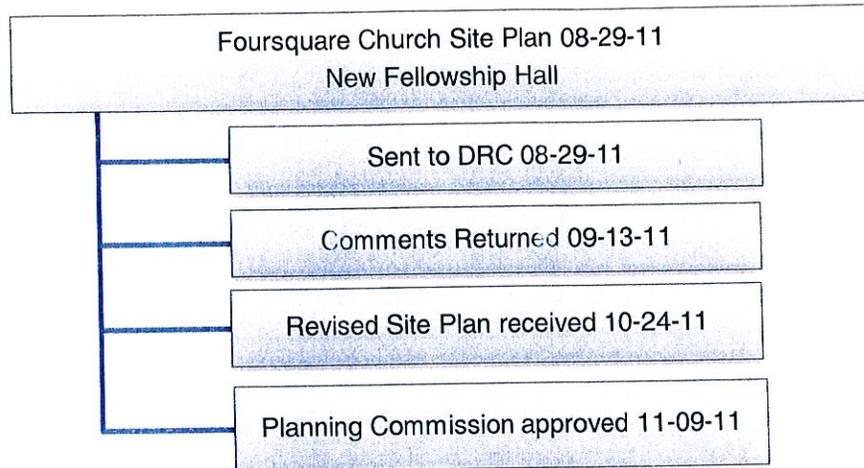
176 Topeka
42 Shawnee
30 Ottawa
29 Kansas City
15 Dallas
13 Issaquah
13 Saint Louis
12 Garland
11 Seattle
Less

Language?

503 English (US)
21 English (UK)

PLANNING & CODES DEPARTMENT November 2011 MONTHLY REPORT

Planning Commission:



Projects:

15th Street Sidewalk: Tribal Construction began installing the sidewalk on the south side of 15th Street from Eisenhower. This sidewalk is largely installed to the PST and the construction company is working on the driveways, with north side work to begin soon.

Safe Routes to School: An agreement with KDOT has been executed, as well as with BG for design of the sidewalks, other than Ash Street, which was already designed.

Playground equipment: The Kanza Park project is completed and grant closed out.

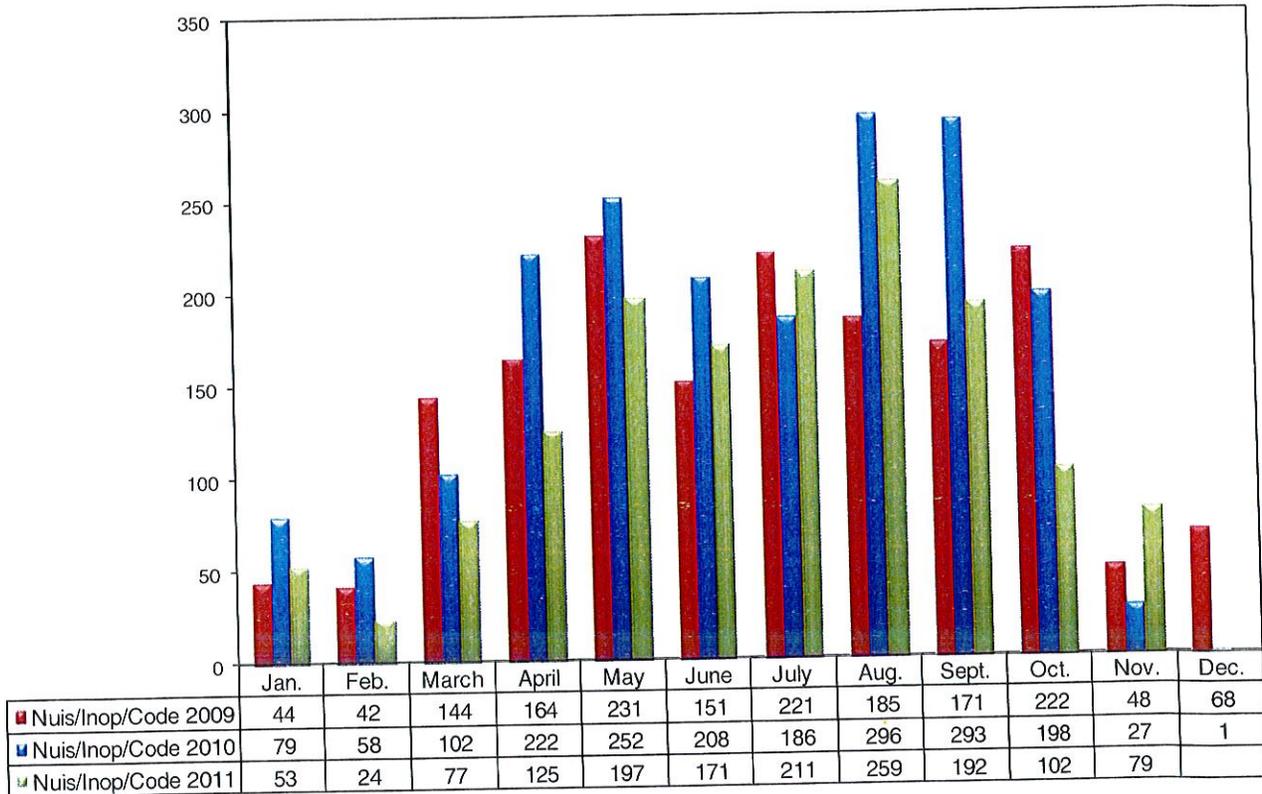
Condemnations:

The owner of 1040 Burrough has obtained his remodel permit and repairs to the structure are progressing in a timely fashion. The structures at 931 Walton and 727 N. Main have been removed. The owner of 403 E. 4th has presented staff with a scope of work. Contractors, the owner and staff are to do an inspection of the structure on the 5th of December.

Code Enforcement:

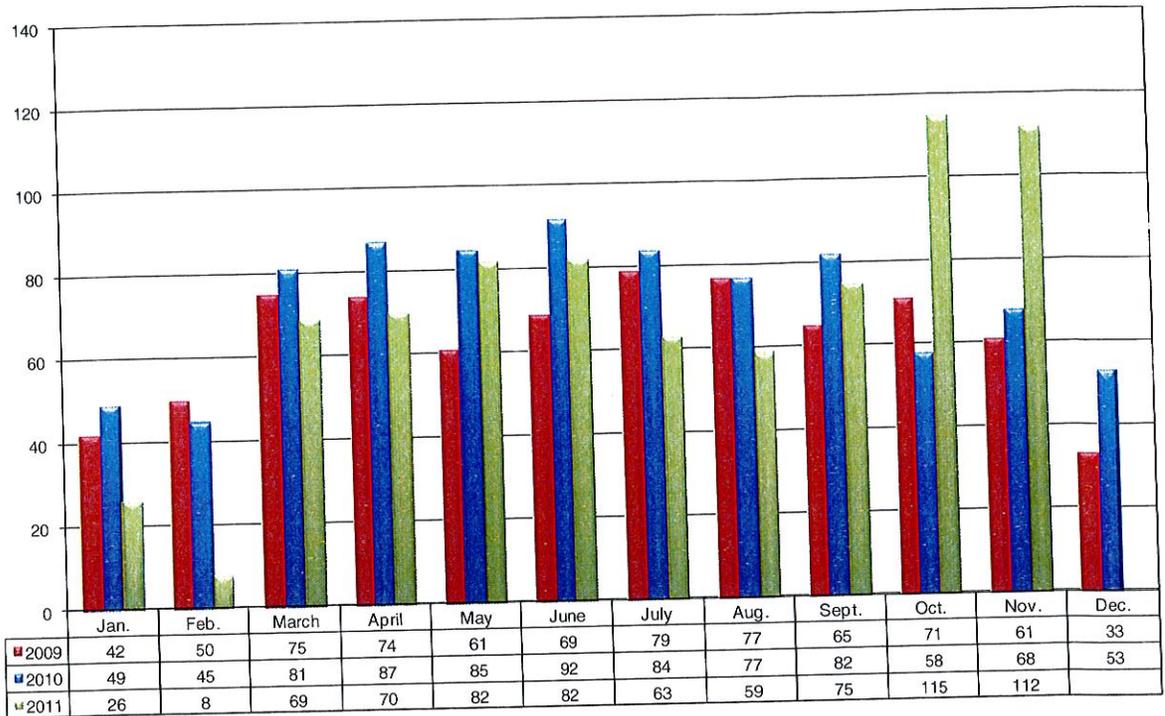
The Codes Officer is now only working three days a week.

Nuis/Inop/Code Correspondence Sent Monthly

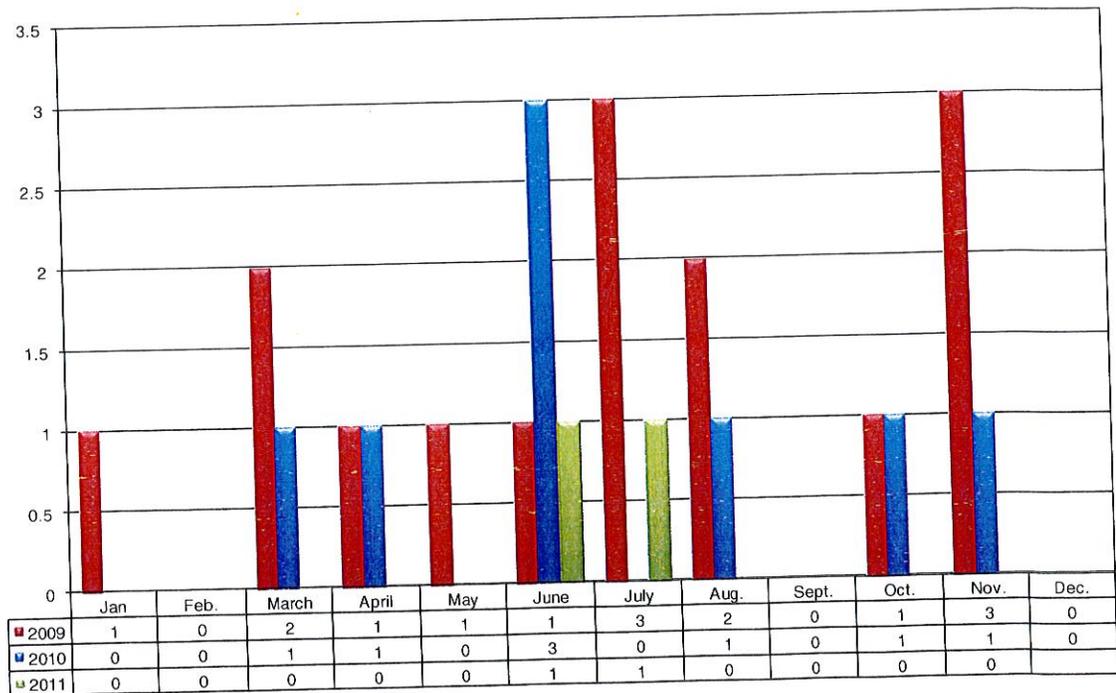


Permits:

Non-Residential Permits Issued

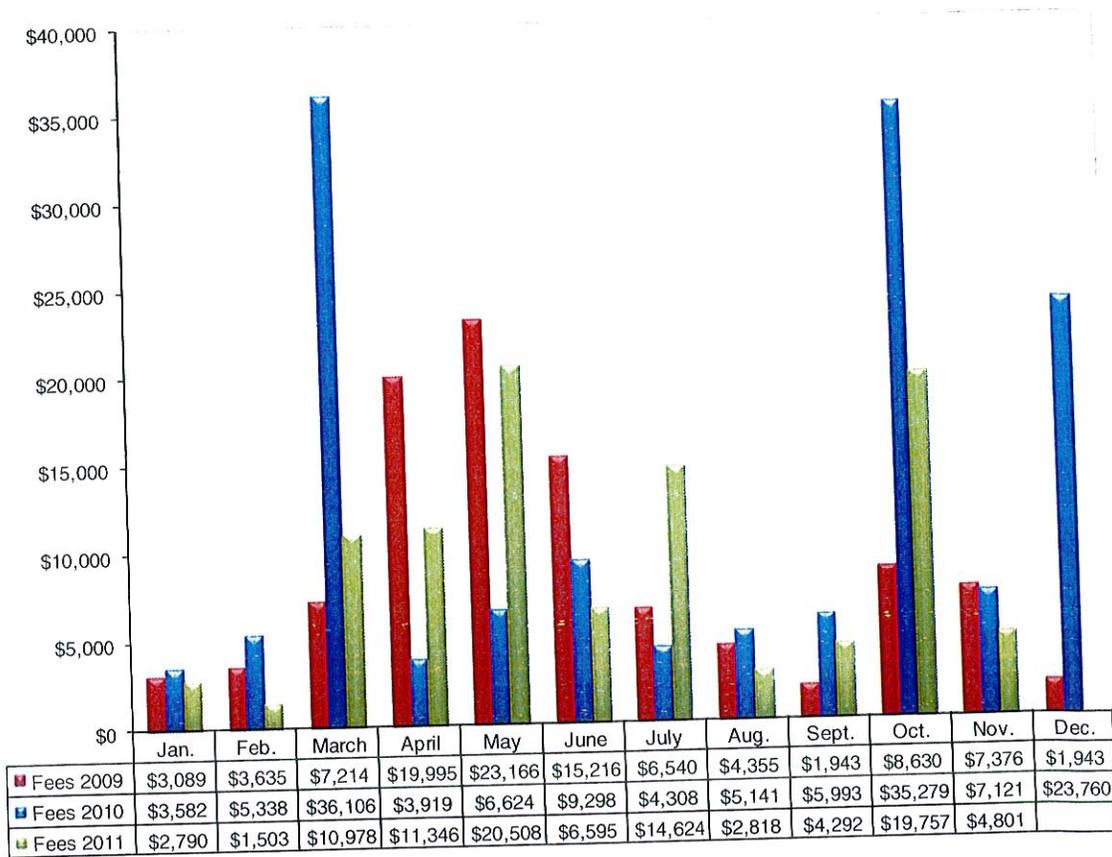


Residential Permits Issued



Fees:

Monthly Building Permit Fees Collected



The chart above does not include planning fees.

Fees Budgeted for 2011:

Budgeted amount is	\$105,000
Permit fees to date:	\$100,012
Planning fees to date:	\$ 1,225
Total received to date:	\$101,237

Police Department City of Ottawa, Kansas

MEMORANDUM

DATE: DECEMBER 2, 2011
TO: RICHARD U. NIENSTEDT, CITY MANAGER
FROM: DENNIS P. BUTLER, CHIEF OF POLICE
SUBJECT: NOVEMBER MONTHLY REPORT

The purpose of this memorandum is to report activities involving various police department personnel during the month of November. Sworn and civilian members of the police department participated in or attended the following activities:

- Visited OU Career Fair
- Guest speaker at OU Social Services Class
- Franklin County RMS Users' Group Meeting
- Top Special Tactics and Rescue (STAR) Competition
- Department Firearms Training
- Johnson County Chief's and Sheriff Meeting
- Annual ECKAN Dinner
- Franklin County Children's Coalition Meeting
- Volunteers in Police Service (VIPS) and Reserve Police Officers provided 101 hours of service
- Monthly VIPS Meeting
- Provided Stalking through Technology education to city employees
- Attended several Chamber events
- Monthly Crimestoppers and Sexual Assault Nurse Examiner (SANE) meetings
- Attended Regional Major Case Squad meeting
- Franklin County Domestic Violence Response Team (initiative led by Willow)
- Attended Employees Health Benefits Committee meetings
- Batterer's Intervention Meeting at the Elizabeth Layton Center
- Kansas Attorney General's BIP Advisory Board
- We have no police officer vacancies. One officer currently attending the academy

I will be happy to answer any questions you may have.

Thank you.

Police Department
City of Ottawa, Kansas
MEMORANDUM

DATE: DECEMBER 9, 2011
TO: RICHARD U. NIENSTEDT, CITY MANAGER
FROM: DENNIS P. BUTLER, CHIEF OF POLICE
SUBJECT: NOVEMBER 2011 ENFORCEMENT STATISTICS

230 CHARGES WERE ISSUED THROUGH THE MUNICIPAL COURT. SOME OF THESE ARE MULTIPLE CHARGES ON SINGLE TICKETS.
The breakdown is as follows:

000 VOIDED TICKET	4	CH10 INOPERABLE VEHICLE	3
013 TRAFFIC CONTROL SIGNAL	1	13210 SPEEDING SCHOOL ZONE	2
029 RECKLESS DRIVING	1	13311 2 HOUR PARKING	21
030 DUI	1	182.1 SEATBELT	31
033 SPEEDING	46	3-208 DOG DISTURBING THE PEACE	1
037 DRAG RACING	1	3-213 KEEPING VICIOUS ANIMAL	2
046 IMPROPER DRIVING LANED ROAD	2	3-302 DOG VACCINATION REQUIREMENTS	1
047 FOLLOWING TOO CLOSE	1	3-303 DOG CITY REGISTRATION FEES	1
049 IMPROPER TURN OR APPROACH	2	3-309 DOG RUNNING AT LARGE	3
059 FAIL TO YIELD STOP/YIELD SIGN	6	38-601 THEFT	3
060 FAIL TO YIELD PRIVATE ROAD	1	38-604 THEFT OF SERVICES	1
080 VEHICLE EMERGING FROM ALLEY	2	38-606 CRIMINAL DAMAGE TO PROPERTY	3
085 PARKING/STANDING/STOPPING	2	38-702 OBSTRUCTING LEGAL PROCESS	2
086 IMPROPER PARKING	1	38-901 DISORDERLY CONDUCT	3
093 PARKING DISABLED AND OTHER VEHICLE	2	381202 POSSESSION OF MARIJUANA	1
104 INATTENTIVE DRIVING	1	381203 POSSESSION OF PARAPHERNALIA	2
106 TRANSPORT OPEN CONTAINER (KSA 8-1599)	1	381207 UNLAWFUL USE OF PROHIBITED SUBSTANCE	1
117 LIMITATIONS ON BACKING	1	381208 UNLAWFUL POSSESSION OF PROHIBITED SUBSTANCE	2
182 CHILD PASSENGER SEATS	3	CH10-6 NUISANCE	5
184 DEFECTIVE TAILLAMP	1		
192 NO OPERATOR LICENSE	3		
194 SUSPENDED OPERATORS LICENSE	13		
198 ILLEGAL TAG	20		
200 KNOWINGLY OPER W/O INSURANCE	25		

** Report Total: 195

38 Charges were filed through County Attorney's office:

2 Domestic Battery	0 Agg Battery	2 Battery	
2 Burglary	2 Criminal Damage	2 D.U.I.	
5 Theft	3 Traffic	1 Endangering Child	
0 Liquor Violations	0 Prescription Drugs	8 Misc. Charges	11 Possession Drugs/Paraphenalia

**ADULT AND JUVENILE
CRIMINAL ARRESTS
PART ONE ARRESTS**

	Nov 2011		Nov 2010	
	ADULT	JUVENILE	ADULT	JUVENILE
Arson	0	0	0	0
Assault: Aggravated (Agg Battery)	0	0	0	0
Burglary	0	3	1	0
Murder	0	0	0	0
Rape	0	0	0	0
Robbery	0	0	0	0
Theft	5	2	3	4
Theft: Auto	0	4	0	0
Sub Total Part One Arrests	5	9	4	4

OTHER ARRESTS

Assault	0	0	0	0
Assault: LEO	0	0	0	0
Battery	0	0	0	0
Battery: Domestic	1	0	1	0
Battery: LEO	0	0	0	0
Criminal Damage Property	4	0	1	0
Criminal Threats	0	0	0	1
Disorderly Conduct	3	0	0	0
Driving Under Influence	3	0	5	0
Drug Offense Arrests	16	0	6	4
Forgery	0	0	0	0
Homicide	0	0	0	0
Juvenile Offense Arrests	0	2	0	1
Kidnapping	0	0	0	0
Kidnapping: Aggravated	0	0	0	0
Liquor Related Offense Arrests	0	0	1	0
Phone Harassment	0	0	0	0
Sexual Offense Arrests	1	0	0	0
Suicide	0	0	0	0
Vehicle Related Arrests	25	0	30	1
All Other Arrests	26	0	48	1
Sub Total	79	2	92	8

TOTAL ARRESTS

95

108

**REPORTED CRIMES
PART ONE OFFENSES**

	Nov 2011		Nov 2010	
	REPORTED	INACTIVE	REPORTED	INACTIVE
Arson	1	1	0	0
Assault: Aggravated (Agg. Battery)	0	0	0	0
Burglary	10	8	7	2
Murder	0	0	0	0
Rape	0	0	2	2
Robbery	0	0	0	0
Theft	31	25	16	11
Theft: Auto	1	1	0	0
Sub Total Part One Crimes	43	35	25	15

OTHER CRIMES

Assault	0	0	0	0
Assault: LEO	0	0	0	0
Battery	3	1	1	0
Battery: Domestic	2	0	2	2
Battery: LEO	1	1	0	0
Criminal Damage Property	17	14	16	15
Criminal Threats	0	0	2	1
Disorderly Conduct	2	2	0	0
Driving Under Influence	3	3	6	6
Drug Offenses	15	15	10	10
Forgery	1	0	2	0
Homicide	0	0	0	0
Juvenile Offenses	7	4	1	1
Kidnapping	0	0	0	0
Kidnapping: Aggravated	0	0	0	0
Liquor Related Offenses	0	0	2	2
Phone harassment	0	0	0	0
Sex Offenses	1	1	0	0
Suicide	0	0	2	2
Vehicle Related Offenses	26	26	35	34
All Other Offenses	29	29	55	53
TOTAL CRIMES	107	96	134	126

OTHER ACTIVITIES

Calls for Service	812	892
Traffic Accidents	15	14
Warrants Served	20	38
TOTAL INCIDENTS / CALLS FOR SERVICE	997	1103

ANIMAL CONTROL

ACTIVITY	Nov-11	Nov-10	Yr to Date
Domestic animals taken to shelter	24	1	94
Animals taken to shelter (OTHER OFFICER)	5		9
Dead animals (wild) collected	3	18	122
Dead animals (domestic) collected	1	0	25
Wild animals trapped	10	6	154
Trap usage (days)	37	23	513
Dog ordinance violation citation	0	2	31
Cruelty to animal violation	0	0	2
Calls for service (non-trap)	84	60	807

FINES		COURT FEES										Combined Total	
2011	Violation	Misc.	ADSAP [\$150]	Ct. Costs [\$75.00]	LET Fee [\$5.00]	JDFJ Fund [\$2.00]	Trauma [\$1.00]	CVA [\$0.50]	PFA [\$0.50]	KPOST [\$2.50]	Ct. Trng. [\$0.50]		Fee Totals
January-11	19,747.50	\$486.38	\$0.00	\$7,853.00	\$1,949.12	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$64.88	\$10,353.38	\$30,100.88
February-11	\$ 23,663.87	\$1,041.52	\$0.00	\$5,778.50	\$1,298.39	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$44.11	\$8,162.52	\$31,826.39
March 11	23,791.54	\$485.50	\$0.00	\$7,389.75	\$1,565.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$59.28	\$9,500.00	\$33,291.54
April-11	19,210.81	\$254.50	\$0.00	\$6,344.00	\$1,856.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$55.00	\$8,509.50	\$27,720.31
MAY-11	17,675.46	\$339.19	\$0.00	\$6,003.37	\$1,517.98	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.15	\$7,912.69	\$25,588.15
June-11	19,938.23	\$688.00	\$0.00	\$5,940.00	\$1,734.51	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.49	\$8,415.00	\$28,353.23
July-11	\$ 14,858.49	\$ 162.00	\$0.00	\$3,939.00	\$1,021.38	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32.62	\$7,346.49	\$20,013.49
August 11	26,093.25	\$912.85	\$0.00	\$7,853.50	\$2,451.64	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$71.86	\$11,289.85	\$37,383.10
Sept 11	\$19,359.00	\$798.00	\$0.00	\$4,967.06	\$1,018.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$35.33	\$6,819.00	\$26,178.00
October-11	\$ 20,985.50	\$324.00	\$0.00	\$6,383.47	\$1,489.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$53.79	\$8,250.50	\$29,236.00
Nov, 2010	\$ 21,540.45	\$306.00	\$0.00	\$7,726.75	\$1,998.04	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$65.21	\$10,096.00	\$31,636.45
Nov, 2011	\$ 18,404.63	\$648.00	\$0.00	\$6,610.50	\$1,391.15	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$54.85	\$8,704.50	\$27,109.13

MUNICIPAL COURT	
CASES FILED	Nov, 2011
Crimes against persons	3
Crimes against Property	5
DUI	1
Fleeing a Police Officer	0
Other Crimes	20
Minor Cigarette/Tobacco Infraction	0
Reckless Driving	1
Traffic Violations	122
TOTAL CASES FILED	152
COURT REVENUES (fines & court costs)	\$25,015.13
CASE DISPOSITIONS	
Bond forfeitures	0
Dismissals	24
Diversion agreements	6
Guilty pleas	134
Trials (on pleas of not guilty)	10
TOTAL CASES CLOSED	174

~~ Violation Fines-- Fine paid for violating the law.
 ~~ADSAP-- Includes payments for all alcohol/ drug evaluation services.
 ~~Court Costs-- Costs deposited general fund of city (salaries, computers, overhead, etc.).
 ~~Law Enforcement Training Fee-- Helps fund State training for Police Officers.
 ~~Juvenile Detention Facility Fund-- Helps funds juvenile detention centers.
 ~~Trauma Fund-- Submitted to state for trauma fund
 ~~CVA-- Crime Victims Assistance Fund submitted to state for victims of crime.
 ~~PFA-- Protection from Abuse-- submitted to state to aid in abuse victims.
 ~~KCPOST-- Kansas Commission on Peace Officers Standards and Training Fund-- submitted to state.
 ~~CT. Training Fund-- submitted to the state for education of the court personnel.
 ~~Misc.-- Restitution paid to victims, Witness fees, overpayments and reinstatement fees.

CITY OF OTTAWA, KANSAS
PUBLIC WORKS DEPARTMENT
MEMORANDUM

TO: City Commission
FROM: Andy Haney, Public Works Director
COPY TO: Larry Matile, Doug Reinert, Lyle Posey, Debbie Badders, Lisa Borjas
SUBJECT: (November 2011) Monthly Activity Report/Public Works Projects Update
DATE: December 5, 2011

Project descriptions will only be included when a project first appears. Subsequent reports will only list significant activity related to an ongoing project or changes that occur during the reporting period. Ongoing projects for which there is no significant activity during the month are not listed.

K-68 & Davis Intersection Improvement. KDOT continues to evaluate the design speed limit for the project, as that aspect will affect whether a line of power poles must be moved at significant expense.

Davis Road Improvements. Staff continues to evaluate the possible funding alternatives for this improvement while considering how the project should be phased in the event the entire project (K-68 to Sand Creek Road) cannot be completed at the same time.

Streets Division Projects. Routine maintenance activities were completed during the month, including support of the Veterans Day Parade and equipment maintenance in advance of winter operations. Crew members also completed significant periodic refresher training during the month related to trench safety and confined space operations. Crews completed removal/replacement of the old (abandoned) rail tracks and rough pavement on K-68 east of the bridge, replacing that with a smooth concrete pavement.

Crews completed construction of concrete pads in Kanza Park that will be "home" to the picnic tables and benches associated with the KaBOOM playground. Work on an accessible ramp to the tennis courts at Forest Park was commenced. This long overdue project has become more necessary as we work with ORC to pursue a grant for court surface improvements from the USTA. Much of the concrete work is complete, and we will work with a local fabricator to obtain appropriate railings.

Charles King retired at the end of the month following over 25 years with the City of Ottawa. Most of that time was spent as a member of the Streets Division.

Kingman Road. Our crews coordinated with Franklin County Road crews in an effort to schedule to rock surfacing improvements approved by the City Commission. Due to various commitments of those crews, a joint effort is difficult to schedule. The significant work approved by the City Commission, including some base repairs and rock surfacing needs to be deferred until 2012, as the surfacing method requires higher temperatures to properly cure. In the interim, crews have worked to grade the surface and "freshen" it with asphalt millings. The soft spots in the base have not been excavated. Our crews will continue to monitor and grade such that the road is passable through the winter, and schedule the more significant improvement with Franklin County for the spring.

City Garage. The Garage routinely services vehicles and equipment for all City departments. The most typical service is a periodic oil change with associated checks and services (preventive maintenance). During the month of November 2011 there were 22 equipment repairs and 14 preventive maintenance services completed by Garage personnel. One repair was completed by an outside vendor.

MEMORANDUM: Public Works Projects Update (p. 2)

December 5, 2011

Cemeteries. Following are excerpts from the monthly Sextons' Reports:

	SPACES SOLD		BURIALS	
	(mo)	(YTD)	(mo)	(YTD)
Highland Cemetery	0	51	6	72
Hope Cemetery	0	4	0	4

Parks. Crews continued preparing equipment for winter activities and facilitated Veterans Day activities in Forest Park. Activities also included some tree pruning and winterizing public restrooms. The effort will be to keep the large restroom in Forest Park in operation through the Christmas Parade weekend.

Airport Activities Report. A KDOT grant for 50% of the cost of a credit card fueling system was favorably considered. The KDOT grant is for 50% of the project cost, up to \$27,500 (\$55k grant estimate). The proposal from Broyles Inc. was accepted, with their quote of \$44,750 (approx.). Variables yet to be determined may affect the final cost. Project completion is anticipated prior to the end of 2011.

Shown below are the daily "operations" reported by the Airport Manager.

WEEK OF	M	T	W	Th	F	S	S	TOTAL
10/31/2011		8	0	0	41	1	18	68
11/7/2011	0	0	0	13	6	8	14	41
11/14/2011	5	12	28	4	0	0	8	57
11/21/2011	0	0	10	9	0	4	16	39
11/28/2011	22	14	14					50
CY 2011 TOTAL	423	453	382	612	707	784	730	4263

Airport fuel sales (100LL) during November 2011 amounted to 279 gallons (CY 2011 to date = 3,902 gal). The Airport Manager reported that the "Courtesy Car" was used once during the month, totaling 10 miles.

Street crews continued to refine grounds improvements at the Airport as time was available. In addition to other minor tasks completed by crews at the Airport, the fencing south of the new hangar building was replaced.

Runway 17-35 Design. The contractor's tentative schedule is for the project to commence on April 23rd and to be complete on August 20th, approximately 4 months. Removal and replacement of the runway will require that the Airport be closed during construction. A meeting with Airport businesses was conducted in October, and concern was expressed about the Airport being closed during construction. Our design consultant worked through the safety aspects of the project with the FAA concerning that request. Their final determination is that, due to safety and construction time issues, the Airport must be closed during this construction project. The Airport Advisory Board is considering possibilities for an "event" to celebrate the re-opening.

To: City Manager
From: Jim Bradley
Date: Dec. 1, 2011
Subject: Utilities Project Activities

NORTHEAST SANITARY SEWER PROJECT

This project will consist of two new gravity sanitary sewer lines, a new river lift station and force main across the Marais des Cygnes River to the treatment plant. The project when completed will serve a portion of the existing system and provide for growth in the northeast portion of the City. BG Consultants have completed the design and verbal approval has been given by the Corps of Engineers. A presentation and recommendation was given to the City Commission in February 2010.

Estimated costs are approximately \$1,055,000. This amount may change as we intend to add a crossing on K-68. KDHE has been contacted to begin the revolving loan fund process. KDHE has also advised that a 15% principal forgiveness may be available. Environmental clearance letters have been mailed to the appropriate agencies. The current loan with KDHE is currently being modified to include this project. Plans have been modified to include the K-68 crossing the project. We are now in the process of completing the change to the KDHE loan and submitting information for environmental clearance. Proposed to City Commissioners as a priority project at the May 23rd 2011 study session. This project cost may be rolled into the new loan agreement now being considered for the Eastside Interceptor Project. Currently awaiting funding before proceeding to bid letting. No change to this project in November.

EASTSIDE INTERCEPTOR SANITARY SEWER PROJECT

This project was recommended for completion in the recently completed Professional Engineering Consultants (PEC) Eastside Interceptor Sewer Assessment. The project consists of replacement, repair and upgrade of the sanitary sewer eastside interceptor from near 15th St. and Rockwood Acres north to near the sanitary sewer treatment plant. This project will help eliminate wet weather overflows and provide the needed capacity for growth to south of I-35. The project is estimated to cost \$4,431,300 at this time. The City Commission has authorized staff to proceed with the engineering phase of the project.

We received the 50% completion plans for review in November and are currently discussing changes, modifications and any problems within the plans. We have scheduled a meeting with PEC to review and make adjustments to these plans on Dec. 19th.

POWER PLANT RICE NESHAP PROJECT

The Environmental Protection Agency published an update on May 3, 2010 of the National Emission Standards for Hazardous Air Pollutants (NESHAP), 40 CFR part 63. This mandate will require nationwide design, testing and installation of emission controls equipment on all large stationary Reciprocating Internal Combustion Engines (RICE), including those at our power plant.

After discussions with KMEA, KMU and the City Manager we will sign the contract and proceed with making the required upgrades to meet the EPA's RICE/NESHAP regulations.

ELECTRIC MASTER PLAN UPDATE

The Utility Department has contracted with Sawvel and Associates to update the existing Electric Master Plan. Sawvel will coordinate with SEGA, Inc. and Kansas Municipal Energy Agency and City Staff for existing information necessary to complete the study.

City staff has sent all of the information requested to Sawvel. Sawvel will begin the study and schedule meetings in the coming months. A discussion was held with Saewel at the RICE NESHAP meeting. Sawvel met with City Staff and SEGA in April. We anticipate meeting with Sawvel during the Kansas Municipal Utilities conference in early May. Sawvel has also been in contact with KMEA to discuss current firm power contracts and options for future power supply that are currently being investigated. A December 7th meeting is scheduled to discuss the draft report prior to completion of the report.

SANITARY SEWER MAINTENANCE

Televised 2,674 feet of sanitary sewer lines. Cleaned 3,135 feet of sewer line.

WATER DISTRIBUTION MAINTENANCE

Replaced 693' of 6" watermain and one fire hydrant. Completed repair of 6 water main breaks.

Ottawa Municipal Power Plant

MONTHLY POWER REPORT November-11

2011

2010

	2011		2010	
	This Month	Year to Date	This Month	Year to Date
KILOWATT HOURS				
NET SELF GENERATION	-76.231 *	2,201.042	-52.960 *	2,047.047
PURCHASED POWER:				
SWPA	122,000	12,925,500	127,000	2,491,000
KMEA	10,090,000	106,019,000	9,377,000	124,018,400
KCPL	671,100	19,328,700	1,290,500	17,820,100
SUB-TOTAL ENERGY	10,883,024	138,275,401	10,794,447	144,331,547
TOTAL ENERGY (after sales) ¹	10,883,024	138,275,401	10,794,447	144,331,547
INCREASE / DECREASE ² (2008 VS. 2010)	0.82%	-4.20%		
KILOWATT LOAD				
PEAK DEMAND	19.3	41.2	20.6	39.0
TIME OF PEAK	6:00 PM	2:00 PM	6:00 PM	4:00 PM
DAY OF PEAK	11/28/2011	8/2/2011	11/30/2010	8/9/2010
ENERGY SALES				
KCPL (supplemental) KWh	0	0	0	0
WRI / Other (supplemental) KWh	0	0	0	0
Nearman Sales KWh ³	0	0	0	716,800
TOTAL SALES (KWh)	0	0	0	716,800

¹Total energy demand of city

²After Generated Sales

³Non-Generated Sales

*negative net generation = station power exceeded gross generation.

WASTEWATER TREATMENT PLANT REPORT

NOVEMBER

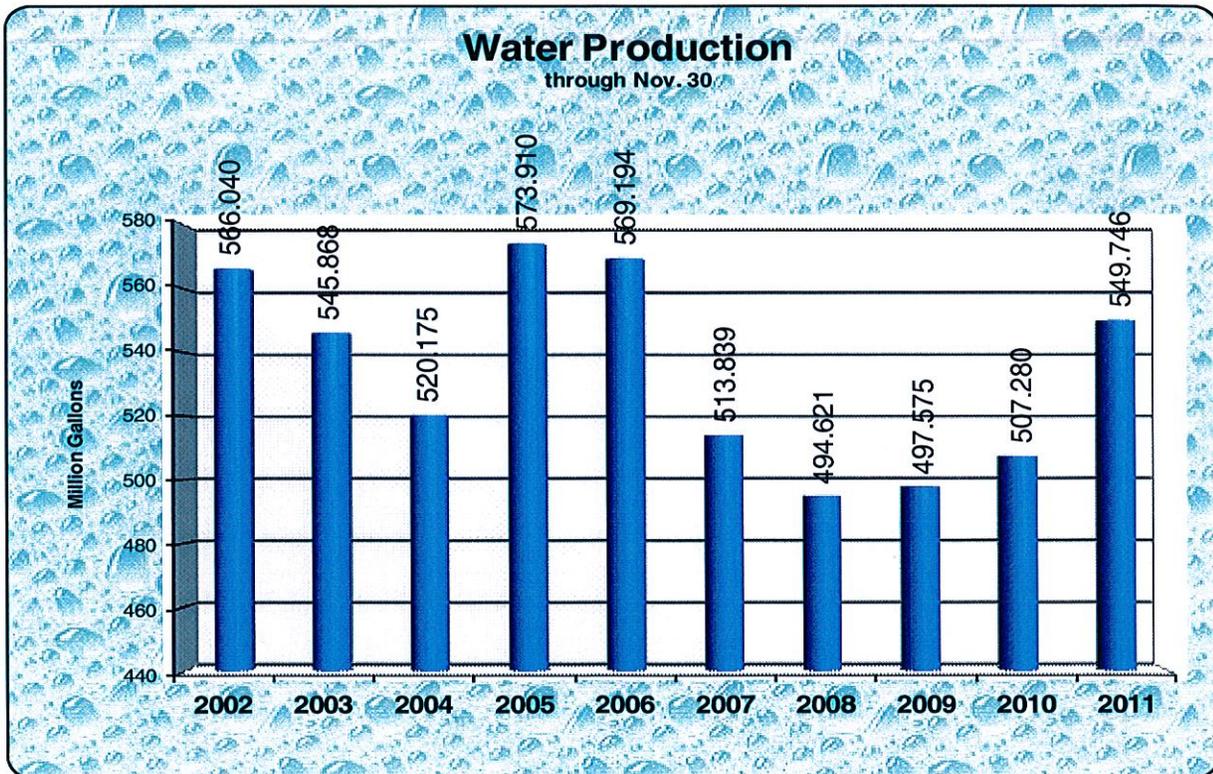
		2011		2010
		This Month	Year To Date	Same Month Year To Date
TOTAL FLOW, MG		19.9	232.8	14.5 396.7
PEAK DEMAND DAY, MG		1.947	3.348	1.53 6.703
AVERAGE DAILY FLOW, MGD		0.663	0.698	0.483 1.188
 AVERAGE PLANT INFLUENT				
	BOD5, MG/L	148.9		124.8
	TSS, MG/L	216.2		213.2
	AMMONIA, MG/L	29.3		30.87
	pH, SU	7.39		7.57
 AVERAGE PLANT EFFLUENT				
	(KDHE STD.)			
BOD5, MG/L	(30 MG/L)	4.1		2.3
TSS, MG/L	(30 MG/L)	3.6		2
AMMONIA, MG/L	(10.7 MG/L)	1.2		1.88
pH, SU	(6.0 - 9.0)	7.16		7.44
PERCENT REDUCTION BOD5		97.1		98
PERCENT REDUCTION TSS		98.2		98.9
 KWH OF ELECTRIC USED				
	Wastewater Plant	112,960		118,060
	River Lift Station	1,592		1,633
	Logan Lift Station	2,937		2,379
	Mulberry Lift Station	1,890		1,724
	Princeton Lift Station	1,355		1,521
	Rockwood Lift Station	259		256
	Pin Oak Lift Station	259		234
	Diamond A Lift Station	4		1
	Fairway Lift Station	292		149
	Rock Creek Lift Station	406		
	TOTAL KWH	121,954		125,957

WATER TREATMENT PLANT PRODUCTION REPORT NOVEMBER 2011

	2011		2010		Year to Date
	<i>This</i>	<i>Year</i>	<i>This</i>	<i>Year</i>	Percentage of Increase / Decrease
	<i>Month</i>	<i>to Date</i>	<i>Month</i>	<i>to Date</i>	
Monthly Plant Influent	45,668,000	585,080,000	46,140,000	563,847,000	4%
Monthly Plant Effluent	40,761,000	549,746,000	40,425,000	507,280,000	8%
Sludge Water Reused	2,259,800	31,495,000	2,953,100	35,053,300	-11%
Average Daily Influent	1,522,267	1,751,737	1,538,000	1,688,165	
Average Daily Effluent	1,358,700	1,645,946	1,347,500	1,518,802	

Weather Information

Total Precipitation	4.68	28.49	1.58	38.72	-36%
Average High Temperature	57	70	58	69	1%
Average Low Temperature	33	47	33	48	-2%



OTTAWA AREA CHAMBER OF COMMERCE-ECONOMIC DEVELOPMENT
Statement of Receipts & Expenses-Modified Cash
 January through November 2011

	<u>Jan - Nov 11</u>	<u>Jan - Nov 10</u>
Ordinary Income/Expense		
Income		
3330 · OFCED income	85,000.00	82,750.00
3335 · Administrative Income	6,000.00	0.00
3810 · Interest Income	0.00	198.15
3890 · Other income	0.00	500.00
Total Income	<u>91,000.00</u>	<u>83,448.15</u>
Expense		
4100 · Auto/travel/conference	990.84	809.46
5110 · Advertising	2,355.41	2,619.31
5150 · Dues & publications	4,015.50	4,047.50
5250 · Hospitality	39.46	36.21
5300 · Insurance/other	451.00	410.50
5325 · Legal & accounting	0.00	196.25
5350 · Operating supplies	41.90	257.47
5351 · Printing	1,641.74	1,997.63
5400 · Postage	583.93	891.20
5450 · Property tax	785.93	771.85
5500 · Repair and maintenance	485.93	43.16
5551 · Payroll taxes/Employee Benefits	7,406.43	7,240.62
5600 · Salaries	53,649.28	56,535.14
5605 · Contract Labor	24.00	18.00
5650 · Telephone	1,314.26	1,202.61
5700 · Utility	2,009.01	2,039.44
Total Expense	<u>75,794.62</u>	<u>79,116.35</u>
Net Ordinary Income	<u>15,205.38</u>	<u>4,331.80</u>
Net Income	<u><u>15,205.38</u></u>	<u><u>4,331.80</u></u>

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	2011 Totals	2010 Totals	2009 Totals	2008 Totals	2007 Totals	2006 Totals						
Final Disposition																								
Reclaimed	8	9	7	9	9	9	7	3	10	7	3		81	79	107	115	116							
Total Adopted	43	58	60	49	55	60	56	73	33	53	69		609	476	276	327	280	314						
Dog	26	43	49	35	42	43	34	49	19	37	53		430		191	206	211	252						
Cat	17	14	11	14	13	17	20	24	14	16	13		173		85	110	57	47						
Other	0	1	0	1	0	0	2	1	0	0	3		8		0	11	11	15						
Total PTS	19	18	17	37	45	57	50	16	33	31	31		354	754	560	972	896	874						
Dog	3	11	4	10	13	13	8	3	12	8	9		94	245	147	415	436	370						
Health	2	2	3	9	7	13	3	3	5	3	1		51		54	99	184	122						
Temperament	1	4	1	1	2	0	2	0	3	0	4		18		46	208	174	110						
Breed	0	0	0	0	0	0	0	0	0	0	0				5	19	32	73						
No Room	0	5	0	0	0	0	3	0	4	1	4				9	75	41	37						
Age	0	0	0	0	0	0	0	0	0	0	0				0	0	0	16						
No Interest	0	0	0	0	4	0	0	0	0	4	0		8		0	14	5	10						
Court Order	0	0	0	0	0	0	0	0	0	0	0				0	0	0	2						
Cat	16	7	13	27	32	44	42	13	21	23	21		259	506	196	556	460	499						
Health	8	5	11	10	17	11	25	6	10	14	7		124		48	226	254	240						
Temperament	3	0	0	0	0	0	1	2	1	0	4		11		22	107	77	75						
Feral	5	2	2	17	7	15	3	2	2	5	8		68		9	52	58	70						
No Room	0	0	0	0	0	11	3	0	7	3	2		26		33	101	50	67						
Age	0	0	0	0	8	7	10	3	1	1	0		30		27	70	21	47						
Other	0	0	0	0	0	0	0	0	0	0	1		1	3	1	1	0	5						
Total HAHS Rescue	19	18	16	22	29	23	23	20	11	22	27		230	331	275	374	382							
Dog		6	12	18	19	12	12	7	9	11	21		127		146	209	231							
Cat		12	4	4	10	11	11	13	2	11	6		84		129	165	151							
Total all other Rescue													~11		21	5	33							
Dog	2	4	5	5	3	1	0	2	0	12	0		34		21	5	16							
Cat	0	0	0	0	7	0	0	0	0	4	0		11		0	0	17							
End of Month Head Count															636	1933	1666							
Dog	50	61	51	68	64	56	74	65	89	59	65		702		276	816	829							
Cat	44	30	36	43	72	70	56	56	72	59	54		592		358	1089	830							
Other	1	0	0	0	0	0	0	0	1	4	0		6		2	28	13							
Ottawa ACO															11	47	45							
Dog	5	6	16	12	15	15	14	7	8	4	6		108	95	4	9	8							
Cat	0	0	0	0	0	0	0	0	0	0	0			0	7	38	38							
Total Income	92	98	106	156	182	144	141	108	136	116	125		1404											
In Foster Care PPAS	5	5	6	5	7	6	8	9	13	15	8		87											

1040's are not included in head count.