

City Hall - January 7, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Zook, Reusch, Park and Sheldon.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting held December 17, 1975 were approved as they were written.

Cereal Malt Beverage License Applications

Applications for issuance for cereal malt beverage licenses as submitted by Indian Lanes Bowl, Inc., Stuart S. Young, Manager and the Ottawa Country Club, Assoc., James R. Morris, Manager, were approved for issue of license. A motion to approve the issuance of said licenses was made by Commissioner Zook, seconded by Commissioner Park and all present voted in favor of the motion except Commissioner Reusch who voted opposing.

Ordinance No. 2523 - Regulating Private Security Officers

An ordinance relating to and regulating private watchmen, private policemen and private security officers in the City of Ottawa was introduced for the second time. Mayor Loyd opened discussion on this ordinance by stating that he felt that this ordinance would be very meaningful to the City. The ordinance would require a \$20 per year license fee for each individual contracting as a private security officer, it would require posting of bond or insurance and investigation of the individual prior to issuance of a permit. Mayor Loyd commented that two changes had been made in this ordinance since its first introduction, those being that the ordinance was further clarified as to the types of operation which would require investigation and licensing and a penalty section was added. It was pointed out that this license would not affect a person who lived in Ottawa but acted as a private security officer or policemen outside the corporate limits of this City. It was brought out that the City had investigated the licensing provisions of the State of Kansas; however, it was discovered that the Kansas licensing provisions apply only to private investigators.

The Motion for passage of said ordinance was made by Commissioner Park who stipulated in the motion that the ordinance would not be effective prior to March 1, 1976. The motion was seconded by Commissioner Sheldon and all present voted in favor of the motion.

Ordinance No. 2524 - Reserve Police Force

An ordinance establishing a reserve police force and providing for regulation thereof was introduced. It was explained that the City has had a reserve police force for many years but guidelines for such a body have not been provided. The passage of this ordinance is to be considered meaningful and good government practice. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Ordinance No. 2525 - Relating to Parking Meters

An ordinance suspending temporarily the enforcement of parking meters in downtown Ottawa was introduced. It was explained that on a trial basis the City has not been enforcing parking meters for about a month and that it appears to be working very satisfactory.

Mr. Dave Mudrick appeared, representing the Ottawa Retail Association commended the Governing Body for suspending parking meter operations on a trial basis. Mr. Mudrick stated that the feelings of the ORA are that it has been very successful and that they would like additional time to further the experiment. Motion for

passage of said ordinance was made by Commissioner Park, seconded by Commissioner Sheldon and all present voted in favor of the motion.

Resolution No. 137 - Advisability of Improving 14th Street

A resolution making findings as to the advisability of improving 14th Street from the west line of Willow to the east line of Ash was passed. A legal opinion of the City Attorney indicated that the petition circulated calling for this improvement is sufficient, the estimated probable cost to be \$16,746.48. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Reusch and all present voted in favor of the motion.

Resolution No. 138 - Ordering and Directing Improvement of 14th Street

A resolution ordering and directing the improvement of 14th Street from Willow to Ash at the estimated probable cost of \$16,746.48 was passed. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

It was brought out in discussion following the passage of the two street improvement resolutions that a contract for street improvements to be inclusive of Willow Street, 11th Street, 14th Street and possibly others, should be let in late February, 1976.

Report of Planning Commission

A report of Planning Commission proceedings which recommended the denial of a request for a special use permit as requested by Mr. Jon Alterman was read. Mr. Alterman had requested a special use permit be issued to allow antique and garage sales from a building located at 417 E. 7th. Mr. Don White, attorney, appeared representing Mr. Alterman and asked that the hearing before the Planning Commission be continued until February 3, 1976. Mr. White reported that his client had been out of town at the time of the hearing and other people involved were ill, further other people wishing to attend the public hearing had not been able to do so because of weather conditions.

Commissioner Zook made a motion that the Planning Commission hearing be continued as per the request of Mr. White and for the reasons stated in Mr. White's request. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

There being no further business the meeting was adjourned. The entire text of this meeting with the exception of about the first five minutes are on tape in the files of the City Clerk.


City Clerk

City Hall - January 21, 1976

The City Governing Body met at 5 p.m. this date. Present Mayor Loyd and Commissioners Zook, Reusch, Park and Sheldon. Absent: none.

Approval of minutes

The minutes of the last regular meeting which was held January 7, 1976, were approved as they were written.

Presentation of plaques - retiring employees

Mr. Fred Disque and Mr. Raymond (Pete) Reed were presented plaques denoting their respective years of service with the City. These presentations were made commemorating their retirement from the City. Mr. Reed had been in the employ of the City from October 4, 1950 through December 31, 1975, and Mr. Disque had been in the employ of the City from May 7, 1958 through February 1, 1976.

Pedestrian Safety Citation Award

Mr. Bill Law of the Kansas Department of Transportation presented Police Chief Skiles with a Pedestrian Safety Citation Award for six years with no traffic fatalities. This award is presented on behalf of the American Automobile Association for 1974.

Cereal Malt Beverage License applications

Applications for cereal malt beverage licenses as submitted by William F. Adams, for the operation of the Blue Room Tavern at 231 N. Main, and as submitted by the Continental Oil Company, for the Conoco Travel Shoppe at 23rd and Princeton were presented. The application for the Blue Room Tavern was for consumption on the premises, and the application for the Conoco Travel Shoppe was for package sales only. A motion for approval to issue the above cereal malt beverage licenses was made by Commissioner Park, and seconded by Commissioner Zook and all present voted in favor of the motion except Commissioner Reusch, who voted opposing the motion.

Resolution #139 - Classification and Pay Plan

A resolution adopting a Position Classification and Pay Plan for the City of Ottawa, Kansas was presented. It was explained that many months had been devoted in compiling the Position Classification and Pay Plan, in an effort to better describe positions of employment with the City and pay scales to underwrite those positions. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Sheldon, and all present voted in favor of the motion.

Public Hearing - Zoning

It was announced that a public hearing will be held at 7 p.m. February 17, 1976, in the City Commission room before the City Planning Commission, upon the proposed new zoning ordinance for the City. A motion for the above was made by Commissioner Reusch, seconded by Commissioner Park, and all present voted in favor of the motion.

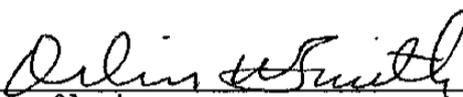
Request of National Guard

Captain Petty, and Mr. Stone, of the Ottawa National Guard, appeared before the Governing Body to request permission to have displays of military equipment in certain areas of the city on February 7. Locations are as follows; a Battery Aid Station at Fifth and Main, a maintenance area at Fifth and Park, a communication center on Park Street, between Main and Hickory, and howitzers at Third and Main. In addition to the above, they plan to have survey parties working in City Park. These displays are to facilitate an enlistment program for the National Guard. The Governing Body gave their wholehearted approval to the request of the National Guard provided all areas were cleared by the Chief of Police. The Governing Body was invited to lunch February 8, 1975, at the National Guard Armory.

Announcement - Task Force for parking problem

The Mayor announced that a Task Force has been formed to study the problem of parking in the central business district. The Task Force will be asked to make specific recommendations as to whether parking meters should be retained in the downtown area, or should be removed. Nineteen people out of twenty-one contacted have acknowledged that they will serve on this Task Force.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk, and will remain so for one year from the date of the meeting.



City Clerk

City Hall - February 4, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Zook, Park, Reusch and Sheldon.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting held January 21, 1976 were approved as they were written.

Ordinance No. 2526 - Suspension of Parking Meters

An ordinance suspending parking meter regulations until March 17, 1976 and providing for two hour parking regulations for all metered parking stalls was passed. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion. Said ordinance was declared passed. Mayor Loyd commented that the parking meter task force met February 2, 1976 for an organizational meeting. Russell Crites was elected Chairman and Dottie Wellington was elected vice-chairman.

Report of Planning Commission

The Governing Body received a report from the Planning Commission of their actions taken at their regular meeting of February 4, 1976. The Planning Commission reported that at the conclusion of the continuation of the hearing for special use permit as requested by Mr. Jon Alterman, the request for the permit was recommended to be denied. Mr. Alterman had requested a special use permit to allow antique and garage type sales at a building at 417 E. 7th.

The Planning Commission tabled action on a request for a special use permit as submitted by Mrs. Stella Cotter until their next regular meeting of March 2, 1976. Mrs. Cotter had requested a special use permit to allow a TV repair shop to locate at 414 E. Wilson.

Claim for Damages - Kay Vogeler

The Governing Body received a claim for damages as submitted by Kay Vogeler. Mrs. Vogeler's car was involved in a collision with the city street sweeper at 9th and Mulberry. Mrs. Vogeler's claim was submitted in the amount of \$289.33 for damages sustained to her vehicle. A recommendation of the City Attorney stated that due to the doctrine of governmental immunity that the City could not legally honor the claim. A motion to deny the claim of Mrs. Vogeler was made by Commissioner Zook, seconded by Commissioner Sheldon and all present voted in favor of the motion.

Proclamation - Kansas Army National Guard Month

A proclamation proclaiming February, 1976 as Kansas Army National Guard Month was approved by the City Commission and signed by Mayor Loyd.

Amendment to Engineering Service Contract

An amendment extending the provisions of an engineering service contract with A.C. Kirkwood & Associates was approved. The original contract dated February 21, 1973 was for evaluation and exploring the long-range needs for additional power supplies for the municipal electric system. A motion for approval of the amendment was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Request of Chamber of Commerce

Mr. David Mudrick, representing the retail committee of the Greater Ottawa Chamber of Commerce, requested permission of the Governing Body to hold a sidewalk bazaar in downtown Ottawa on February 18, 1976 in honor of George Washington's birthday. Mr. Mudrick stated that in case of inclement weather said bazaar would be moved inside. A motion was made by Commissioner Sheldon for approval of the request. The motion was seconded by Commissioner Park and

all present voted in favor of the motion.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of this meeting.



City Clerk

City Hall - February 18, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.

X Present: Mayor Loyd and Commissioners Park, Reusch and Zook. Absent: Sheldon.

Approval of Minutes

X The minutes of the last regular meeting which was held February 4, 1976 were approved as they were written.

Request for Special Use Permit - Alterman

The City Governing Body at this time proceeded to give consideration to and discuss the request for a special use permit as submitted by Jon Alterman. Mr. Alterman has requested a special use permit be issued to allow antique and garage type sales from a building located at 417 E. 7th.

Mr. Don White, attorney appearing for Mr. Alterman, made statement to the effect that this old store building has plenty of parking, the electrical wiring was brought up to code a short time ago and that if this special use permit is denied the building might possibly set and decay.

Commissioner Park responded that he felt the City Commission or certainly himself would respect the opinion of the Planning Commission and at the same time express concern as to what happens to this building or any other old building that cannot be used. Commissioner Zook commented that the Planning Commission has actually gone to school to learn basic and sound planning principles and he did not feel that he would disagree with the Planning Commission. Commissioner Park made a motion to accept the recommendations of the Planning Commission in respect to the petition of Mr. Alterman and deny said request for special use permit. The motion was seconded by Commissioner Zook with Commissioners Zook, Park and Reusch voting in favor of the motion and Mayor Loyd voting opposing the motion.

It was brought out by Mr. White during his presentation to the City Commission that a petition filed by numerous property owners not opposing the issuance of the special use permit had been given to the Planning Commission. The petition was then presented to the City Commission.

Report from the Planning Commission

It was reported that the City Planning Commission held public hearing on the proposed new zoning regulations and zoning map on February 17, 1976. The hearing was continued until 7:00 p.m., March 2, 1976 as many requests or changes from the proposed zoning classifications were tabled for further consideration.

Call for Public Hearing

The Governing Body gave notice that a public hearing will be held at 5:00 p.m., March 3, 1976 upon the special assessments to be levied against parcels, lots and tracts of land to pay for the construction of the Princeton Street sewer. It was reported that the total cost of the Princeton Street sewer is \$160,583.92 of which \$38,430.00 is payable by the city-at-large and \$122,153.92 is payable by the improvement district.

Resolution No. 140 - Paving Elm Street

X A resolution making findings as to the advisability of improving Elm Street from the south line of 11th, thence south 345', more or less, to a point 100' south of the south line of 11th Street Subdivision in the City of Ottawa was passed. A motion for passage was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

as stated above

Resolution No. 141 - Paving Elm Street

A resolution directing and ordering the improvement of Elm Street from the south line of 11th, thence south 345', more or less, to a point 100' south of the south line of 11th Street Subdivision in the City of Ottawa was passed. The cost of said improvement is estimated to be \$23,720.60 of which the city-at-large will pay approximately \$5,331.83 or an amount not to exceed 22.48% of the total estimated probable construction cost. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Park and all present voted in favor of the motion.

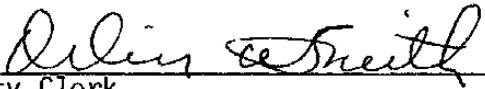
Resolution No. 142 - Rescinding Prior Resolutions

A resolution rescinding resolutions number 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 86 and 87 which placed certain properties under condemnation proceedings was passed. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Reusch and all present voted in favor of the motion.

Comments by Commissioner Park

Commissioner Park commented that there would be a meeting in the First National Bank Building at 7:00 p.m., February 19, 1976 concerning the Central Business District. Commissioner Park stated that a vice president of the J. C. Nichols Company would be present to speak on the organization of the Central Business District. Commissioner Park further stated that he was on an acting board of directors for the development and preservation of the Central Business District and that under the guidelines set forth that a regular board of directors might be elected at this meeting.

There being no further business the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.


City Clerk

City Hall - March 3, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Zook, Park, Reusch and Sheldon.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held February 18, 1976 were approved as they were written.

Proclamation - Girl Scout Week

A proclamation providing for the week of March 7 through March 13, 1976 to be Girl Scout Week in the City of Ottawa was approved by the City Commission and signed by the Mayor.

Muscular Dystrophy Week - Proclamation

A proclamation providing for the week of March 15 through March 20, 1976 to be Muscular Dystrophy Week was approved by the Commission and signed by the Mayor.

Request of Franklin County 4-H - Lily Day Sale

The City Commission granted permission to the Franklin County 4-H clubs to sell lilies on the streets of Ottawa on a Saturday to be announced at a later date, in support of the Easter Seal Society.

Report from Planning Commission

The Planning Commission report is as follows: "The City Planning Commission held their regular meeting March 2, 1976. This meeting was also a continuation of the public hearing on the adoption of the new zoning regulations and zoning map.

It was reported by Chairman McCrea that Mr. Ed Fouts, agent for Mrs. Stella Cotter, had contacted the City Clerk and withdrawn the request for issuance of a special use permit. This request was to allow television repair facilities to locate at 414 East Wilson.

The Planning Commission concluded its public hearing on the adoption of new zoning regulations and a new zoning map. It was unanimously recommended by the Planning Commission that the new zoning regulation and zoning map, as amended, be adopted.

The amendments as referred to above are color coded on the new zoning map located in the City Commission Meeting Room."

The City Commission directed that an ordinance be drawn adopting the new zoning regulations and the new zoning map as recommended by the Planning Commission. It was further stated that the ordinance would be acted upon at their next regular meeting of March 17, 1976, hopeful that the ordinance could be published on March 19, 1976 and thus become effective on that date.

Public Hearing - Special Assessments, Princeton Street Sewer

The hearing was opened by Mayor Loyd asking for comments or questions from those in attendance. Mr. Charles Ratliff asked how the special assessments were figured, how they were to be paid and what the interest rate would be. It was explained that the individual assessments were figured on a square foot basis, that the assessment can be paid in total before the bonds are sold or paid over a ten year period. The interest rate will be determined by the bids received for the sale of bonds. Mrs. Virginia Randel asked how the interest was figured. It was explained that it would be simple interest, that is, each year you would pay interest on the remaining balance. Mr. Kent Granger, owner of Lot 44, County Clerks Subdivision, appeared in protest of the sewer assessment being charged to the total of Lot 44. It was Mr. Granger's contention that Lot 44 should be

assessed only on a frontage basis for a total of 250' in depth. This would form an "L" shape consisting of the south and the west of his tract as opposed to the entire tract. Mr. Granger pointed out that most all properties being served by this sewer are paying only for a 250' depth and that the tract owned by radio station KOFO had been cut in half as a result of hearings prior to the construction of the sewer. Mayor Loyd commented that the city-at-large had paid for an extension which runs east on 23rd Street so that Mr. Granger's entire tract could be served, again as a result of hearings prior to the construction. The cost of this extension was about \$13,000. Mr. Granger pointed out that there was still an area in the southeast corner of his tract which could not be served because it was too low. The commission countered that with proper fill it could be served by this sewer. The commission further pointed out that prior to the construction of the sewer that Mr. Granger was concerned with serving the entire west half of his tract because of the possibility of the construction of a Ramada Inn which it is understood at this time that it will not be built.

Mr. Richard Fogle asked that if the assessment on any of the tracts were reduced, would the balance of the benefit district have to pay the difference. Mr. Fogle was answered that any reductions in special assessments would result in the city-at-large paying the difference.

John Richeson, City Attorney, made mention for records sake that there is a lawsuit pending concerning the benefit district as it pertains to Lot 44, Mr. Granger's tract. Mr. Richeson reported that as long as this lawsuit is pending, bonds for this project cannot be sold. He and Mr. Granger hopefully can work out a solution with the lawsuit pending by which we may proceed with the sale of bonds. It is hoped the bonds can be sold by May 1, 1976 as interest on construction funds is only figured to this point in time.

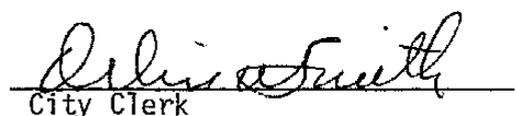
Mr. Strong, representing Pamida, Inc., appeared protesting the assessment on the north portion of Lot 6 which is part of a parking lot serving the Gibson store. Mr. Strong pointed out that it is very possible that this tract will never be used for anything other than a parking lot and his company did not feel it was fair to have a sewer assessment on this tract. The Governing Body answered that this argument should have come prior to the construction of the sewer, that the benefit district as established cannot be altered at this point in time. Further, that sewer was still available to this tract by running a line south from this tract to an existing lateral.

Mr. Bob Hooten asked how much his assessment was as he did not receive notice. Mr. Hooten was informed that his total assessment for this sewer was \$4,866.70 and further, that he would be mailed a notice that he might have it for his records.

Thelma Eggington inquired if there was a time limit by which she had to connect to the sewer. She explained that her plumber had been contacted to make the connection but as yet the connection had not been made. Mrs. Eggington was answered that as long as she was attempting to comply that the City would not press the matter.

There being no further comments or questions concerning this matter from those in attendance, a motion to approve the assessments and to direct that an ordinance be drawn, officially adopting the assessments, and that April 19, 1976 be the last day that the assessments can be paid in full prior to sale of bonds, was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.


City Clerk

City Hall - March 17, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Park, Reusch and Sheldon. Absent:
Commissioner Zook.

Approval of Minutes

The Minutes of the last regular meeting held March 3, 1976 were approved as they were written.

Recognize Terry Hotaling - Name the Park Contest

Mayor Loyd recognized Terry Hotaling, 6th grade student from Hawthorne School, as the winner in the Name the Park Contest. Out of 651 entries from students, Terry Hotaling was named the winner of the Name the Park Contest by naming the commonly referred to 15th Street Park, "Kanza Park". Kanza is in honor of the Kanza Indians which are now on reservations in Oklahoma. Terry was presented a \$50 United States Savings Bond as winner of the contest.

Ordinance No. 2527 - Zoning Regulations and Map

The Governing Body discussed the adoption of new zoning regulations and a new zoning map. Mayor Loyd opened the discussion by commending the Planning Commission on the hours of work and study stretching over about 18 months in devising the new zoning regulations and zoning map. Mayor Loyd said that undoubtedly it will not be perfect, but that is the reason that it is put together in such a manner that it can be amended and changed as necessity dictates.

Commissioner Park opened his statements by commenting that he did not like the new zoning ordinance. He commended the Planning Commission for the time they had spent in putting the ordinance together but that he felt in the closing weeks that things were rushed too much to give proper consideration to all aspects. He stated that in most cases zoning boundaries followed streets as opposed to alleys which are deemed to be more proper for such. The zoning ordinance does not set forth methods by which non-conforming uses may be concluded, methods by which commercial type zoning in primarily residential areas can be eventually phased out and that in many cases, the new zoning classifications of existing businesses are such that the structures do not conform to yard requirements. Commissioner Park stated that he thought the Central Business District should be given a larger area to expand, basically to the East as set forth in the future land use plan. He said he felt that more consideration should be given to the overall zoning plan before an ordinance adopting said plan be passed.

Commissioner Reusch commented that her main concern for the new zoning map was that more consideration be given to the allowance of the commercial zoning in the Alexander Addition.

Commissioner Park asked about a zoning change that appeared on the map since he had last looked at it. Mr. Park was referring to an area on the southwest corner of 7th and Main which had been changed to C-1 (Neighborhood Shopping District). It was reported by the City Manager that in the most recent update of the map by the planner, this area had been omitted from C-1 (Neighborhood Shopping District) in error, and that this error had just been discovered and the Planning Commission directed that it be corrected. Mayor Loyd commented that he had been contacted by the Planning Commission and was aware of the change and he approved of the same.

Commissioner Sheldon made a motion to adopt the new zoning regulations and zoning map, with Mr. Sheldon's approval, the motion was amended to include asking the Planning Commission to give additional consideration to the commercial zoning in the Alexander Addition and to instruct the City Attorney to prepare

a local historic preservation ordinance within the next year. Mayor Loyd seconded the motion and Commissioner's Sheldon, Reusch and Loyd voted in favor of the motion with Commissioner Park opposing the motion.

Ordinance No. 2528 - Special Assessments

An ordinance apportioning and levying special assessments to pay the costs of the Princeton Street sewer project located in the County Clerk's Sub-division #1 in the amount of \$122,153.92 was passed. The motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Award Contract - Willow Street Paving

X A contract for the improvement of Willow Street and other short paving improvements was awarded to the construction firm of May, Ransom, & Sheetz, Topeka, Kansas for a total bid price of \$312,094.29. May, Ransom, Sheetz was the low bidder in a letting of March 15, 1976. It was recommended by the consulting engineering firm of Kirkwood & Associates that the contract be awarded to the above. A motion to authorize the Mayor to sign a contract with the construction company listed above for the improvements as stated was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Parking Meters

This portion of the meeting was opened by Mayor Loyd commending the parking meter task force for the recommendations that have come forward from their many hours of study and meeting. The recommendations of the parking meter task force are as follows:

"The economic well-being of Ottawa depends on ample parking and easy access to our business and professional services. Our studies indicate that there are not now enough parking spaces in downtown Ottawa.

The cooperation of employer and employees in using nonmetered parking is essential if Ottawa is to provide its customers with the best possible parking.

It is the feeling of this committee that parking meters offer the best means of controlling traffic and providing parking.

Parking meter rates have stayed the same for almost 30 years. Rising costs of parking control require that these rates be raised.

With these facts in mind, the committee recommends:

- 1) More parking lots, particularly in the southeast section of the downtown area.
- 2) "Free parking lot" signs to be placed on Main Street to direct people to the lots. Merchants should advertise this free parking.
- 3) Parking lots to be clearly marked to show which areas are for 2 hour parking, which for all-day parking. Fines for violations in lots should be \$1.00.
- 4) More attractive parking lots. Hopefully civic clubs would aid in this project.
- 5) Parking on Main be 5¢ for 30 minutes. 10¢ per hour, with a 2 hour limit.
- 6) Parking on side streets be 1¢ for 12 minutes, 5¢ per hour with a 2 hour limit. (We suggest that all merchants consider having a "fish-bowl" type container filled with nickels, and a sign similar to this:

FREE CUSTOMER PARKING

Thanks for shopping with us. If you put money in a meter, please replace it from this container.

. . . your friendly Ottawa merchant)

- 7) Additional meters on both sides of Hickory between 2nd and 3rd, and on the west side of Hickory between 3rd and 4th.
- 8) Courtesy tickets be given for a short time after meters are reinstated.
- 9) Fines for overparking at meters to remain 50¢, \$1 if not paid within 48 hours, with more fine boxes in each block.
- 10) Since the law prohibits parking more than 2 hours in metered spaces, we suggest tire marking. Fines to remain \$2 with an additional \$2 for each repeated violation.

If more revenue is needed to provide additional lots, we recommend that the City Commission consider alternate sources of revenue such as $\frac{1}{2}\%$ city sales tax, or a benefit district tax."

After the report of the parking meter task force was outlined, Mayor Loyd stated that he was in agreement with the task force report with the exception of Item 7. Mayor Loyd felt that 6 meters on the west side of Hickory Street between 3rd and 4th would be sufficient if placed 3 on each side of the sidewalk to the courthouse, this would assist people doing business in the courthouse.

Following Mayor Loyd's comments, Mr. Park also commended the parking meter task force but further stated that he was not in favor of parking meters. Mr. Dave Mudrick of Litwin's appeared objecting to increases in parking fees. Mr. Mudrick stated that the relations between the businessman and the customer were much better than they were a year ago and that possibly the present no fee parking was partially responsible for this. Mr. Mudrick further questioned the fact that there are no parking meters on Walnut Street. Mr. Russell Crites, chairman of the parking meter task force, indicated that no consideration had been given to installing parking meters on Walnut Street.

Mr. Harold Matney suggested that a few meters in each block be shorter term meters for those people whose business did not require a large amount of time and thereby creating a larger turnover in traffic. Mr. Ray Baughman of Mode O'Day plant had been in Ottawa for 30 years, that their business being very competitive, they had to rely on low rent and could not afford to move to a modern industrial facility, precluded them from furnishing adequate employee parking. Mr. Baughman asked that more open parking be allowed in the vicinity of Mode O'Day plant. A spokesman for the employees of the Mode O'Day facility read a statement requesting that adequate open parking be allowed for the employees, that should the Mode O'Day plant be forced to move as a result, there would be no guarantee that a new plant would be located close to Ottawa. It was pointed out that there are unrestricted parking lots on Walnut Street and on Hickory Street within walking distance of the Mode O'Day plant. It was further requested that half of the parking spaces on 5th Street between Main and Hickory revert from two hour to unlimited parking to assist Mode O'Day employees. Mayor Loyd injected that the two hour parking in this area was originally installed to assist the patrons of the library.

Commissioner Reusch commented that she felt that Walnut Street should be metered for parking just as Hickory Street is intended to be.

Commissioner Reusch made a motion that an ordinance be drawn affecting the recommendations of the parking meter task force with the exception that the west side of Hickory Street from 3rd to 4th should have only 6 meters, 3 on each side of the sidewalk. The motion was seconded by Commissioner Sheldon. Commissioner Reusch then commented that she thought the task force had done a great job, that these five commissioners had wrestled with this problem for many months, unable to agree on anything. The vote taken resulted in Commissioner's Reusch, Sheldon and Loyd voting in favor of the motion and Commissioner Park opposing the motion.

There being no further business, the meeting was adjourned. The text of the entire meeting is on file in the office of the City Clerk and will remain so for one year from the date of this meeting.


City Clerk

City Hall - April 7, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Zook, Sheldon, Reusch and Park.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held March 17, 1976 were approved as they were written. However, Commissioner Park asked for a clarification of the information contained in paragraph 4 under the caption of Ordinance No. 2527 as the information contained therein pertaining to the zoning of an area on the southwest corner of 7th and Main was factually incorrect. Commissioner Park asked that these minutes be noted that the zoning of this area and the commercial zoning in the Alexander Addition is still under consideration.

Presentation of Service Plaque - Harold Hensiek

Mayor Loyd presented a plaque to Mr. Harold Hensiek recognizing his employment with the city from 1964 to his retirement on April 1, 1976. Mayor Loyd commented that he had known Mr. Hensiek for many years as a diligent, competent individual and that he was most proud to make this presentation.

Request of Chamber of Commerce - Chautauqua Days

Mr. Don Lambert, representing the Ottawa Jaycees, asked permission of the City Commission to conduct the Chautauqua Days celebration which would run from July 3 through July 4, 1976. Mr. Lambert stated that he would like to kick off the celebration with a parade on Main Street at 5:00 p.m. on Saturday, July 3, the parade ending in Forest Park, the site of the celebration. The plans include a campout by approximately 100 self-contained campers on the west side of Forest Park, a Sunday a.m. worship service followed by a pancake feed in the park along with the usual Chautauqua Day activities.

After considerable discussion concerning possible traffic problems and responsibilities concerning the campout and the celebration, the City Commission granted the request. Commissioner Park made a motion that the request be granted with the provision that the various city departments are informed of the activities as they pertain to each department and that the campers be self-contained units only with prior registration as outlined in the discussion. The motion was seconded by Commissioner Sheldon and all present voted in favor of the motion.

Request of Jim McCrea - Storm Warning System

Mr. Jim McCrea appeared before the City Commission requesting that the city storm warning system be taken under consideration for additional warning sirens. Mr. McCrea stated that at present there are many areas of the town that cannot hear the storm warning sirens and that he felt additional sirens should be installed. Some of the areas pointed out that could not hear the sirens were the northeast industrial sites, the southeast section and the southwest section of town and that this was probably brought about by the growth of the city. Through discussion it was mentioned that this problem had been studied before but that it would take an expenditure of between \$40,000 to \$50,000 to properly update and expand this system, that to do it properly would require replacement of several of the present sirens as well as additional sirens. The City Commission directed that this be looked into along with any possibilities of financing this project.

Resolution No. 143 - Kanza Park

A resolution establishing a park to be known as Kanza Park located on W. 15th Street bordered by 15th Street, the Gleason Addition, 11th Street and the Atchison, Topeka & Santa Fe Railroad right-of-way was passed. A motion for passage of said resolution was made by Commissioner Sheldon, seconded by Commissioner Park and all present voted in favor of the motion.

Bike Hike

Mayor Loyd stated that he had received a request from Mrs. Jack Elder for permission to hold a bike hike on Saturday, May 1, 1976. The hike would be inclusive of 14.2 miles on the edge of the city and 9.4 miles in the city. There would be seven checkpoints, first aid stations, bicycle repair facilities, restrooms and trucks available to haul disabled bicycles. The bike hike is to raise money for the Franklin County Association for Retarded Citizens. A motion for approval of the request was made by Commissioner Zook, seconded by Commissioner Park and all present voted in favor of the motion.

Request for Air Show - Mr. Ed Beck

A letter from Mr. Ed Beck, manager of the Municipal Airport, requesting permission for an air show on the airport grounds May 2, 1976 was introduced. The letter stated that the air show would be on the bi-centennial theme with rides available in a Ford tri-motor airplane, antique items available for viewing, with a show by acrobatic flyers. The City Commission approved the request with the condition that it be set forth at this time that the air show is not a city government activity but that it is an activity of a private business.

Statement of Commissioner Sheldon

Commissioner Sheldon read a prepared statement as it concerns the possible acquisition of land owned by himself for municipal water plant expansion. The letter is as follows:

"In the initial report of a study of the city's water treatment plant that is being conducted by A. C. Kirkwood & Associates, a consultant engineering firm whose services have been used by this city many times in the past few years, a tract of ground that has been in my family for many years and has belonged to myself and my wife for the past five years, is recommended as a need of the city in any future expansion or improvement at this plant.

I want the citizens of this community to be aware of this possible conflict in case it should ever become a reality. No member of this commission, including myself, was aware of this possible conflict until very recently.

To this date, no decisions have been made by this commission regarding the future of the water treatment plant."

Inquiry - James McCrossen

Rev. James McCrossen asked if the city had given consideration to the utilization of the National Emergency number of 911. Under this system any emergency assistance may be received by dialing this number. It was reported that this had been discussed but according to the best information available that the State of Kansas may set up an emergency telephone number system for emergency services. The City of Ottawa is very much concerned with an emergency assistance system but does not wish to move ahead until a determination is made on the State system.

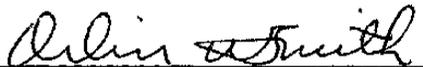
Mr. Ray Bloomer

Mr. Ray Bloomer, a member of a local camping group, extended a thank you to the City Governing Body for the construction of the recreational facility dump station that the city constructed last year.

Lois Smith

Lois Smith extended a thank you to the City Commission for the new news media table now in use in the City Commission room. The new table allows for three representatives of the news media to be seated at the table to take their notes.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of this meeting.



City Clerk

City Hall - April 21, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Loyd and Commissioners Zook, Park, Reusch and Sheldon.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held April 7, 1976 were approved as they were written.

Cereal Malt Beverage Application = Mary Runnels

An application for license to sell cereal malt beverage at retail to include for consumption on the premises was approved. This license is for the operation of the Blue Sky located at 1602 S. Main. A motion for approval of said license was made by Commissioner Zook, seconded by Commissioner Park with Mayor Loyd and Commissioners Zook, Park and Sheldon voting in favor of the motion and Commissioner Reusch opposing the motion.

Ordinance No. 2529 - Modular Homes

An ordinance setting standards for the acceptance by the City of Ottawa for buildings described as modular homes was passed. The ordinance sets forth the method by which manufacturers of modular homes may have their construction approved for placement in the City of Ottawa. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Sheldon and all present voted in favor of the motion.

Proclamation - Youth Temperance Education Week

The City Governing Body was approached by Doug Farrell, Zena Evans and Rodney McFadden requesting that a proclamation calling for April 25 through May 1, 1976 be set out as Youth Temperance Education Week. Mayor Loyd read and signed said proclamation with the approval of the other members of the City Commission.

Bike Hike for Retarded Citizens

Mrs. Jack Elder appeared before the Commission requesting a proclamation setting out May 22, 1976 as Bike Hike for Retarded Citizens Day. Mrs. Elder stated that persons wishing to participate in the bike hike should secure sponsors agreeing to pay so much per mile for each mile ridden by the hiker. Mayor Loyd read and signed the proclamation with the approval of all the commissioners.

Request of the Ottawa Recreation Commission - Steve Queen

Steve Queen appeared before the Commission asking approval of the rules and regulations set forth for the use of the tennis courts in Forest Park. A lengthy discussion followed outlining the rules to make sure that all persons had access to the tennis courts, individuals and groups equally. The rules as presented and discussed were approved by the Commission and it was further agreed that the rules should be set forth in the upcoming contract with the Ottawa Recreation Commission for the operation of the tennis courts.

Reorganization of the Governing Body

Mayor Loyd upon opening the reorganization session of the City Commission, stated that he had found the past year in which he had been Mayor of Ottawa a very rewarding experience. Mayor Loyd stated that he felt that as a result of his office the past year that he was closer to the public with a better understanding of the everyday problems. There have been many important decisions made in the past year and that he felt especially honored to have represented the City of Ottawa, Kansas in Ottawa, Canada and that he was especially proud of Commissioner Zook's election to represent the smaller cities of the United States in the National League of Cities Convention. Mayor Loyd extended a thank you to his fellow members on the City Commission for their help and cooperation the past year.

Mayor Loyd stated he would entertain nominations for Mayor. Commissioner Park nominated Commissioner Sheldon and Commissioner Reusch seconded the motion. Commissioner Reusch moved the nominations to cease and this motion was seconded by Commissioner Park. A vote on the nomination and the motion on the floor resulted in Mayor Loyd and Commissioner's Reusch, Park and Zook voting yea and Commissioner Sheldon abstaining.

Mayor Loyd then entertained nominations for Mayor Pro-Tem. Commissioner Zook nominated Commissioner Reusch and Commissioner Sheldon seconded the nomination. Commissioner Sheldon moved that nominations cease and Commissioner Park seconded this motion. The vote taken on the nomination and the motion resulted in Mayor Loyd and Commissioner's Zook, Park and Sheldon voting yea and Commissioner Reusch abstained from voting. It was declared that Commissioner Sheldon is the new Mayor and Commissioner Reusch is Mayor Pro-Tem.

Mayor Sheldon assumed his new duties by presenting Commissioner Loyd with the gavel and block he had used the past year mounted on a walnut plaque commemorating his past year as Mayor. Mayor Sheldon commented that while Mr. Loyd was Mayor the city had gone through many crises situations successfully and that he looked forward to being Mayor of Ottawa with three past mayor's on the Commission.

Mayor Sheldon asked for any new business, there being none the meeting was adjourned.

The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of this meeting.



City Clerk

City Hall - May 5, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Zook, Loyd, Park and Reusch.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting held April 21, 1976 were approved as they were written.

Public Hearing - Special Assessments

A public hearing on proposed special assessments for sewer improvements were held at this time. The sewer districts are as follows: Sewer District 155, Benefit District cost - \$26,995.37; Sewer District 155, Ext. No. 1, Benefit District cost - \$15,831.79 and Sewer District 156, Benefit District cost - \$5,009.00.

Mr. Bill Kenningsdorff, attorney, appeared representing Mr. Charles Setter who owns property within Sewer District NO. 155. Mr. Kenningsdorff stated that his client wished to strongly protest the assessment against his property for the sewer improvements. The reason for this protest being two-fold is that Mr. Setter was not aware that the improvements were being made until a visit to his property revealed the sewer being constructed and further, that the cost of the improvement against Mr. Setter's property is greater than the price which Mr. Setter paid for the property. Mr. Kenningsdorff stated that Mr. Setter was not a signer of the petition and that with this lien against the property that the value of such would probably be deflated.

The Governing Body responded to Mr. Kenningsdorff's questions: 1. That the petition calling for the improvement was filed by property owners comprising more than 50% of the benefit district area, and 2. That property located within the corporate limits will inflate in value when utilities are available.

Mr. Kenningsdorff questioned the validity and legality of the assessment against Mr. Setter's property whereby the Governing Body assured Mr. Kenningsdorff that the city had proceeded with the improvement under the applicable Kansas Statutes. In closing, Mr. Kenningsdorff requested the Governing Body to reaffirm their statement concerning the legality of the assessment.

There were no further property owners present and there were no further questions concerning the improvement. The Governing Body did not take final action on these assessments at this time.

Ordinance No. 2530 - Department of Public Safety

An ordinance establishing a Department of Public Safety providing for the appointment of a Director of Public Safety, public safety officers and setting forth the powers and duties for public safety officers was passed. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Zook and all present voted in favor of the motion. Said ordinance was declared passed. Brief comments of the commissioners following passage of this ordinance brought out the commissioner's favor for this type of an organization. It was the feeling of the commissioners that the city will be able to respond more effectively to emergency situations concerning police and fire activities at a lesser cost to the tax payer.

Ordinance No. 2531 - Firemen's Relief Association

An ordinance establishing the Firemen's Relief Association was passed. Discussions prior to passage of said ordinance were concerned with the application of Firemen's Relief funds benefiting all persons in the Department of Public Safety. The fund and laws were originally intended to benefit firemen and their families in the event of injury or catastrophe suffered by a firemen in the line of duty. The City Attorney reported that a Kansas Supreme Court

ruling of some years ago broadened the scope of the application of these funds to the extent that the Department of Public Safety personnel should be covered at least while engaged in fire fighting activities. The Governing Body instructed the City Attorney to investigate further that the exact coverage for which these funds would apply would be known. A motion for passage of said ordinance was made by Commissioner Zook, seconded by Commissioner Reusch and all present voted in favor of the motion.

Agreements with the Ottawa Recreation Commission

The Governing Body entered into agreements with the Ottawa Recreation Commission for the operation of the baseball diamonds and swimming pool for the year 1976 and approved a policy statement for the operation of the tennis courts. These agreements and policy statement had been previously approved by the Recreation Commission and all except the policy statement were renewals of prior agreements. Commissioner Park made a motion to authorize the mayor to sign the foregoing agreements. The motion was seconded by Commissioner Loyd and all present voted in favor of the motion.

Designation of Official City Newspaper

The Ottawa Herald was designated the official city newspaper for the year 1976. It was stated that the main concern of the Governing Body in designating the official city newspaper is for the largest circulation within the corporate limits of the city. A motion was made by Commissioner Loyd that the Ottawa Herald be so designated. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

Report from Planning Commission

A report of the activities of the Planning Commission from their meeting of May 4, 1976 was read by the City Clerk. The report stated that public hearings had been called by the Planning Commission to be held June 1, 1976 concerning rezoning the Alexander Addition to R-S (Residential Suburban) and a tract located on the southwest corner of 7th and Main Streets to R-2 (Two Family - Multi-Family).

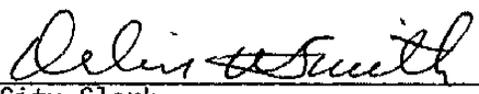
Announcements

It was announced by Mayor Sheldon that an announcement will be forthcoming on an updated storm warning system for the City of Ottawa and that the appointments to the boards and commissions of the city would be made at the next meeting on May 19, 1976.

Question concerning Garage Sale Activities

Mr. Jim Grogan asked what action was being taken to stop perpetual sale activities existing for many months at 417 E. 7th. It was reported by the City Attorney that he is preparing to file action in District Court to stop this operation.

Their being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.


City Clerk

City Hall - May 19, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Loyd, Zook, Park and Reusch.
Absent: None.

Approval of Minutes

Prior to the approval of the minutes of the last regular meeting being approved, Commissioner Park asked for an explanation from the City Attorney concerning District Court action as opposed to Municipal Court action in the abatement of non-conforming uses that are not provided for in the zoning ordinance. The City Attorney explained that action for abatement through the Municipal Court could result in a fine being levied with no action taken to prohibit the illegal non-conforming use from continuing. In District Court, however, action taken in handling the matter as a civil case, an order can be issued to the operator of the illegal non-conforming use for abatement. At the conclusion of the explanation of the City Attorney, the minutes of the last regular meeting which was held May 5, 1976 were approved as they were written.

Ordinance 2532, 2533 and 2534 - Special Assessments

Ordinances apportioning and levying special assessments to pay the cost of improving a sanitary sewer in Lateral Sewer District 155 in the amount of \$26,995.39; Lateral Sewer District 155, Extension #1 in the amount of \$15,831.79; Lateral Sewer District 156 in the amount of \$5,009.00 were passed. Prior to passage of the ordinances it was explained that public hearings on these assessments, mostly in the Country Club Heights Addition, were held May 5, 1976. There being no objection to the passage of these ordinances at this meeting, a motion was made by Commissioner Loyd, seconded by Commissioner Park and all present, as stated above, voted in favor of the motion.

Appointments

The Governing Body at this time proceeded to make the annual appointments to the Boards and Commissions of the City as follows:

Library Board - Don Campbell, a new appointment, for a 4 year term;
Planning Commission - Roger Bell, a new appointment, and Virginia Anderson, a re-appointment, for 3 year terms;
Board of Zoning Appeals - Betty Anderson, Jack Patty and Paul Gaynor, all new appointments, for 3 year terms;
Board of Examiners of Plumbers - Bud McArdle, a new appointment, and Richard Lister and Jerry Servatius, re-appointments, for one year terms;
Recreation Commission - Marjorie Marstall, a new appointment, for a 4 year term.

The Governing Body extended their appreciation to those persons who are retiring from the Boards and Commissions this year and instructed that they receive a certificate for their service.

Chamber of Commerce Week Proclamation

With the approval of the City Commission, Mayor Sheldon signed and issued a proclamation proclaiming the week of May 24 through May 29, 1976 as Chamber of Commerce Week and called upon all of our citizens, organizations and institutions to recognize this special week and to join in its observance.

Status Report - North American Hotel

It was reported by Mayor Sheldon that the city is in need of a rent subsidy program prior to any final actions on the renovation of the North American Hotel. It was further reported that the city has applied for rent subsidies

through Section 8 programs of the Federal Government and should have an answer to their request by June 30, 1976.

Storm Warning System

Doug Harris, Administrative Assistant to the City Manager, reported concerning a modification of our storm warning system. Mr. Harris reported that with re-location of our present storm warning sirens and the purchase of one additional siren that the city should be adequately covered for severe storm warnings. The larger sirens will be placed strategically throughout the city with the smaller sirens placed in outlying areas. The total cost of the re-location and the purchase of one new siren should be \$12,680.00 with Civil Defense paying \$6,340.00 of that amount. The new system will be activated by radio signals as opposed to the conventional telephone line system we now use. If the \$6,340.00 can be secured from Civil Defense it is hopeful the new system will be operational by the severe storm season of 1977.

Mr. Marshall Allen - Sewer Request

Mr. Marshall Allen presented a petition requesting sanitary sewer facilities be constructed to serve an area between 17th and 19th Streets and between Elm and a line 1280' west of Elm Street. The petition was not of a legal nature but a petition of citizen request. In conjunction of submission of the request, Mr. Allen reported that the area is infested with a fly known as a Punkie or black fly which bites people working outside in this area, as an example, working in gardens. Mr. Allen requested that the city spray this area for this pest.

It was discussed that possibly the need for sanitary sewers was a contributing factor to this fly pest and further that preliminary engineering has been accomplished for sanitary sewers for this area. It was further reported that the necessary resolutions and construction engineering can be accomplished to construct sewers in this area very soon.

Jim White - Antique Auto Club

Mr. Jim White, president of the Ottawa Antique Auto Club, submitted written and verbal request for permission to use the parking around the courthouse square from 8:00 a.m. to 10:30 a.m., June 19, 1976 for an antique car display. Mr. White explained that an antique auto tour would originate at Ottawa that day and proceed to Baldwin, Overbrook, Pomona Lake, Pomona and back to Ottawa as a part of a bicentennial tour. Mr. White explained that trophies would be given that night at a banquet to be held at the Faith Lutheran Church, Ottawa. The Governing Body approved Mr. White's request and instructed the City Manager to have the Department of Public Safety assist in roping off the display area around the courthouse square.

Request by Abdallah Shrine Temple

Mr. Chuck Bryant representing the Abdallah Shrine Temple of Kansas City, Kansas, submitted request to hold a parade through the business district in Ottawa at 2:00 p.m., July 17, 1976. Their plans, if this request is approved, are to lunch in Forest Park prior to the parade and immediately following the parade proceed to Wellsville for a parade in that city. The purpose for this parade is to promote the annual Shrine rodeo which is held in Wyandotte County. Mr. Bryant's request for parade and the use of Forest Park was granted. Mr. Bryant further asked about erecting signs promoting the rodeo but it was determined that the signs he wished to place would be outside the City of Ottawa and he was referred to the township zoning boards.

There being no further business the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.

Doris Smith
City Clerk

City Hall - June 3, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Loyd, Park, Reusch and Zook.
Absent: None.

Approval of Minutes

There being no corrections to the minutes of the meeting of May 19, 1976, the minutes were approved as they were written.

Ordinance 2535

An Ordinance annexing certain land to the City of Ottawa, Kansas, in conformity with the provision of K.S.A. 1973 Supp. 12-520, as amended by Ch. 56, L. 1974. Prior to the passage of the ordinance, it was explained that the land was generally located between 5th and 6th streets projected west of the M.O.P. Railroad right of way. This particular piece of property is owned by Sherrell Howell and adjoins his existing mobile home park. There being no objection to the passage of this ordinance, a motion was made by Commissioner Zook, seconded by Commissioner Park and all present, as stated above, voted in favor of the motion.

Cereal Malt Beverage Application - Pence North

An application for license to sell cereal malt beverage at retail was approved. This license was issued for the North Pence Store, Wally Hart manager, located at 305 North Main. A motion for approval of said license was made by Commissioner Loyd, seconded by Commissioner Park with Mayor Sheldon and Commissioners Zook, Park and Loyd voting in favor of the motion and Commissioner Reusch opposing the motion.

Taxicab License Application - Fred Scott

An application for operation of a taxicab company was approved. This license was issued to Reliable Cab Co., Fred Scott owner and operator. Prior to the approval of said license, verification was received from the City Attorney that all qualifications had been met for the issuance of the license. All qualifications having been met, a motion for approval of said license was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Report from Planning Commission

The Planning Commission report is as follows: "The City Planning Commission held their regular meeting June 2, 1976.

The Planning Commission tabled both request for zoning change by Mr. Allen Reed and Mr. Glevy G. Porter until their next regular meeting. Both of these requests were for changes from zoning district R-1 (Single Family) to MH (Mobile Home).

The Planning Commission recommended to the City Governing Body that the zoning at 7th and Main not be changed from C-1 (Neighborhood Commercial) and not be placed in Zoning District R-2 (Single Family).

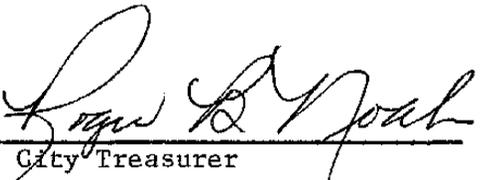
The Planning Commission recommended to the City Governing Body that the zoning of the Alexander Addition not be changed from C-2 (General Commercial) and not be placed in Zoning Districts R 9(Single Family) and R-2 (Two Family, Multi-Family).

The Planning Commission instructed the City of Ottawa to do research on the fencing regulations as they are stated in the new Zoning Ordinance. The results of the research to be presented to the Planning Commission at their next regular meeting.

Proclamation - Burglary Prevention Month

The City Governing Body was approached by Oren K. Skiles, Public Safety Department Director, requesting a proclamation setting the month of June, 1976 as Burglary Prevention Month. Mayor Sheldon read and signed said proclamation with the approval of the other members of the City Commission.

There being no further business the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Treasurer

City Hall - June 16, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Zook, Loyd, Park and Reusch.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held June 2, 1976 were approved as they were written.

Zoning - Franklin Savings Association

The Governing Body proceeded to consider the zoning of the tract on which the Franklin Savings Association is located.

The Planning Commission submitted at the last meeting of the City Commission recommendations that this tract remain in zoning classification C-1 (Neighborhood Commercial) and not be changed to R-2 (Two-Family - Multi-Family). Richard Skoog, attorney representing the Franklin Savings Association, spoke and requested that this tract not be rezoned to R-2 (Two-Family - Multi-Family). There being no further discussions, Commissioner Loyd made a motion that the City Commission abide by the recommendations of the Planning Commission and that said tract not be rezoned, the motion was seconded by Commissioner Zook. Prior to the vote on the motion being taken, Commissioner Park made a statement as follows:

"I was initially, and am still, strongly opposed to the current zoning of the Alexander Addition (C&G Developers), and property at Seventh and Main (Franklin Savings Association).

After three years of schooling and consideration of matters relating to city planning, our Planning and City Commissions have adopted a "701" Comprehensive Plan and Zoning Ordinance. These documents contain guidelines, practices and policies consistent with good planning processes and are a very desired and legitimate legislative instrument of local government.

Both zoning matters under consideration are contrary to the philosophy of the above documents, and should be changed to conformity. Unwillingness to make these properties conform appears to be an overly strong desire to show character integrity by not changing a previously made decision, whether now considered good or bad.

It is my very strong conviction that in these cases the display of moral integrity to each of these small or individual self interest groups is done so at the sacrifice of our much greater responsibility to the general welfare of all of the citizens of Ottawa."

Mayor Sheldon called for the vote which resulted in Commissioner's Loyd, Zook and Sheldon voting in favor of the motion and Commissioner's Park and Reusch opposing the motion. Motion carried.

Zoning - Alexander Addition

The Governing Body proceeded to give consideration to the recommendations of the Planning Commission as they pertain to the zoning of the Alexander Addition. The Planning Commission at the regular meeting of the City Commission on June 2, 1976 had submitted recommendations that this tract not be rezoned to R-S (Residential Suburban) but left zoned as it currently appears on the zoning map. Tom Gleason, attorney for the owners of the Alexander Addition, appeared requesting that the zoning of this tract not

be changed. Mr. Gleason's remarks are much the same as they were given at the public hearing concerning the zoning of this tract which was held June 1, 1976.

Commissioner Reusch commented that she had attended the same planning course as most members of the Planning Commission and that evidently some members of the Planning Commission did not achieve the same ideas pertaining to good planning practice as she did. Commissioner Reusch stated that she considered the actions of the Planning Commission concerning the zoning of the Franklin Savings Association and the Alexander Addition as poor planning practice.

A motion to accept the recommendations of the Planning Commission as they pertain to the Alexander Addition and not rezone this tract was made by Commissioner Zook, seconded by Commissioner Loyd and the vote resulted in Commissioner's Zook, Sheldon and Loyd voting in favor of the motion and Commissioner's Reusch and Park voting to oppose the motion. Motion carried.

Ordinance #2536 - Temporary Notes

An ordinance authorizing the issuance of temporary notes, Series 1976A, by the City in the sum of \$350,000 to pay the cost of constructing Willow Street from 9th to 15th and other smaller projects was passed. Prior to the passage of this ordinance, Mayor Sheldon commented that the notes were being purchased by the Peoples National Bank at an interest rate of 3.19%. A motion for passage of said ordinance was made by Commissioner Zook, seconded by Commissioner Park and all present as stated above voted in favor of the motion. Said ordinance was declared passed.

Statement Concerning Water Plant

Mayor Sheldon made a statement concerning the city water plant, including the date of purchase of said plant and outlining the improvements that have been accomplished over the last 70 years. The statement brought out the fact that even though there have been many improvements to our water plant over the years that the designed capacity of the water plant has not increased. The water plant is still serving Ottawa mainly because of two 400,000 gallon water storage tanks that were erected in 1950, thus allowing for peak demands on the water system to be absorbed by these tanks.

Mayor Sheldon stated that the firm of A.C. Kirkwood & Associates, Consulting Engineers, have been studying the water plant and the distribution system for a little over a year to enable them to make recommendations for necessary improvements to insure adequate water supply for the next 20 years. Representatives of this firm will be present at the next commission meeting of July 7, 1976 to present their recommendations to the City. All citizens were invited to this meeting to participate in receiving these recommendations.

Announcement Concerning No Fund Warrants

Mayor Sheldon announced that the City Governing Body will appear before the Board of Tax Appeals on July 7, 1976 to request permission to issue no fund warrants in the amount of \$35,000 to finance the alteration of the fire station to accommodate the total of the new Department of Public Safety.

Parade Request - Gary Underwood

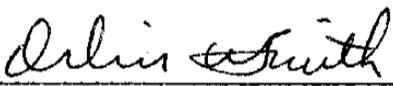
Mr. Gary Underwood, representing the Ottawa Jaycees, appeared to request permission to hold a Chatauqua Days parade in the city on July 3, 1976 at 5:00 p.m., the parade to originate at City Park and to terminate at Forest Park. Further, Mr. Underwood requested that if permission is granted that the City Commissioners participate in the parade, whereby Mayor Sheldon indicated he would participate. Permission for the parade was granted.

Comments of Commissioner Loyd

Commissioner Loyd made a statement prior to the adjournment of the meeting pointing out that the City Commissioners spend many hours considering their

decisions concerning the power plant, water plant, dog ordinance, zoning and others prior to making the final determination. Commissioner Loyd pointed out that he respected the position that Commissioner Reusch and Commissioner Park had taken on the two zoning issues today and that he was in agreement that these were not basically sound zoning practices. But Commissioner Loyd further pointed out that these are judgemental type ideas that hopefully are correct most of the time.

There being no further business, the meeting was adjourned. The entire text of this meeting is on file in the office of the City Clerk and will remain so for one year from the date of this meeting.



City Clerk

City Hall-July 7, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioner's Loyd and Park. Absent:
Commissioner's Reusch and Zook.

Approval of Minutes

The minutes of the last regular meeting which was held June 16, 1976 were approved as they were written.

Cereal Malt Beverage License - Saddleback Lounge

An application for license to sell cereal malt beverage to include for consumption on the premises as submitted by William L. Osburn for the operation of the Saddleback Lounge at 111 N. Main was approved. The applicant having met the qualifications set forth by city ordinance and Kansas Statute, a motion was made by Commissioner Park to approve the application for issuance of license. The motion was seconded by Commissioner Loyd and all present as stated above voted in favor of the motion.

Resolution #145 - Parking Lot "C"

A resolution setting time limitations for the parking of motor vehicles in parking lot "C" was considered. The resolution sets out that all day parking will be allowed in the north 77' of the parking lot with the remainder having a two-hour time limit. A motion for passage of said resolution was made by Commissioner Loyd, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Ordinance #2537 - Headgear requirements for Motorcycle Operators

An ordinance repealing Section 132(a) of Ordinance 2496 pertaining to protective headgear requirements for motorcycle operators and riders was introduced. This ordinance was deemed necessary to bring the city's standard traffic ordinance in line with the State motor vehicle regulations. ~~By passage of this ordinance the city will no longer require motorcycle operators and riders to wear protective headgear.~~ A motion for passage of said ordinance was made by Commissioner Loyd, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Report on Bids for Alteration of the Public Safety Building and Furnishings

The Mayor reported that the city had received bids for the alteration of the old fire station to accommodate the Public Safety Department and for furnishings. The low bid received for the alteration of the building was \$37,580 and the architect's estimate was \$22,500. The City Commission directed that the City Manager contact the architect to arrange a meeting between the low bidder and the architect and the City Manager for a possible explanation of the wide spread between the bid and the architect's estimate. Further, action on this item was tabled until the next regular meeting.

It was reported that the bid for additional furnishings for the Public Safety Building was \$6,890.40 and the architect's estimate was \$7,500. The low bid tabulation was a result of various items being furnished by Didde Office Supply, Ramsey Printing and Quin Furniture.

Report on Request for Authority to Issue No Fund Warrants

It was reported that ~~Mayor Sheldon~~, Commissioner Park, the City Manager and the City Attorney appeared this date before the Board of Tax Appeals requesting authority to issue no fund warrants in the amount of \$35,000 to finance the alteration of the fire station. Commissioner Park remarked that it was too early to tell whether permission would be granted but that he felt the reaction

of the Board of Tax Appeals was favorable. The city is to be notified in the near future as to whether it may proceed to issue the no fund warrants.

Report from Planning Commission

Report of the meeting of the Planning Commission of July 6, 1976 is as follows:

"The Planning Commission continued the public hearing on the zoning change of Clevy C. Porter. Mr. Porter had requested property located at 314 S. Cherry be rezoned from R-1 (Single Family) to MH (Mobile Home). At the Planning Commission meeting of June 1, 1976 the Planning Commission had requested Mr. Porter to visit with the City Inspector to investigate the possibilities of purchasing an approved modular home as opposed to a mobile home. Mr. Porter was not present at the July 6 meeting to comment on his findings or intentions. The Planning Commission voted unanimously to recommend to the City Governing Body to deny Mr. Porter's request to rezone his property to MH (Mobile Home).

The Planning Commission gave further consideration to the regulations governing the fencing of corner lots. The city staff had researched this area and presented a resolution along with diagrams for the fencing of corner lots. After much discussion and consideration the Planning Commission voted unanimously to recommend the passage of said resolution.

Mr. and Mrs. Lewis Bell presented a problem they had incurred in attempting to build a new home on the southwest corner of 15th and Orchard Drive. The problem stems from the fact that 15th Street being designated as an arterial street requires a 50' set back from the center of 15th Street in addition to the 40' set back required in zoning district RS. This additional set back requirement makes it impossible for Mr. and Mrs. Bell to build on this lot. The Planning Commission is taking this matter under consideration.

Mr. Steve Shuetz of Investors Resources Corporation, Wichita, appeared before the Planning Commission outlining a proposed low-income elderly housing unit for Ottawa. Mr. Shuetz reported that he had some problems involving our zoning ordinance with height limitations, the density factor and required parking area. Mr. Shuetz stated that he would be visiting further with the Planning Commission in the future about these problems."

The Governing Body deferred action on the recommended denial of the petition of Mr. Clevy Porter until their next meeting.

Resolution #144 - Fencing Corner Lots

As recommended by the Planning Commission, the Governing Body proceeded to take action on the resolution regulating the placement of fences on corner lots. The discussion which preceded passage of said resolution centered around the placement of a fence on a corner lot when the principle structure does not squarely face a street. There was much confusion concerning the placement of a fence on such a lot. The placement of a fence on a corner lot whose principle structure does not squarely face a street was diagrammed as were other fencing configurations and made a part of the resolution. With the approval of the various fencing configurations, a motion was made by Commissioner Loyd that said resolution be passed. The motion was seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Other discussions of the fencing regulations pointed out that the city will not certify the locations of fences, that it is the responsibility of the property owner to determine his own property lines.

Report of Condition - Water Plant and System

Mr. Harry Bond of A.C. Kirkwood & Associates reported on a study of the city's existing water plant and distribution system. Mr. Bond reported that the present water plant is over 50 years old and has served most of its useful life and that the distribution system is in need of some improvement but not to the extent of the water plant. The water plant is operating well at the present time but it is prone for overload and possible breakdown that could seriously impair the fresh

water supply to the city. Mr. Bond proposed the construction of a new water plant with acquisition of additional land to contain a new water plant. The construction of a new water plant was estimated to be \$4,187,000 or if built in stages, phase one would cost \$1,891,500 with the balance to be constructed and financed at a later date.

Mr. Bond proposed that the city seek additional water supplies possibly by purchasing water storage space at Pomona Reservoir at a cost of \$34,000 with an additional annual cost of about \$650. This should assure adequate water supplies for the city through 1990. Mr. Bond commented that we will need additional storage capacity as well as some distribution system improvements in the near future.

Mr. B. J. Kirkwood of A. C. Kirkwood & Associates commented that to apply the total expenditure of \$4,187,000 for the construction of a totally new plant, water rates would have to increase 2.2 times, if the water plant were built in stages initially the water rates would increase 1.6 times with an increase of 2.7 times the present rate in the 1980's.

Announcement - Approval of Section 8 Funds

Mayor Sheldon announced that the city had received approval for section 8 funds. These funds are to be used to subsidize rents for low income elderly persons who will occupy the North American Hotel when it is renovated. The Mayor further commented that there is still much paperwork to be accomplished prior to final approvals.

Request - Ottawa Retail Association

Mr. Lionel Sutton, representing the Ottawa Retail Association, requested that parking meters be covered in the downtown area July 28 and 29 for the annual sidewalk bazaar. Mr. Sutton was answered that as much as the Commission would like to cooperate with the ORA's request that they were precluded from covering parking meters by ordinance unless another ordinance was enacted suspending all parking meter operations. The Commission would suggest, however, that the merchants continue with their policy of free parking meter money for their customers in hopes that this would help the situation.

Request - Wausau Homes

Mr. Bill Pettis of Wausau Homes, a manufacturer of pre-fabricated homes, asked that Wausau Homes be permitted to be constructed in Ottawa. Mr. Pettis then asked the City Inspector to comment on Wausau Homes. Eldon Henley, City Inspector, reported he had been through the Wausau Homes factory and that in his opinion, the Wausau Home was a well built house. Mr. Henley said that the Wausau Home does not meet building codes in all respects but that in the areas they were deficient in meeting the city's building code that due to their methods of construction which cannot be duplicated in the field, they exceeded the stress requirements of our building code. Mr. Henley asked that the City Commission give serious consideration to permitting Wausau Homes to be constructed in Ottawa. It was commented that in order to permit a variance from the building code an ordinance would have to be enacted to permit this variation. The City Commission agreed to take the request of Mr. Pettis under consideration.

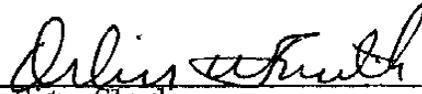
Comments - Mr. Bill Rice

Mr. Bill Rice appeared and thanked the Commission for the work that is in progress in mud jacking the concrete paving on West 13th Street. Mr. Rice stated that he had requested this to be done two years ago and was happy that it was in progress.

Mr. Rice then raised objection in that cars were not allowed to park on the grass in Forest Park during the recent 4th of July celebration. Mr. Rice stated that he did park on the grass and that if he had received a parking ticket he would have brought it to the Commission meeting with objection. Mr. Rice further

objected to the fact that all of the fire trucks and police vehicles were in the parade on July 3 even though he admitted it was a good parade. Mr. Rice questioned what would have happened should there have been a fire or other emergency situations arise while the vehicles were in the parade. Mr. Rice's question was answered that there was a fire truck in reserve at the fire station and that the police and fire vehicles were grouped together in the parade so that if a quick exit should have to be made the police vehicles could clear the way for the fire vehicles.

There being no further business the meeting was adjourned. The entire text of the meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - July 21, 1976

The City Governing Body met in regular session at 5:00 p.m. this date. Present: Mayor Sheldon and Commissioners Zook, Loyd Park and Reusch. Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held July 7, 1976 were corrected as follows: Under the heading of the report on request for authority to issue no fund warrants, it was incorrectly stated that Mayor Sheldon appeared before the Board of Tax Appeals. Also under the heading of Ordinance 2537 the statement "by passage of this ordinance the city will no longer require motorcycle operators and riders to wear protective headgear" is to be stricken. With the foregoing corrections, the minutes were approved.

Action on Planning Commission Recommendations

The Planning Commission had recommended at the meeting of July 7, denial of the request of Mr. Clevy Porter to rezone property at 314 S. Cherry from R-1 (Single Family) to MH (Mobile Home). A motion was made by Commissioner Reusch to follow the recommendations of the Planning Commission that Mr. Porter's request for rezoning be denied. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Authorize Purchase of Furnishings - Department of Public Safety

The City Governing Body took action on agreements to purchase furnishings for the Department of Public Safety building as follows:

- To authorize the purchase of furnishings in the amount of \$3,524.50 from Ramsey Printing Company,
- To authorize the purchase of furnishings in the amount of \$2,711.90 from Didde Office Supply, and
- To authorize the purchase of furnishings in the amount of \$633.00 from Quin Furniture Company.

A motion to authorize the purchase of furnishings as stated above and to authorize the signing of contracts for such purchases was made by Commissioner Zook, seconded by Commissioner Park and all present voted in favor of the motion.

Bids for Alteration of Public Safety Building

It was announced at the meeting of July 7, 1976 that the low bid for the alteration of the present fire station building to accommodate the Department of Public Safety was \$15,000 in excess of the architect's estimate. A motion was made by Commissioner Zook to reject all bids and re-advertize for new bids for this project. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

Change Order - Access Roads, Willow Street

It was discussed that many residents of Willow Street which is in the process of being paved are having problems getting close to their homes with their cars,

City Hall - July 21, 1976

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Change Order - Access Roads, Willow Street

It was discussed that many residents of Willow Street which is in the process of being paved are having problems getting close to their homes with their cars, this is due to the paving project. The city has talked with the contractor about building temporary access roads where feasible to do so to alleviate this problem. A change order to the contract for the paving of Willow Street to construct temporary access roads was introduced. The change order is written by unit price at \$2.80 per ton for the necessary rock or \$4.00 per ton for the necessary rock if the contractor is required to remove the rock at the end of the project. Commissioner Loyd made a motion to approve the change order and authorize the Mayor to sign the change order at the unit price of \$2.80 per ton with the city removing the rock at the end of the project. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Local Request - Band Concert in Forest Park

It was reported by the Mayor that the city had received written request for three local bands to conduct a concert in Forest Park from 2:00 to 10:00 p.m. on Sunday, July 25.

Discussions which followed expressed concern for the late hours of the concert and the amount of noise that could be generated through electronic amplifiers. Commissioner Zook made a motion to approve the request conditioned that the leaders of the bands visit with the City Manager prior to the concert, that the location of the concert be in the southwest shelter house or the southwest corner of the park, that the noise level be controlled and the hours be set from 2:00 to 7:00 p.m. Commissioner Loyd asked Commissioner Zook if he would consider amending his motion to allow the concert between the hours of 2:00 and 9:00 p.m., Commissioner Zook amended the motion as per request. Commissioner Loyd seconded the motion and all present voted in favor of the motion.

Wausau Homes - Mr. Bill Pettus

Mr. Bill Pettus, representing Wausau Homes, asked the Governing Body if they had given any further considerations to his request of two weeks ago to allow the construction of Wausau pre-fabricated homes in Ottawa. Mr. Pettus was informed that no action had been taken to date but that it was under consideration and an answer would be forthcoming. The Governing Body qualified their answer by stating that this action would require a change in ordinance pertaining to the building code and that they must proceed cautiously in this area.

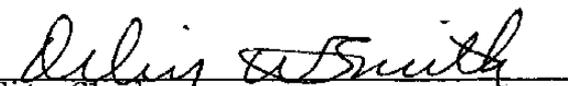
Mr. Hoyt Fowler, also representing Wausau Homes, entered the conversation and between Mr. Fowler and Mr. Pettus it was pointed out that they have homes existing in Hiawatha, Troy, Atchison, Everest, Seneca, Wichita, Newton, El Dorado, Topeka and Ft. Scott. However, it was not known if all of these homes were within the corporate boundaries of these cities or in the area of the towns with the exception of Hiawatha, Wichita, Newton and El Dorado which are within the city limits.

Tennis Court Policy

Commissioner Zook reported that he was disappointed that the tennis court policy statement which was approved by the City Commission and signed by the Recreation Commission on May 5, 1976 was not being properly followed. Commissioner Zook stated that on two different occasions he had to leave the tennis courts to make room for organized tennis activities which is contrary to the approved policy. It was further pointed out that the tennis courts are reserved for organized tennis activities beyond the limits set forth in the written policy.

The Governing Body directed that the City Manager should contact the Recreation Director and/or the Recreation Commission about these violations of policy.

There being no further business the meeting was adjourned. The entire text of the meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.


City Clerk

City Hall - August 4, 1976

The City Governing Body met in regular session at 5:00 p.m. this date. Present: Mayor Sheldon and Commissioners Park, Reusch, and Zook. Absent: Commissioner Loyd.

Approval of Minutes

The minutes of the last regular meeting which was held July 21, 1976 were approved as written.

No Fund Warrants

The City Commission took action authorizing the Mayor to sign no fund warrants in the amount of \$35,000. The no fund warrants are to finance the alterations of the fire station to accommodate the Department of Public Safety. Commissioner Reusch made a motion that the Mayor be authorized to sign the no fund warrants as stated above. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Bids for Modification of the Department of Public Safety Building

It was reported that the city had received bids for the alteration of the fire station to accommodate the Department of Public Safety. The bids were submitted by Hawkins & O'Hara of Ottawa in the amount of \$35,952 and Case Brothers of Topeka for \$33,746. Discussions pointed out that the Case Brothers of Topeka did not have experience in commercial construction, a resume of their work performed was of minor residential work. In view of the above facts as presented and the fact that Hawkins & O'Hara are reputable local contractors capable of commercial work, Commissioner Zook made a motion to award the contract for alterations in the amount of \$35,952 to Hawkins & O'Hara. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Authority to Sign Contract

Commissioner Park made a motion that the Mayor be authorized to sign contracts with Hawkins & O'Hara in the amount of \$35,952 for the alteration of the fire station. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

Appointment - Board of Zoning Appeals

The Governing Body proceeded to make an appointment of a Planning Commission member to the Board of Zoning Appeals as set forth in Ordinance #2527, the City Zoning Ordinance. Commissioner Reusch made a motion that the Chairman of the Planning Commission each year be a member of the Board of Zoning Appeals, the motion was seconded by Commissioner Park. Discussions which followed the motion and seconded pointed out the fact that the appointment of the Chairman perpetually did not allow for the properly staggered terms of Board of Zoning Appeals members. It was pointed out, however, that this could be worked out through the by-laws of the Board of Zoning Appeals. Upon call of a vote on the motion, all present voted in favor of the motion.

Resolution No. 147 - Advisability of Improving Maple Street

A resolution making findings as to the advisability of improving Maple Street from the north line of 11th Street, thence north 480' more or less with a probable estimated cost of \$42,258.13 was passed. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Resolution No. 148 - Ordering and Directing Improvement of Maple Street

A resolution ordering and directing the improvement of Maple Street from the north line of 11th Street, thence north 480' more or less for a probable estimated cost of \$42,258.13 was passed. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Resolution No. 149 - Making Findings as to the Advisability of
Improving Cherry Street

A resolution making findings as to the advisability of improving Cherry Street from 9th to 10th Street for an estimated probable cost of \$55,448.98 was passed. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Reusch and all present as stated above voted in favor of the motion.

Resolution No. 150 - Ordering and Directing the Improvement of
Cherry Street

A resolution ordering and directing the improvement of Cherry Street from 9th to 10th Street for a probable estimated cost of \$55,448.98 was passed. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Reusch and all present as stated above voted in favor of the motion.

Ordinance No. 2538 - Southwestern Bell Telephone Company Annual Payment

An ordinance setting forth the annual payment made to the City of Ottawa by the Southwestern Bell Telephone Company for the right to do business in the City of Ottawa was passed. The ordinance sets forth that the Southwestern Bell Telephone Company is to pay annually to the city an amount equal to 20¢ per month per main telephone station in the City of Ottawa. It was pointed out that the ordinance will become effective upon its publication in the official city paper and its acceptance by Southwestern Bell Telephone Company but not before January 1, 1977. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Zook and all present as stated above voted in favor of the motion.

Report of the Planning Commission

It was reported by the Planning Commission that a public hearing had been held on a zoning change request of M. J. Gentner. Mr. Gentner had requested an area located on the east side of Cherry Street between Logan and Powhattan Streets be rezoned from R-1 (Single Family) to R-2 (Two Family - Multi-Family). At the public hearing there was much opposition voiced to the zoning change by resident property owners. The Planning Commission recommended by unanimous vote that Mr. Gentner's request be denied based upon the fact that the neighborhood is primarily single family. No action was taken on this recommendation at this time.

Proclamation - Aviation Month

A proclamation proclaiming that the month of August be designated as Aviation Month was signed by the Mayor upon approval of the City Commission.

Announcement - Budget Hearing

Mayor Sheldon announced that the public hearing on the 1977 proposed budget will be held at 5:00 p.m., August 11, 1976 in the Commission Room, all persons were invited and urged to attend.

Auditorium - Election

It was announced that a general obligation bond issue in the amount of \$600,000 for renovation of the auditorium and a proposal for a mill levy of 1½ mills outside of the tax lid to maintain and operate the auditorium will be on the ballot at the November general election. The renovation of the auditorium would include air conditioning, rest rooms, electrical work, mechanical work, plastering, seating replaced or padded, new roof, fireproof curtains and new stage equipment and alterations for the handicapped to use the facility. It was pointed out that the City Commission is taking a neutral stance on this project but that they, the City Manager and staff would assist anyone attempting to put together information either for or against the bond issue.

Announcement - Meeting Time

It was announced by the Mayor that the City Commission is considering a change in meeting time. There is an interest in having the meetings broadcast by radio station KOFO, however, the present meeting time does not coincide with KOFO's programming schedule that it can be broadcast. The meetings could be changed to morning or afternoon and the public is invited to comment on this question.

Request for Church Services

Rev. Wembly of the Evangelistic Committee of the Northwestern District Young Peoples Department of the Pentecostal Assemblies of the World requested permission to hold a religious service in Forest Park, August 7 from 2:00 to 4:00 p.m. Rev. Wembly said that they plan the service to be held west of the swimming pool and that a PA system will be employed. The City Commission approved the request conditioned that the volume of the PA system be controlled and the details be worked out with the City Manager. Commissioner Zook made a motion for approval, subject to the conditions mentioned above. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Veterans Day Parade

Mr. Loral Gonce of the Veterans of Foreign Wars requested permission to hold a Veterans Day parade in downtown Ottawa on November 11, 1976 at 7:00 p.m. Mr. Gonce stated that he had conferred with the Department of Public Safety and there seemed to be no problems in this area. A motion for approval of the parade request was made by Commissioner Zook, seconded by Commissioner Reusch and all present voted in favor of the motion.

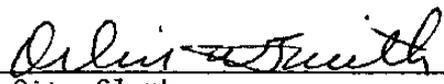
Questions Concerning Sale of Pornography

Rev. Gary Reeser appeared before the Governing Body, thanked them for the paving of Olive Street and asked if the city had any controls over pornography material and the showing of movies. The City Attorney responded stating that recent Supreme Court decisions make it very difficult to control the sale and use of such materials, that the most recent decision of the Supreme Court geared the sale of these materials to the standards established by a community, thus in larger metropolitan areas the standards could be more loosely strewed than in smaller cities. The City Attorney stated that the City of Ottawa has no ordinances pertaining to such and that it would be at the discretion of the City Commission whether any such controls might be enacted. The City Attorney further stated that he felt enactment of controls concerning the sale of pornographic material might stimulate the sale and usage of these items.

Taxicab License - A-1 Cab Company

The City Governing Body approved the issuance of a taxicab license to Bill Adams and Charles Page dba A-1 Cab Company. A motion for approval of said license was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

There being no further business, the meeting was adjourned. The text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.

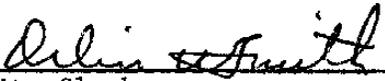

City Clerk

City Hall - August 11, 1976

The City Governing Body met in special session at 5:00 p.m. this date for the purpose of reviewing and adopting the 1977 operating budget. Present: Mayor Sheldon and Commissioner's Loyd, Reusch and Park. Absent: Commissioner Zook.

The meeting was called to order by Mayor Sheldon at which time it was explained that this is a special meeting for the purpose of hearing objections and comments pertaining to the proposed 1977 operating budget, the budget being for a total of \$7,268,694. A question from the floor pertained to why the cemetery perpetual care and reserve fund indicated expenditures of \$400 in 1976 and an excess of \$31,000 in 1977. It was answered in the preparation of the 1977 budget most cemetery reserve expenditures were cancelled for 1976 to allow for budget latitude in 1977.

Commissioner Park made a motion to adopt the 1977 budget as proposed and to pass Ordinance 2539 appropriating the budget in the amount of \$7,268,694 for 1977 expenditures, the motion was seconded by Commissioner Reusch. Prior to voting on the motion, Mayor Sheldon commented that he was very pleased with the budget in that it was a balanced budget and fiscally sound. Commissioner Reusch commented that she was very pleased with the budget in that we did not have to raise taxes to continue services at the same level as past years and that the budget also contained latitude to purchase some items of equipment that are not normal year-in-year-out purchases. Upon calling for the vote, all present as stated above voted in favor of the motion, the budget was approved. This concluded the business for which this meeting was called. The meeting was adjourned.



City Clerk

City Hall - August 18, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Reusch, Park, Loyd and Zook.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held August 4, 1976 and of the special meeting which was held August 11, 1976 were approved as they were written.

Resolution No. 151 - Housing Authority

A resolution creating a housing authority for the City of Ottawa, Kansas pursuant to the municipal housing law of the State of Kansas and delegation of authority thereto by the City of Ottawa was considered. Mayor Sheldon opened discussion on said resolution by stating that the City Commission for some time had recognized the need for a housing authority. The advent of the renovation of the North American Hotel for an elderly housing unit has reaffirmed a need for such. The creation of a housing authority will relieve the City Commission and the city staff of the time consuming responsibilities of operating this and any other elderly or low income housing complex. It was explained the persons serving on the housing authority will be allowed to serve two consecutive 4-year terms each and a chairman or vice-chairman for the housing authority may not succeed themselves.

Commissioner Loyd made a motion to pass the resolution creating the housing authority, the motion was seconded by Commissioner Park and all present voted in favor of the motion. Said resolution was declared passed.

Consider Recommendations of the Planning Commission

As stated in the minutes of August 4, 1976 the Planning Commission had recommended the denial of a request for rezoning as submitted by M. J. Gentner. Mr. Gentner had requested a tract of land located on the north side of Cherry Street between Logan and Powhattan be rezoned from R-1 (Single Family) to R-2 (Two Family - Multi-family). Commissioner Park made a motion to accept the recommendations of the Planning Commission to deny the request of Mr. Gentner. The motion was seconded by Commissioner Zook. A group of citizens residing within the immediate area of the tract requested to be rezoned appeared protesting against this change in zoning. The vote on the motion resulted in all commissioners present voting in favor of the motion. The request was termed to be denied.

Request of Wausau Homes

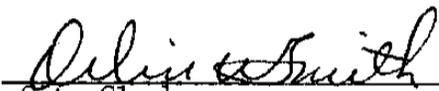
It was reported that Wausau Homes had made a request to construct houses in the City of Ottawa. It was explained that the Wausau Home is partially fabricated in a factory and moved on site for assembly, thereby many items of construction are not visible for inspection. A committee appointed by the City Commission had inspected Wausau Homes under construction in the factory and reported that these homes met the building, electrical and mechanical codes of the city. A motion was made by Commissioner Loyd to approve Wausau Homes for location in the City of Ottawa on the condition that each unit is issued a certificate that it meets the building, electrical and mechanical codes of the city. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

Report - Repair on Stag Generating Unit

Mayor Sheldon reported that the stag generating unit in the power plant would be taken out of service at 2:00 a.m., August 22, 1976 for minor repairs to the cooling system. Mayor Sheldon stated that the repairs should only take two to three hours and should there be any difficulty the General Electric

Company would be on standby to assist us. If for any reason the unit is not operating as the electric load begins to increase on August 22, it might be necessary to remove power from various areas of town periodically until the unit is again running. Mayor Sheldon stated that the electric circuitry that serves the hospital would not be taken out of service.

There being no further business, the meeting was adjourned. The text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - September 1, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Zook, Reusch, Loyd and Park.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held August 18, 1976 were approved as they were written.

Application for Cereal Malt Beverage License - A. K. Watts-Hickory Inn

An application for license to sell at retail cereal malt beverage for consumption on the premises and case lots as submitted by Arlie Keith Watts, Sr. for the Hickory Inn located at 120 E. Dundee was approved. A motion for approval of issuance of said license was made by Commissioner Loyd, seconded by Commissioner Park and all present voted in favor of the motion except Commissioner Reusch who voted opposing the motion.

Application for Cereal Malt Beverage License - Myko Corp-Rock House

An application to sell cereal malt beverage for consumption on the premises as submitted by Myko Corporation dba The Rock House located at 2120 Princeton Road was approved. A motion for approval for issuance of said license was made by Commissioner Park, seconded by Commissioner Zook and all present voted in favor of the motion except Commissioner Reusch who voted opposing the motion.

Resolution - Improvement of Cypress Street from 7th to 8th

A resolution making findings as to the advisability of improving Cypress Street from 7th to 8th Street was introduced. Three property owners residing within the benefit district of said improvement appeared to object to the paving of this street. Mr. Norman Moore, 719 Cypress, stated he had not been given an opportunity to view or sign the petition but that he was opposed to such improvement because he could not afford it. Mr. Wendell Lewis, 733 Cypress, stated that he did not sign the petition because there were many elderly people in the area who could not afford the improvement. Mrs. Willene Williams, who resides within the district, stated that she had signed the petition but that she wished to withdraw her name at this time because the person that carried the petition had misrepresented the improvement to her.

Mr. Merle Taylor, representing Ronnie Taylor, his son who had carried the petition, stated that he was quite certain that Ronnie had not misrepresented the paving improvement to anyone. Mrs. Williams stated that she did not have the opportunity to read the petition but was led to believe that the improvement would be minor in nature and of small cost.

A legal opinion by the City Attorney stated that more than 50% of the resident owners on records had signed the petition and that said signatures are representative of more than 50% of the total square footage within the improvement district.

The Governing Body deferred any action on this improvement project and directed the City Attorney to contact Ronnie Taylor, circulator of the petition, to verify if there were any misrepresentations made. The item was tabled until the next regular meeting of the City Commission.

Resolution No. 153 - Improvement of 9th Street, Willow to Ash

A resolution making findings as to the advisability of improving 9th Street from Willow to Ash was passed. It was explained that this improvement is being acted upon on the initiative of the City Governing Body, it will connect parallel streets which have been improved and it is the opinion of the City Commission

that the improvement is necessary. The proposed estimated cost of this improvement is \$20,120.30 with the city at large paying \$4,501.35 or an amount not to exceed 20.35% of the cost of the total project. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Reusch and all present as stated above voted in favor of the motion.

Resolution #152 - Directing and Ordering Improvement 9th from Willow to Ash

A resolution ordering and directing the improvement of 9th Street from Willow to Ash was passed. Discussions and facts relating to the passage of this resolution are as stated in the passage of Resolution #153. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present as stated above, voted in favor of the motion.

Resolution #154 - Bond Election

A resolution calling for an election to be held November 2, 1976 for the purpose of submitting the question of issuing \$600,000 of general obligation bonds to remodel the Municipal Auditorium was passed. Prior to the passage of said resolution Mr. Bill Rice, 13th and Willow, questioned the feasibility of remodeling this structure. Mr. Rice said that in his opinion the city would be far ahead to demolish the present structure and construct a metal building which could be utilized as an auditorium and provide meeting rooms for various organizations within the city. Mr. Rice stated that the new building could be built as a memorial to the people who have served their country in all wars and that such a structure would probably not cost any more than remodeling the present structure. Commissioner Zook stated that the City Governing Body remains neutral on the issue of whether to remodel this facility or not but that the City Commission and staff will attempt to provide factual information to any person or group that wishes to take a stand on the question. It was further stated that the City Governing Body is following the recommendations submitted a year ago by a special task force which was appointed to study the auditorium building and make recommendations.

Commissioner Park commented that along with the question of remodeling the city auditorium, there will be a ballot asking for authority to exceed the annual tax levy limitations by $1\frac{1}{2}$ mills to underwrite the operation and maintenance of the auditorium. Even though the two questions cannot appear as one on the ballot, Commissioner Park stated that he could not in good conscience approve the renovation of the auditorium without a provision to operate and maintain it. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Reusch and all present as stated above voted in favor of the above.

Resolution #155 - Tax Levy Limitation Suspension

A resolution calling for an election to be held November 2, 1976 to submit the question of suspending the tax levy limitations was passed. As set forth in the discussions of Resolution #154 the purpose of this question is to permit a mill levy not to exceed $1\frac{1}{2}$ mills for the operation and maintenance of the Municipal Auditorium be voted upon. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Loyd and all present as stated above, voted in favor of the motion.

Discussion with Recreation Commission

Mr. Lewis Bell, Chairman of the Recreation Commission, and Steve Queen, Director of Recreation, appeared before the City Commission. Mr. Queen spoke to the City Commission concerning the operation of the tennis courts, moving the bang board off the tennis courts and the condition of the dugouts at the ball diamonds. Mr. Queen asked that in the future any comments or reprimands concerning the operation of the tennis courts be brought directly to himself or the Recreation Commission before public statement of such is made. The Recreation Commission and the City Commission agreed that any difficulties or differences of opinion concerning the operation of the tennis courts should be taken directly to each other prior to any public statements concerning it. The Governing Body agreed

as per request of the Recreation Commission to move the bang board from its present location on the tennis courts to a location immediately outside the tennis courts, this project to be accomplished as soon as it is feasible to do so.

Mr. Queen asked permission of the City Commission to demolish some of the present dugouts on the baseball diamonds and replace them with more usable structures. Mr. Queen pointed out that these dugouts in question are situated partially below ground and are screened in such a way that it does not allow for air circulation. During periods of rainfall it is necessary to have sump pumps in operation to keep the water out of the dugouts and it has become very costly to maintain these pumps. Further, with the solid screening which now encompasses these dugouts, it does not allow for necessary air circulation and it becomes very hot when these dugouts are in use during the summer season. Mr. Queen proposed filling in the dugouts, lowering the concrete roof to cover the filled in area and constructing dugouts which are screened with wire in all four directions and covered with a tin roof.

Mr. Queen's request was approved by the Governing Body, the city is to coordinate the moving of the bang board with the Recreation Commission.

Resolution #156 - Official Time of City Commission Meetings

A resolution establishing the time of 9:30 a.m. on the first and third Wednesday of each month for regular Commission meetings was passed. It was discussed that the City Governing Body is attempting to meet at a time when it might be convenient for citizens to attend and to allow for radio broadcasting of the meetings. It was reported by various persons in attendance that they had attended meetings at various times in the day or evening and that about the same amount of persons were in attendance at the various times. The effective date of said resolution is to be Wednesday, October 6, 1976. The motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Loyd and all present voted in favor of the motion.

Request of Glenn Underwood - Ottawa Car Dealers Association

Mr. Glenn Underwood requested permission to use the city park September 24 and 25 that the Ottawa Car Dealers might display their new models in city park. Mr. Underwood further asked that in the event of rain that Park Street from Hickory to Main be barricaded for this purpose. The City Governing Body granted the request of Mr. Underwood providing that no sales or solicitation are made on the premises of the display.

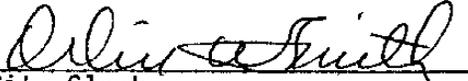
Appointments to Housing Authority

It was announced by Mayor Sheldon that the following people have accepted appointments to the Ottawa Housing Authority: Howard Doyen - 4 years; Mrs. W. H. Hay - 4 years; Joe Wakefield - 3 years; and Harold Gahagan - ~~2 years~~ ^{1 year}. Mayor Sheldon said that there is one more appointment to be made which hopefully can be announced in the next few days. An organizational meeting of the Housing Authority will be held at 7:00 p.m., September 9, 1976. ^{aus} ₁₀₋₈₋₇₆

City of Wellsville Water Request

It was announced that the City of Wellsville had approached the City of Ottawa concerning the City of Ottawa furnishing water to Wellsville. The city officials of Ottawa and Wellsville are to meet in the near future to discuss this request further. If this should become a reality, provisions will have to be made in our plant, water plant and distribution system improvements to allow for the addition of the City of Wellsville on our water system.

There being no further business, the meeting was adjourned. The text of this meeting is in the files of the City Clerk and will remain so for one year from the date of this meeting.


City Clerk

City Hall - September 15, 1976

The City Governing Body met in regular session at 5:00 p.m. this date.
Present: Mayor Sheldon and Commissioners Reusch, Park, Loyd and Zook.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held September 1, 1976 were approved with the following amendment. On page 41 under the caption, "Resolution - Improvement of Cypress Street from 7th to 8th" is hereby amended to include the following: The nature of the controversy surrounding the improvement of Cypress Street from 7th to 8th is such that any of the property owners within the benefit district should contact the City Attorney prior to the next meeting of the Governing Body if they have any particulars to add to this subject.

Resolution #157 - Findings - Advisability of Improving Cypress Street

A resolution making findings as to the advisability of improving Cypress Street from the south line of 7th to the south line of 8th Street was again introduced. Many resident property owners from this benefit district were present to protest against the improvement of this street. The reasons for protest were mainly that some of the property owners had not been contacted at the time the petition was circulated, it was again stated that the project had been misrepresented by the carrier of the petition, some of the signers of the petition wished to withdraw their signatures and some stated that they were on fixed incomes and could not afford the improvement.

The City Attorney stated that he had talked with Ronnie Taylor, circulator of the petition, Mr. Norman Moore, who opposes the improvement, and several others who opposed the improvement. Mr. Richeson said that as a result of these conversations he had prepared a petition of desire not to have the street improved and had given it to Mr. Moore to circulate. Mr. Richeson said further that it was understood by Mr. Moore and included in the petition that said petition was not a legal document but it merely conveyed the desires of those who signed it. The City Attorney said that Ronnie Taylor, circulator of the petition, had signed an affidavit under oath stating that he had not misrepresented the improvement to anyone to the best of his knowledge. It was brought out that to sign such an affidavit falsely would constitute perjury which is a felony. Those persons present voicing opposition to the improvement were Norman Moore, Florence Coon, Margaret Burgoon and Gladys Swindell. Those appearing voicing concurrence with the petition were Ronnie Taylor, Merl Taylor, Roy Boyer and Walter Butler. At the conclusion of discussions, Commissioner Loyd made a motion based upon two meetings concerning this subject that said resolution making findings as to the advisability of improving Cypress Street from 7th to 8th be passed. The motion was seconded by Commissioner Park and all present voted in favor of the motion except Mayor Sheldon who voted opposing the motion.

Resolution # 158 - Ordering the Improvement of Cypress Street

A resolution directing and ordering the improvement of Cypress Street from the south line of 7th Street to the south line of 8th Street was passed. The estimated probable cost of said improvement is \$46,233.97 with the city-at-large paying approximately \$16,686.27. A motion was made by Commissioner Park to pass said resolution, the motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

Wendell Lewis then asked what further steps the property owners within the benefit district could take to stop this improvement. The City Attorney answered Mr. Lewis stating that he was reluctant to answer this question as it is his duty

to represent the city in all matters but that he would advise Mr. Lewis to seek the advice of another attorney, that the next step would be to take the matter to the District Court.

Ordinance #2539 - Building Permit for Prefabricated Homes

An ordinance establishing a special building permit for prefabricated homes was passed. Said ordinance sets forth that a certificate certifying that the unit for which a building permit is being applied for meets all city codes and must be presented at the time a building permit is applied for. A motion for passage of said ordinance was made by Commissioner Zook, seconded by Commissioner Loyd and all present voted in favor of the motion.

Resolution #159 - Rescinding Resolution #154

A resolution rescinding Resolution #154 which was passed and adopted by the Governing Body on September 1, 1976 was passed.

Resolution #154 was enacted on the above date calling for an election on a bond issue to remodel the Municipal Auditorium. It has since been determined by legal authority that said action should have been by ordinance. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Zook and all present voted in favor of the motion.

Ordinance #2540 - Bond Election-Auditorium

An ordinance calling for an election to seek approval for a bond issue in an amount not to exceed \$600,000 for the purpose of remodeling the Municipal Auditorium was passed. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Resolution #2 - Nunc Pro Tunc Special Assessments for Street Improvements

A resolution nunc pro tunc Resolution #2 as adopted by the City of Ottawa on the 2nd day of February, 1972 was passed. The new Resolution #2 is necessary to correct and clarify the method in which special assessments for street improvement purposes are charged against the tracts of land within the benefit district. The intent of the original Resolution #2 was not clearly set forth within. A motion for passage of nunc pro tunc Resolution #2 was made by Commissioner Reusch, seconded by Commissioner Loyd and all present voted in favor of the motion.

Airport Operator's Lease

The Governing Body took under consideration the renewal of a contract with Mr. Ed Beck to continue as the fixed base operator at the Municipal Airport. A motion was made by Commissioner Zook that a new contract be entered into with Mr. Beck for this service. The motion was seconded by Commissioner Park. Discussions concerning a fixed base operator's lease brought out the fact that the aviation committee of the Ottawa Chamber of Commerce wished to have a different fixed base operator. A proposal submitted by Chuck LeMaster outlined improvements and services he would make and provide if he were under contract with the city as fixed base operator at the airport. Mr. LeMaster proposed to move in a mobile home to serve as an administration building along with other improvements and services for a fee to the city of \$600 per month.

Glen Underwood, Chairman of the Chamber of Commerce aviation committee, said that he had originally been informed by the City Manager that bids would be taken for the fixed base operator's lease. He said that later when he placed a call to the City Manager that he was informed that bids would not be taken for the fixed base operator's lease. He said that Mr. Mills did apologize to him for the misinformation and for not having informed him of this earlier. Mr. Underwood stated that mechanical services to airplanes at present takes much too long and that many owners and operators of airplanes are taking their planes elsewhere for this necessary service. Mr. Underwood's comments on the

service aspect at the airport were verified by other persons that were present.

It was reported that Mr. LeMaster had talked to Mr. Beck, trying to reach an agreement whereby both parties could operate at the airport but that no agreement had been reached to date. Mr. Beck reiterated that he had talked to Mr. LeMaster but that negotiations to such an agreement had not been mentioned.

It was also brought out that Mr. Beck did not provide proper charter service from the airport. Mr. Beck thereby quoted many instances where he had provided charter service for those individuals so desiring.

The Governing Body expressed a desire that possibly an agreement between Mr. Beck and Mr. LeMaster could be worked out to provide those needed services at the airport. Upon calling for a vote on the motion, all commissioners voted to approve Mr. Beck's contract.

The entire text of this discussion is on tape in the files of the City Clerk.

Airport Services Agreement

An agreement by which Mr. Ed Beck performs certain maintenance functions at the Municipal Airport for a fee of \$3600 payable on a monthly basis was considered. A motion for approval of said agreement was made by Commissioner Loyd, seconded by Commissioner Park and all present voted in favor of the motion.

(At this point in the meeting, Commissioner Zook excused himself as he had another commitment.)

Water Rights - Pomona Reservoir

The City Governing Body took under consideration the purchase of 554 acre feet of water rights at Pomona Reservoir. It was explained that through such a purchase the city would have a right to 180,000 gallons of additional water each year. The purchase of said water rights would cost the city \$35,000 with an annual maintenance fee of approximately \$600 per year. Commissioner Park made a motion to authorize the purchase of water rights. The motion was seconded by Commissioner Loyd and all present voted in favor of the motion.

It was announced by the Mayor at this time that a public hearing would be held by the City Commission at 7:30 p.m., September 22, 1976 in the City Commission room to hear from the citizens of Ottawa comments concerning the construction of a new water treatment facility and additional ~~transmission~~ *distribution* lines. The estimated cost of the project is \$4,500,000.

Cereal Malt Beverage Application - Frank W. Caryl

An application to sell cereal malt beverage for consumption on the premises as submitted by Frank W. Caryl for the operation of the Great Plains Tavern, 110 N. Main, was approved. The motion for approval of said license was made by Commissioner Park, seconded by Commissioner Loyd and all present voted in favor of the motion except Commissioner Reusch who opposed the motion.

Cereal Malt Beverage Application - Gail A. Brown

An application for license to sell cereal malt beverage for consumption on the premises as submitted by Gail A. Brown for the operation of the Spot Tavern, 115 S. Main, was approved. A motion for approval of said application for license was made by Commissioner Park, seconded by Commissioner Loyd and all present voted in favor of the motion except Commissioner Reusch who opposed the motion.

Proclamation - Fight for Sight Week

A proclamation proclaiming the week of September 27 through October 2, 1976 as Ottawa Lions Fight for Sight Week and the day of October 2, 1976 as Ottawa Lions Candy Day was read and signed by the Mayor.

Proclamation - Constitution Week

A proclamation proclaiming the week of September 17 through 23, 1976 as Constitution Week was read and signed by the Mayor.

Proclamation - Project Concerns Walk for Mankind

A proclamation proclaiming Saturday, October 2, 1976 was Walk for Mankind Day in the City of Ottawa was read and signed by Mayor Sheldon.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - September 22, 1976

The City Governing Body met in special session at 7:30 p.m. this date. Present: Mayor Sheldon and Commissioners Reusch, Zook, Park and Loyd. Absent: none. The purpose of this meeting was to inform the public and answer any questions that might be asked pertaining to the construction of a new water treating facility for the City of Ottawa.

Mayor Sheldon opened the hearing by commenting that the city had engaged the firm of A.C. Kirkwood & Associates about two years ago for the purpose of a comprehensive study of the city's water treating capabilities. Mayor Sheldon said that the reports from Kirkwood & Associates are in and it is clearly indicated that the city is in need of a totally new water treating plant.

It was further reported that the present water treating plant was built in 1922 and that there have been no improvements to increase its capacity since the original construction. There have, however, been some improvements made updating the water treating process but even these did not enlarge on the original capacity.

The report submitted by A.C. Kirkwood & Associates outlined two different methods for constructing an entirely different plant. One method would construct the plant in two phases and the other method provided for construction in a single phase. The two phase method would eventually be of more cost because of the necessity to construct certain portions during the first phase which would be of no use in the completed plant. Another reason for additional cost of the two phase method is the continuation of rising costs in the construction field.

A question from the audience asked the total cost of the improvement and how it would be paid for. The question was answered that the total estimated cost at this time is \$4,500,000. The method of payment would be through the sale of revenue bonds payable by revenues derived from the sale of water.

Another question from the audience concerned any increase in water rates and would the sewer service charge continue if and when water rates were increased. The first part of this question was answered that revenues from the sale of water will have to increase an estimated 120% but that this increase would probably be in stages. The first stage of an increase would probably be effective this fall and would amount to 40%, the second stage of the increase would be a year from now amounting to 80%. All were cautioned, however, that this does not necessitate a total of 120% increase on all water bills, the rate of increase would hinge upon a new rate structure which would probably be more for some and less for others. The second part of the question was answered that increased water rates would have no effect on sewer service charges, these two revenues are for separate operations.

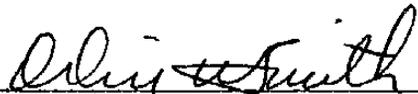
The question was asked what would happen if we did not build a water plant now. The question was answered that at the present there is the possibility of an equipment breakdown for which parts are not now available. Much of our equipment is outdated and obsolete to the point that oftentimes we have to make our own parts.

The question was asked if the water needs of Wellsville would enter into this picture. The question was answered that it is not known at this time if the water needs of Wellsville will enter into the overall project but that if it does, an agreement would have to be reached where ~~through sales of water to Wellsville they would pay a proportionate share of the new plant.~~

The question was asked how long would it take to have a new plant in operation. Mr. Harry Bond of A.C. Kirkwood & Associates answered that if the approval were given today to commence the construction of a new water treating facility, it would take about two and one half years until the plant would be operational.

A comment from the City Commission that it is very frustrating to make these types of decisions in near isolation, there being only nine people present at the hearing. Mayor Sheldon **concluded** the hearing by stating that a decision as to how the city would proceed with the new water plant should be forthcoming within the next 30 days.

The purpose for which the meeting was called being concluded, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - October 6, 1976

The City Governing Body met in regular session at 9:30 a.m. this date.
Present: Mayor Sheldon and Commissioners Reusch, Park, Zook and Loyd.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held September 15, 1976 were corrected as follows: Page 46 under Water Rights in Pomona Reservoir, second paragraph, line 4, the word "transmission" was corrected to read "distribution". With this correction the minutes were approved.

The minutes of the special meeting which was held at 7:30 p.m., September 22, 1976 were corrected as follows: Page 48, paragraph 6, the statement "These two revenues are for separate operations" is to be stricken and paragraph 8 the statement "They would pay a proportionate share of the new plant" was also stricken. With these corrections, the minutes were approved.

Ordinance #2541 - Standard Traffic Ordinance

An ordinance adopting the Standard Traffic Ordinance for Kansas Cities, Edition 1976, was passed. It was explained that the city of Ottawa adopts each new edition of the Standard Traffic Ordinance for cities in Kansas as they become available, this is done to stay current with State traffic regulations. A motion for passage of said ordinance was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Petition to Vacate an Alley

A petition as submitted by Noel E. Douglas and signed by Noel E. Douglas and Norman Hildebrandt to vacate an alley located between Cherry and Birch Streets and extending south from Blackhawk Street was considered. It was explained that the land abutting the alley is in the process of being developed and the area included within the dedicated alley is needed to meet lot size requirements. It was further explained that this alley extending south from Blackhawk Street deadends approximately 300 feet from its beginning. Mr. Lindel Chism inquired whether the alley abutts the property owned by him. It was explained that it did not approach his property whereby Mr. Chism voiced no opposition to such closure. Commissioner Loyd made a motion to approve the vacation of this alley provided necessary utility easements are retained. The motion was seconded by Commissioner Zook and all present voted in favor of the motion.

Water Plant Facility Construction

It was stated by the Mayor that the proposed construction of a new water plant and improvement of the distribution system has received much study and consideration by the Commission, that the Commission had held a public hearing on the subject, have had studies made and that possibly it was time to take action on this subject. Commissioner Park commented that he concurred with the Mayor that this subject had been studied and considered for a long time and he made a motion to proceed with the final engineering and construction for said improvement. The motion was seconded by Commissioner Reusch. Commissioner Zook commented that he was in favor of moving forward with engineering and construction plans but he wished to emphasize that no final decision has been made on the water rate structures, all commissioners agreed on this point. Commissioner Loyd then commented that even with this action there are still many variables including construction costs and interest rates. Commissioner Reusch commented that even with passage of the proposed motion today that the city can still withdraw from the construction of a new plant. Upon call for a vote all present voted in favor of the motion.

Proclamation - National Business Women's Week

A proclamation proclaiming October 17 to 23 as National Business Women's Week was read, approved and signed by Mayor Sheldon.

Improvement of Cypress Street - Norman Moore

Mr. Norman Moore brought forward a letter from Mrs. Burgoon relating to her signing of a petition calling for the improvement of Cypress Street from 7th to 8th. Mr. Moore handed the letter to the Commission and stated that according to the letter the improvement had been misrepresented to her. It was brought out, however, that the entire petition document was in her possession at the time she signed it, therefore, making her signature a legal one on it. Mayor Sheldon commented that the Commission has taken action on this subject, that this action is not revokable unless the courts should proceed to stop the improvement. Commissioner Park asked Mr. Moore if any action had been taken to take this item to court. Mr. Moore answered that to his knowledge this had not happened.

Don Lambert - Municipal Auditorium

Mr. Don Lambert appeared before the City Commission stating he had two questions he was seeking answers to. Mr. Lambert first asked if the bond issue to refurbish the Municipal Auditorium passes, how soon would construction start and how soon would it be finished. Mr. Lambert was answered that it is not known just how soon construction would start or finish but that if it passes the city would proceed as soon as possible with construction, this was also explained as being contingent on the passage of a 1½ mill levy outside of the tax lid to maintain the auditorium. Mr. Lambert's second question was what would happen to the building if the bond issue did not pass. It was explained that at this time no one knows exactly what will happen to this structure. Commissioner Park commented that he was hopeful that the building could serve some purpose as opposed to being demolished.

Charges by Jimmie Tolson

Mr. Jimmie Tolson appeared before the City Commission at this time charging them and the city staff with a "cover-up" concerning a complaint registered by Jimmie Tolson some three years ago and an investigation of the complaint which has been ongoing by the State and Federal Anti-Discriminatory Agencies. Mr. Tolson stated that he had brought charges against the city some three years ago. A hearing was held on these charges, the end result being he was discharged from city employment and Fire Chief Diamond served a probationary period, but that other charges were completely unanswered.

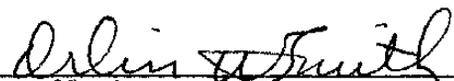
Mr. Tolson further charged the City Commission and staff of suppression of information concerning investigations of State and Federal agencies investigating Mr. Tolson's complaints and charges.

Mayor Sheldon stated that the Commission was aware of the investigations and that the city has cooperated fully with the investigating agencies and will continue to do so.

Mayor's Prayer Breakfast

In a final item Mayor Sheldon asked for support in the coming Mayor's Prayer Breakfast scheduled for October 23. Mayor Sheldon stated that he hoped the community would respond to the Mayor's Prayer Breakfast in the same spirit in which it is offered.

There being no further business, the meeting was adjourned. The entire text of this meeting is in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

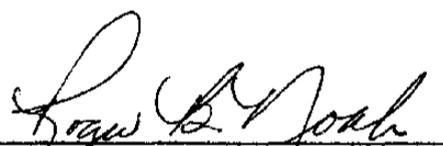
City Hall - October 7, 1976

The City Governing Body met in special session at 7:30 p.m. this date. Present: Mayor John Sheldon and Commissioners Allen Loyd, Ben Park and Viola Reusch. Absent: Fred Zook.

The City Council and City Clerk of the City of Wellsville appeared before the Governing Body of the City of Ottawa to request water service from the City of Ottawa. The City of Wellsville requests that the City of Ottawa sell to the City of Wellsville a water supply to supplement their current water system. The current peak use of water within the City of Wellsville is an average daily peak of 130,000 gallons to 140,000 gallons per day. The projected needs by the year of 1981 to be 213,000 gallons per day. The City of Wellsville would like to purchase all their water needs from the City of Ottawa and be able to hold their current water system in a reserve status. B. J. Kirkwood of A. G. Kirkwood and Associates stated that there would be no problem with the distribution of water from the City of Ottawa. Mr. Kirkwood suggested that the City of Wellsville make contacts and negotiations with available rural water districts as to the possibilities of constructing the lines for the City of Wellsville on the rural water district right-of-ways. Mr. Kirkwood also suggested that the City of Wellsville maintain a three day supply of water in reserve plus some of their current wells to be in operating order in case the City of Ottawa at any time could not meet the City of Wellsville's water demands.

After much discussion it was decided that there is still considerable time that needs to be spent on many different angles of the request. Consideration of the terms of the sale of water by the City of Ottawa, as well as the types of agreements that could be entered into by both cities. The City of Wellsville's Council suggested that Bob Mills, City Manager of Ottawa, and John Richeson, City Attorney for the City of Ottawa meet with the City Attorney of Wellsville, Bob Pinet, to discuss contracts and monetary agreements. The City of Wellsville agreed to investigate the possibilities of the construction of the water line from Ottawa to Wellsville and the City of Ottawa will coordinate a meeting with Bob Pinet, City Attorney of Wellsville.

There being no further business the meeting was adjourned.


City Treasurer



City Hall - October 20, 1976

The City Governing Body met in regular session at 9:30 a.m. this date.
Present: Mayor Sheldon and Commissioners Zook, Loyd, Park and Reusch.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held October 6, 1976 and the minutes of the special meeting which was held October 7, 1976 were approved as they were written.

Presentation of Service Awards

Service awards were presented to the following city employees for continuous service to the city as indicated: Donald Barnes, 25 years; Eric Wieneke, 25 years; Donald McKay, 10 years; Dewayne Snyder, 10 years; Charles Talbott, 10 years, Gerald Stevenson, 10 years and Pete Smith, 10 years. It was announced that Daryl Shutt, who was to have received a 10 year award at this time, is presently attending the police academy and his award will be made at a later date.

Public Hearing - Application for HUD Funds

A public hearing regarding the city's intention to file an application with the Federal Department of Housing and Urban Development for funds in the amount of \$400,000 was held.

The hearing was started by the City Manager reading a list of those items and activities which could be funded if such a grant were received and by listing those items and activities that could not be financed with such funds. Mr. Marvin Forker, Chairman of the County Council on Aging, asked that consideration be given to establishing a meeting center for senior citizens. Mayor Sheldon answered Mr. Forker to the effect that such a center for the activities and meetings of senior citizens is being established on the first floor (old coffee shop) of the old North American Hotel. Mr. Forker indicated that he was not aware that this was being done and extended his gratefulness that this might become a reality.

Mr. Kent Lash asked if the City Commission had any specific plans for the use of these monies and if they did, what they were. Mayor Sheldon called upon the City Manager to answer this question. The City Manager reported that last year the city had applied for such funds, that our overall rating was quite high but that due to technical reasons we were not funded. Some of the uses for which the funds last year were applied for was for the rehabilitation of deteriorating dilapidated homes which are now occupied by the elderly, removal of dead trees on the private property of the low-income elderly and a general clean-up of the community in the area of removal of car bodies and junk stored on private property.

Mr. Bob Pence spoke in favor of the application for these funds, that he thought they would serve a very useful purpose in the community and that he hoped we were successful in receiving the grant.

At the conclusion of the public hearing, Mayor Sheldon announced that another public hearing on this subject would be held at 7:30 p.m., October 28, 1976 and invited all persons interested to appear and voice their ideas concerning this grant application.

Parade Request

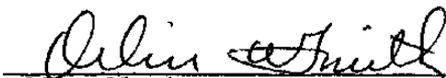
Mayor Sheldon announced that the Commission had received a request from the Student Council of the Ottawa Senior High School requesting permission to have a parade starting at 6:30 p.m. on November 3, 1976. The parade would start at the Depot Museum and proceed to City Park. Permission for the parade was granted.

Request of Ottawa Jaycees

Mr. Kent Lash, representing the Ottawa Jaycees, requested permission to close the 200 block on South Main from 5:15 p.m. to 11:30 p.m., October 30, 1976 for the Hallowesta celebration. Mr. Lash stated that they had contacted the Kansas Department of Transportation for permission for such closure inasmuch as this is a highway and that permission had been granted by the Department. The City Commission also granted permission for closure of this street for the time stated above.

Mr. Lash also asked permission to block 3 or 4 parking spaces in front of the old Gambles store from 7:00 p.m. to 10:30 p.m., October 26, 27, 28, 29 and 30. Mr. Lash explained that the old Gambles store would be used for the haunted house portion of the Hallowesta celebration and that the parking stalls would be used to set up various concessions. It was concluded by the City Commission that they would not be in violation of ordinance by making the parking stalls a no parking area and permission was granted.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - October 28, 1976

The City Commission met in special session at 7:30 p.m. this date. Present: Mayor Sheldon and Commissioners Loyd and Reusch. Absent: Commissioners Park and Zook. This special meeting was held for purpose of holding public hearing on the proposed application for Community Development funds in the amount of \$400,000.

The meeting was opened by Mayor Sheldon instructing the City Manager to set out those activities which are both eligible and ineligible as contained in the guidelines for expenditure of these monies. After these lists of activities were announced the Mayor instructed the City Manager to list the proposed expenditures for a similar grant which was applied for last year which was not forthcoming to the city. These activities and the amounts are as follows:

- Grants for rehabilitation for dilapidated and deteriorating homes - \$125,000
- Loans consisting of interest subsidy and loan guarantees for the rehabilitation of dilapidated and deteriorating homes - \$100,000
- Code enforcement including personnel and a vehicle - \$15,000
- Street improvements including curbs and gutters in community development areas - \$100,000
- General clean-up and haul off of junk in target areas - \$10,000
- Tree removal and replacement for low-income persons - \$13,000
- Demolition which would consist of demolition of structures which could not be economically rehabilitated - \$20,000
- Administration which would be necessary in administering the total program - \$17,000
- Total - \$400,000

Mr. Floyd Jacob, 1104 N. Cherry, asked if the funds for rehabilitation of dilapidated homes would be used for so-called dilapidated rental units or if they would be applied strictly to deteriorating structures in which the owner resided and was not financially capable of making necessary repairs. Mr. Jacob was answered that these funds would be used only for the latter and not for rental type units.

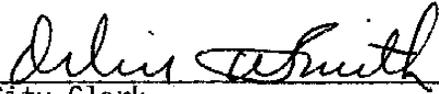
The question was then asked if the priority items as set out by the City Manager for the last year's application would also apply to this year's application. This question was answered that these priority items would probably be used unless different and better ideas came forward as a result of public hearings.

The question was then asked if these funds or any portion thereof could be used to provide transportation for the low-income and/or elderly. It was brought out at this time that the acquisition of terminals and capital expenditures for vehicles for transportation were among the items listed as ineligible activities. It was also discussed that it might be possible that a portion of these funds could be used to enter into a contract with a private company or person to provide transportation. It was further pointed out, however, the transportation services are provided by Eckan and a question on the November 2 county election ballot will be whether to authorize a ½ mill county levy for this purpose.

The question of using a portion of these funds to assist in the possible refurbishing of the City Auditorium was brought up. This was answered that auditoriums are among ineligible activities.

It was also discussed that these funds would not be used for the North American Hotel project as proper financing for this item has been arranged. Upon a request for a status report of the North American Hotel project the City Manager and the Mayor announced that the city is in the process of purchasing the hotel and that bids will be taken for the necessary work in the near future.

There being no further questions coming forward and no further discussions on this matter, the meeting was adjourned. The text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - November 3, 1976

The City Governing Body met in regular session at 9:30 a.m. this date.
Present: Mayor Sheldon and Commissioners Reusch, Park, Loyd and Zook.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held October 20, 1976 and of the special meeting which was held October 28, 1976 were approved as they were written.

Service Award

Mr. Daryl Shutt, a member of the Department of Public Safety, was presented a service award by Mayor Sheldon denoting 10 years of continuous service to the City of Ottawa.

Engineering Service Contract

A contract engaging the services of A.C. Kirkwood & Associates for the design of water distribution system improvements was discussed. It was explained by the City Manager that it is necessary to have such a contract in force to apply for community development funds for the upgrading of our water system. It was further explained that the contract specified no monetary amount as all engineering services accomplished are to be on a per diem basis. A motion for approval of said contract and to authorize the Mayor to sign said contract was made by Commissioner Loyd, seconded by Commissioner Park and all present voted in favor of the motion.

Fair Housing Ordinance

An ordinance setting forth standards for fair housing in the City of Ottawa was introduced. Discussion following the presentation of the ordinance explained that the ordinance is to prevent discrimination on the basis of race, color, religion, sex or national origin for the rental or sale of housing facilities. Further, it was explained that the ordinance would not apply in certain cases where an owner or a member of his immediate family resided in a building where living quarters were being rented or sold. It was further discussed that the content of this ordinance closely parallels existing Federal and State legislation but that enactment of such an ordinance is necessary to comply with Federal regulations pertaining to community development grants that the city has already received and other community development grants that the city is in the process of applying for.

No action was taken on this ordinance at this time as it was the desire of the City Governing Body to make the citizenry aware of its pending passage before any final action be taken.

Comments - Municipal Auditorium Issue

Mayor Sheldon commented that no action would be taken on the \$600,000 bond issue for the refurbishing of the Municipal Auditorium at this time. It is proposed that action will be taken soon after the official canvass of the vote and certification is received by the City to the effect that the bond issue was approved by the voters.

Comments - Willow Street

Commissioner Loyd commented that he was very pleased with the paving improvements on Willow Street between 9th and 15th Streets. He said it was a real pleasure now to drive Willow Street as opposed to the condition of the street before the improvement. All Commissioners agreed that the contractor was to be commended for the work that he had performed in the city.

There being no further business, the meeting was adjourned. The entire text of the meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Clerk

City Hall - November 17, 1976

The City Governing Body met in regular session at 9:30 a.m. this date.
Present: Mayor Sheldon and Commissioners Zook, Reusch, Park and Loyd.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held November 3, 1976 were approved as they were written.

Report of Planning Commission

A report of the November 3 meeting of the Planning Commission is as follows:

"The City Planning Commission held its regular meeting November 3, 1976. A public hearing was held on a petition of Loyd Builder's, Inc. to rezone a tract of land located on the west side of Main Street between 14th and 15th Streets from O-I (Office & Institution) to C-I (Neighborhood Shopping District). Mr. Tom Gleason, representing Loyd Builder's, suggested that if the Planning Commission was opposed to rezoning this tract and if certain uses which are listed under Neighborhood Shopping District could also be allowed under Office & Institution type zoning that this would accomplish the intent of the petition of his clients. The Planning Commission continued this hearing that they might study the results if the request were granted.

The Planning Commission discussed the building set back requirements for arterial and collector streets; however, no action was taken in this area.

The Planning Commission also discussed yard requirements as they pertain to construction and reconstruction in the older areas of town where front footage requirements and overall yard requirements are not met. It was unanimously recommended that the City Commission proceed with an ordinance which would allow construction and reconstruction of existing buildings on undersized lots that were lots of record at the time of the adoption of the zoning ordinance.

Density requirements as they pertain to multi-family structures were also discussed. The density requirements as they exist preclude the construction of small apartment units to accommodate elderly persons. It was decided, however, that the Board of Zoning Appeals has the authority to grant variances to the zoning ordinance to allow the construction of small apartments units for the elderly."

Ordinance #2542-Amending the City Zoning Ordinance

An ordinance amending Ordinance #2527 to allow construction on lots of record that do not meet minimum lot area requirements of their zoning district was passed. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Ordinance #2543 - Fair Housing

An ordinance setting standards for fair housing in the City of Ottawa to eliminate and prevent discrimination, segregation or separation in all places of public accommodations was passed. A motion for passage of said ordinance was made by Commissioner Loyd, seconded by Commissioner Reusch and all present voted in favor of the motion.

Request of Ottawa Retail Association

Mr. Ron Reusch, representing the Ottawa Retail Association, requested that the parking meters in downtown Ottawa be covered and not enforced for a period of two to four weeks before Christmas. Mr. Reusch qualified his request in that this is in conjunction with the Christmas promotion of the Retail Association.

Through discussion it was agreed that the Retail Association would furnish bags to cover the parking meters with a text denoting the free parking, the text to be prescribed by the City. It was decided that city crews would make the first installation of the bags and thereafter the downtown merchants would replace any bags that were damaged or lost.

Commissioner Loyd made a motion that an ordinance be passed to the effect that parking meters would not be enforced from December 6, 1976 through January 2, 1977. The motion was seconded by Commissioner Park.

Commissioner Zook commented that he would vote no, opposing the motion but that he was not against the idea. Commissioner Zook said that in reversing his previous stand on parking meters that he would be in favor of doing away with parking meters and that he felt parking on Main Street should be of parallel type.

Along with the passage of an ordinance not to enforce parking meters for the specified time it was also set forth that there will be a two consecutive hour limit on parking and that the fine for violation of this provision would be not less than \$2.00 nor more than \$5.00. Commissioner Park asked the retailers present their feelings on this fine. It was the consensus of the retailers that the fine was a fair one, they really would prefer no penalty but that in the interest of all a penalty was necessary.

The vote on the motion on the table resulted in all commissioners except Commissioner Zook voting in favor of the motion, Commissioner Zook voting to oppose the motion.

Before the closing of the subject, Mr. John Wassmer gave a thank you to the City Governing Body for the use of a portion of the North American Hotel for Santaland during the Christmas season.

Request of Mr. Charles LeMaster

Mr. Charles LeMaster asked permission to use an area in the Kanza Park as a heliport Saturday and Sunday, November 20 and 21. The purpose of the request was for promotional purposes of the Pence and Alco stores. Mr. LeMaster stated that the area in use as a heliport would be roped off and that he would have manpower on hand to keep people back from the actual helicopter landing area. Further, Mr. LeMaster commented that each person would be escorted to the helicopter and the operation of using the seat belts would be supervised, likewise persons would be escorted from the helicopter as a safety measure.

The City Manager indicated that Mr. LeMaster had filed liability insurance with the city in an amount deemed by the City Attorney to be sufficient to cover any mishaps. The City Manager further stated that under this arrangement the city would have not liability in this area. Mr. LeMaster stated that the turf of the park would not be damaged by the helicopter and that no cars would be allowed in the park while the helicopter was using it as a heliport. Commissioner Reusch stated that she felt that the request of Mr. LeMaster should be granted whereby the City Commission concurred.

Announcement Concerning Next Regular Meeting

Mayor Sheldon announced that the City Governing Body would be attending the National League of Cities Convention in Denver. The Mayor announced inasmuch as the Governing Body would be attending this convention during the first week in December that he would propose to hold the next regular City Commission meeting December 8 instead of December 1. Discussion following the Mayor's proposal brought out that possibly it would not be necessary to have a special meeting on December 8 and that all business could be conducted at the regular meeting of December 15. Commissioner Zook made a motion that the regular meeting of December 1 be cancelled and that the next meeting would be December 15, subject to the call of a special meeting if necessary. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

Paving Improvements

It was announced by Mayor Sheldon that the paving of Maple Street from 11th 510' north, Cherry from 9th to 10th, Cypress from 7th to 8th and 9th from Willow to Ash will not begin until spring as winter weather has set in and it is not practical to proceed at this time.

Progress Report - North American Hotel

It was announced that the project for the renovation of the North American Hotel to a housing unit for the elderly is proceeding nicely at this time. It was further stated that there is a pre-construction bid letting conference at 2:00 p.m. today to answer and clarify any questions that the contractors might have concerning the project. At the present time there are six qualified contractors who have expressed an interest in bidding on the project and the bids are to be opened November 30, 1976.

Comments - Public Safety Department

Commissioner Park commented that he was quite pleased with the reports he had received concerning the activities concerning the Public Safety Department. Mr. Park stated that an analysis of these reports pinpoints the areas of traffic problems in the city.

It was reported by the City Manager that the training of the Public Safety Department is progressing on schedule and that there have been no fires or mishaps that the Public Safety Department has not been able to handle very satisfactorily. It was also reported by the City Manager that the new signalization of Main Street hopefully would be operational in January of 1977, the main problem at the present time is on delivery of equipment necessary for the completion of this project.

The City Manager also stated that he would like to have an open house at the Public Safety Building in the near future. There are a few things remaining to be accomplished to complete the remodel but that it should be completed within the very near future.

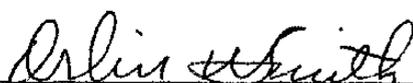
Christmas Parade

It was discussed that the City Commission had not as yet received a request for a Christmas parade even though it is quite evident that one is being planned. In view of the fact that the Commission will not meet December 1, the authority to grant permission for a parade was conferred upon Mayor Sheldon by the balance of the Commission.

Main Street Signalization

Commissioner Park stated that he was quite pleased with the performance of the contractor responsible for the re-signalization of Main Street. Commissioner Park said he felt that the pavement cuts and sidewalk cuts for the necessary cables had been accomplished with a very minimum amount of traffic problems.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of the City Clerk and will remain so for one year from the date of the meeting.



City Hall - December 15, 1976

The City Governing Body met in regular session at 9:30 a.m. this date.
Present: Mayor Sheldon and Commissioners Loyd, Zook, Reusch and Park.
Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held November 17, 1976 were approved as they were written.

Award Contract - Street Improvements

A contract for the paving of certain streets was awarded as follows:

9th Street, Willow to Ash; Maple Street, 11th to 508' north; Cherry, 9th to 10th and Cypress, 7th to 8th. A contract in the amount of \$119,058.95 as submitted by the John Rohrer Contracting Company, Inc., Kansas City, Kansas for the improvement of the above streets was approved. A motion to award the contract to the John Rohrer Contracting Company and to authorize the mayor to sign said contract was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Receive Recommendations of the Planning Commission

Recommendations of the Planning Commission from their meeting of December 7, 1976 are as follows:

"The City Planning Commission met at 7:00 p.m., December 7, 1976.

Commissioner Park reported to the Planning Commission of the intent of the City Commission to appoint a Community Design Committee. Mr. Park stated that such a committee would be available to assist in recommendations for coloring of buildings and structures, coloring and design of signs and billboards and the preservation of natural and historic sites. It was emphasized that the recommendations of such a committee would not be mandatory but only suggestions.

The Planning Commission held public hearing on a proposed amendment to allow building and rebuilding on undersized lots of record. There being no one present to comment on the proposed, the Planning Commission voted unanimously to recommend the passage of the amendment.

A public hearing was held on an amendment to allow professional offices, banks and other savings institutions and office buildings with compatible shops in the Office and Institutional zoning classification. The Planning Commission voted unanimously to recommend to the City Commission that said amendment be adopted.

At the request of Mr. Tom Gleason, attorney for Loyd Builders, the public hearing on the zoning change request of Loyd Builders was continued."

Action on the foregoing recommendations was tabled until the next regular meeting of the Governing Body.

Final Acceptance of Paving Contract #2

The City Commission took action on final acceptance of paving contract #2 and authorized the final payment on said contract. The total contract was in the amount of \$247,152.58 and consists of paving the following streets:

Olive Street - 7th to 8th, Elm Street - 10th to 11th,
Beech Street - 4th to 5th, Powhattan Street - Sycamore to Cherry,
Hemlock Street - Powhattan to Fairway Drive,
Hemlock Street - Fairway Drive to Blackhawk, Fairway Drive -
Spruce to pt. east.

A motion for acceptance and final payment on the contract was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Final Acceptance of Paving Contract #3

The City Governing Body took action on the final acceptance of the paving contract #3 and approved the final payment on said contract. The total amount of Contract #3 was \$353,947.89 and consisted of the paving of the following streets:

Elm Street from 11th south, Eleventh Street - Willow to Elm
14th Street - Willow to Ash and Willow Street - 9th to 15th

A motion for the acceptance and to approve final payment for contract #3 was made by Commissioner Zook, seconded by Commissioner Loyd and all present voted in favor of the motion.

Cereal Malt Beverage License Applications

Applications for license to sell cereal malt beverage for 1977 are as follows:

Blue Sky, 1602 S. Main, operated by Mary J. Runnells
A & P Grocery, 113 S. Hickory, Orville Hayward, Manager
Pence Food Center, 305 N. Main, Marvin L. Burns, Manager
The Pub, 122 S. Main, operated by James H. Baugher
Hickory Inn, 120 E. Dundee, Marita Paul, Manager
Pence Food Centers, Inc., 1428 S. Main, Thomas Moats, Manager
Blue Room Tavern, 231 N. Main, operated by William F. Adams
Fraternal Order of Eagles, 524 E. 15th, Hayward Brill, Manager
Waymire Food Mart, 117 N. Main, Donald E. Waymire, Manager
Pizza Village, Inc., 330 S. Main, James M. Jones, Manager
Indian Lanes Bowl, Inc., 2040 Princeton Street, Michael Brady, Manager
The Rock House, 2120 Princeton Street, Anthony Monteleone, Manager
Great Plains Tavern, 110 N. Main, John Weston, Manager
Waymire Butcher Block, 2008 Princeton Street, Charles F. Waymire, Manager
Andy's Service Station, 1115 W. 7th, operated by Willard Cromwell
Elbow Lounge, 1205 N. Main, Clifford Gibson, Manager
Saddleback Lounge, 111 N. Main, operated by William L. Osborne
White Grocery, 720 W. 7th, operated by Shirley L. White
Twilight Retreat, 111 S. Main, operated by Alta S. Hicks
Monarch Billiards, 231 S. Main, operated by Lester L. Myers
Pizza Hut of Wichita, Inc., 118 W. 15th, Richard S. Salierno, Manager

A motion for issue of said licenses was made by Commissioner Zook, seconded by Commissioner Loyd and all present voted in favor of the motion except Commissioner Reusch who voted opposing the motion.

It was reported at this time that four present licenses had not submitted applications for the 1977 license. It was further reported that these four firms would have to cease the sale of cereal malt beverage at 12:00 midnight December 31, 1976 and until such times as their application was submitted and approved.

Resolution #161-Water Rates

A resolution adjusting water rates for the City of Ottawa was considered. It was explained that this resolution will increase the cost of water to all consumers supplied by our water department by 50%. It was further explained that this resolution would increase water rates to all consumers supplied by the city water department by an additional 50% effective January 2, 1978. Engineering and cost analysis studies indicated these water rate increases to be necessary to underwrite the bond debt for a new water plant and distribution system improvements as well as operating

costs. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

Resolution #160 - Affirmative Action Program

A resolution setting forth an equal employment opportunity policy and affirmative action program for the City of Ottawa, Kansas to assure that all persons regardless of race, color, religion, age, sex, religion, origin or physical handicap shall have equal access to positions in the municipal service limited only by their ability to do their job and setting forth equal employment opportunity guidelines for persons or corporations awarded contracts by the City of Ottawa, Kansas. It was explained that the city presently has an affirmative action program but that it is necessary to document this program by way of resolution to qualify for certain Federal programs. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Loyd and all present voted in favor of the motion.

Ordinance #2544-Defining Territorial Limits

An ordinance defining and declaring the territory limits and boundaries of the City of Ottawa, Kansas and repealing Ordinance #2505 was passed. A motion for passage of said ordinance was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

Ordinance #2545 - Industrial Revenue Bonds

An ordinance authorizing the issuance of industrial revenue bonds in the amount of \$800,000 for the Havens Steel Company was passed. A motion for passage of said ordinance was made by Commissioner Loyd, seconded by Commissioner Reusch and all present as stated above voted in favor of the motion.

Public Service Agreement

An agreement whereby the Havens Steel Company will pay to the City of Ottawa 2% of the gross amount of the \$800,000 bond issue on December 1, 1977 and 1% of the gross amount on December 1, 1978 through 1986 was approved. A motion to approve said agreement was made by Commissioner Reusch, seconded by Commissioner Zook and all present as stated above voted in favor of the motion.

Lease Agreement = Havens Steel Company

The City Governing Body authorized the mayor to sign a lease agreement with the Havens Steel Company pertaining to an industrial revenue bond issue for the Havens Steel Company. A motion to authorize the mayor to sign said lease agreement was made by Commissioner Zook, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Resolution #162 - Industrial Revenue Bonds

A resolution authorizing the City of Ottawa to sell certain real property to the Havens Steel Company, waiving certain notice requirements in connection to such sale and authorizing the city to grant an easement to said company, and prescribing the form of and authorizing the execution of a deed conveying said property and a declaration granting said easement was approved. A motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

Don Lambert - Questions on Municipal Auditorium

Mr. Don Lambert appeared before the City Commission questioning the status of the refurbishing of the Municipal Auditorium. Mr. Lambert was answered that the project is proceeding but that plans and specifications being drawn will not be available for bidding purposes until late spring or summer of 1978.

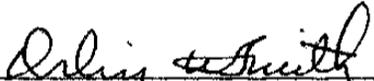
Tom Gleason - North American Hotel

Mr. Tom Gleason appeared before the Commission questioning the advisability of spending Federal revenue funds on the remodel of the North American Hotel. Mr. Gleason said he had watched the proposed project progress since its inception and that the costs had escalated to a point that he did not feel it was feasible to commit additional monies for it. Mr. Gleason qualified his statement that he was speaking as an interested taxpayer and not at this time representing a client.

Comments of Commissioner Loyd

Commissioner Loyd stated that he was pleased and encouraged at the recognition of small cities expressed at the National League of Cities Convention in Denver this month. Commissioner Loyd also complimented Commissioner Zook in the fine job Commissioner Zook had done assisting in representing small cities in the National League. Commissioner Park then stated that he fully agreed with Commissioner Loyd's statements.

Mayor Sheldon closed the meeting by wishing everyone a Merry Christmas and a Happy and Prosperous New Year.



City Clerk