

City Hall - January 4, 1978

The City Commission met in regular session at 9:35 a.m. this date.  
Present: Mayor Reusch and Commissioners Park, Zook and Nichols. Absent:  
Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held December 21, 1977 were approved as written.

#### Cereal Malt Beverage License Applications

Applications for cereal malt beverage licenses for 1978 were approved as follows: The Great Plains Tavern located at 110 N. Main operated by Frank W. Caryl and The Highway Oil Company, 304 Logan Street, James R. Carterman, Manager. The motion for approval of said applications was made by Commissioner Park, seconded by Commissioner Zook and all present, except Mayor Reusch, voted in favor of the motion and Mayor Reusch voted opposing the motion.

#### Resolution #170 - Improve Elm Street

A resolution calling for a public hearing to be held at 9:35 a.m., January 18, 1978 to determine the advisability of improving Elm Street from the south line of U.S.D. 290 Subdivision No. 1 to the north line of Atchison's Subdivision was passed. Estimated probable cost of said improvement - \$21,733.08. The motion for passage of said resolution was made by Commissioner Zook, seconded by Commissioner Nichols and all present voted in favor of the motion.

#### Resolution #171 - Improve Cypress Street

A resolution calling for a public hearing to be held before the City Commission on January 18, 1978 to determine the advisability of improving Cypress Street from the north line of 11th Street to the south line of Smith's Subdivision No. 10 was passed. Estimated probable cost of said improvement - \$28,497.26. A motion for passage of said resolution was made by Commissioner Nichols, seconded by Commissioner Park and all present voted in favor of the motion.

#### Contract - Design of Recreational Facilities

The City Commission authorized Mayor Reusch to sign a contract with A. C. Kirkwood & Associates for the design and specifications for recreation facilities at the Ottawa Boys Club area and for design and specifications of certain streets that are to be improved with a 3" asphaltic overlay. A motion to authorize the Mayor to sign said contract was made by Commissioner Park, seconded by Commissioner Nichols and all present voted in favor of the motion.

#### Report of Planning Commission meeting

A report of the Planning Commission meeting which was held December 6, 1977 was submitted by David Watkins, Administrative Assistant, as follows:

"The Planning Commission approved the minutes of the last regular meeting which was held December 6, 1977.

The Planning Commission met with Wilma J. Smith concerning her request to operate a taxi dispatching operation in an R-2 district. Mrs. Smith presented the Planning Commission with a petition bearing the names of 160 supporters who wished to see her continue operating a taxicab service. In addition, the Planning Commission heard from numerous persons in the audience who stressed the need for a quality taxi operation and stated that denying Mrs. Smith's request was depriving them of this service. The Planning Commission members noted that the request raised a legal question and would require the amending of the home occupation definition in the zoning ordinance to allow a taxi dispatching operation in an R-2 district.

The Planning Commission decided to hold a public hearing at the next scheduled meeting in February to consider the inclusion of a taxicab dispatching operation in the definition of a home occupation contained in the zoning ordinance.

The Planning Commission decided to take under advisement a request by the City Commission to study the zoning of tavern operations in the City of Ottawa."

At the conclusion of the report of the Planning Commission meeting, Mayor Reusch commented that she had received numerous calls concerning the taxi service in the City of Ottawa and it appears that taxi service is very bad. Commissioner Park commented that the condition of the taxi service in the City of Ottawa is not a matter of law, that the City acts only as a licensing agency for the taxicab companies in the City.

#### Comments of Commissioner Zook

Commissioner Zook stated that Ms. Tara Hamilton, a staff person for the National League of Cities, will visit Ottawa on January 16, 1978 to visit and observe the City Commission and the City staff. Commissioner Zook explained that Ms. Hamilton is the contact person for small cities within the National League of Cities.

#### Items Pending for 1978

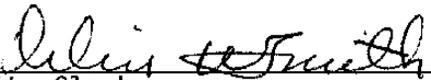
It was announced by the City Commission that the following items are pending for action in 1978:

1. Farm lease - the lease with the Kansas State University on the farm ground at the Municipal Airport is still to be negotiated as a result of their desire to put in a small retention dam for irrigation purposes.
2. Sewer - 17th Street to 19th Street - the proposed sewer to serve the area between 17th and 19th Streets west of Elm Street is still being worked on. The City is in the process of securing easements and has hit some troublesome areas in securing these easements.
3. Housing grant program - the program of repairing owner occupied housing for low-income families is just beginning to move and should be completed in 1978.
4. Library building - the City Governing Body has met with the Library Board discussing possibilities of constructing a new library or remodeling and adding on to the old one. Further study in this area will be necessary in 1978.
5. North American Hotel - the City to date has one formal offer for the purchase of the North American Hotel. The proposals for purchase of said hotel are to close on January 10, 1978. This item of business should be completed in 1978.

#### Meeting Close

The City Commission offered condolences and sympathy to the City of Garnett on their loss of a major portion of their business district in their recent fire.

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.

  
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City Clerk

City Hall - January 18, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Park, Zook and Nichols. Absent: Commissioner Gaynor.

#### Approval of Minutes

Commissioner Park corrected the minutes of January 4, 1978 as follows: On page 2, paragraph 3, the minutes reflect that Commissioner Park commented that the condition of the taxi service in the city is not a matter of law, that the city acts only as a licensing agency for taxicab companies in the city. Commissioner Park corrected this statement that the taxicab issue presently before the Planning Commission is strictly a matter of law. Further, the minutes were corrected to reflect that the City Commission offered their condolences to Commissioner Gaynor upon the death of his brother. It was also commented that condolences are in order again due to the death of Mrs. Gaynor's mother. The balance of the minutes were approved as written.

#### Public Hearing - 1978 Revenue Sharing Budget

The proposed revenue sharing budget for 1978 in the amount of \$204,957 was approved. There were no persons present to comment further on the budget. A motion for approval of said budget was made by Commissioner Zook, seconded by Commissioner Nichols and all present, as stated above, voted in favor of the motion.

#### Public Hearing - Improve Cypress Street

A public hearing to determine the advisability of improving Cypress Street from 11th Street to the south line of Smith's Subdivision #10 was held. The probable estimated cost of this project was stated to be \$28,497.26. There was no one present to comment on the improvement of this street.

#### Resolution # 173 - Findings - Improve Cypress Street

A resolution making findings as to the advisability of improving Cypress Street from the north line of 11th Street to the south line of Smith's Subdivision #10 in the City of Ottawa was passed. The resolution set forth that the estimated probable cost of said project is \$28,497.26. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Zook and all present, as stated above, voted in favor of the motion.

#### Public Hearing - Improve Elm Street

A public hearing to determine the advisability of improving Elm Street from the south line of U.S.D. 290 Subdivision to the north line of Atchison's Subdivision was held. The estimated probable cost of said project is \$21,733.08. Mr. Archie McGehee asked if there were any options for paving this street other than concrete. Mr. McGehee said that in applying the estimated probable cost to the front footages that the cost would be about \$36 per running foot. Mr. McGehee stated that he felt that this cost overall was too great. The City Commission indicated that they would leave the project open for an alternate bid for a total depth asphaltic concrete pavement.

#### Resolution No. 174 - Findings - Improve Elm Street

A resolution making findings as to the advisability of improving Elm Street from the south line of U.S.D. 290 Subdivision to the north line of Atchison's Subdivision in the City of Ottawa was passed. It was stated that the probable estimated cost of said improvement would be \$21,733.08. A motion for passage of said resolution was made by Commissioner Nichols, seconded by Commissioner

Park and all present, as stated above, voted in favor of the motion.

#### Ordinance No. 2574 - Water Revenue Bonds

The City Governing Body proceeded to take action on an ordinance authorizing the issuance of \$5,000,000 water revenue bonds for the construction of a new water treating facility and appurtenances. It was reported that the City Commission had negotiated the sale of these bonds with Stern Brothers and Company for an average annual interest rate of 5.99982%. A motion for passage of said ordinance to authorize sale of said bonds was made by Commissioner Park, seconded by Commissioner Zook and all present, as stated above, voted in favor of the motion.

#### Resolution No. 172 - Authorizing Signature of Mayor and City Clerk

A resolution authorizing the Mayor and City Clerk to execute and sign a licensing agreement with the Missouri Pacific Railroad Company to cross the railroad right-of-way for utility purposes was passed. It was reported that this agreement is necessary to cross Missouri Pacific Railroad right-of-way with a new water main. A motion for passage of said resolution was made by Commissioner Nichols, seconded by Commissioner Zook and all present, as stated above, voted in favor of the motion.

#### Sale of North American Hotel Property

The City Commission approved a proposal from Mr. Harold Matney to purchase the North American Hotel property for a total purchase price of \$10,000. The terms of said agreement as related to cash flow are that Mr. Matney will place \$2,000 in escrow with Anderson Realtors at the signing of the contract of sale and will pay the balance at the closing of the sale which is to be on or before March 15, 1978. Other terms of agreement are stated in the sale contract. Mr. Matney stated that it is his present intention to rent the first floor of the hotel for possible retail establishments and that the second floor would be converted to use as offices. The top three floors may be utilized at a later date or may be demolished. Mr. Matney further stated that he might sell portions of the building as might be done in a condominium structure. The City Commission was not in total accord with the idea of selling space within the building. Commissioner Park made a motion to accept the proposal of Mr. Matney concerning the purchase of the North American Hotel property. The motion was seconded by Commissioner Zook and all present, as stated above, voted in favor of the motion.

#### Cereal Malt Beverage Applications

The City Commission received an application to sell cereal malt beverage as submitted by Billie Galutia for the operation of the Hickory Inn at 120 E. Dundee. Commissioner Zook made a motion for approval of said application. The motion was seconded by Commissioner Park and all present voted in favor of the motion except Mayor Reusch who voted opposing the motion.

#### Announcement

Mayor Reusch announced that the city would sell bonds in the amount of \$622,996.05 at 3:00 p.m., January 31, 1978. These bonds are to pay the cost of improvement of Willow Street and others.

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.

  
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City Clerk

City Hall = February 1, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Protem Zook and Commissioners Park and Nichols. Absent: Mayor Reusch and Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held on January 18, 1978 were approved as written.

#### Resolution No. 176 - Ordering Improvement of Cypress Street

A resolution directing and ordering the improvement of Cypress Street from the north line of 11th Street to the south line of Smith's Subdivision #10 was passed. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Nichols and all present, as stated above, voted in favor of the motion.

#### Resolution No. 175 - Rescinding Resolution No. 174

A resolution rescinding Resolution No. 174 was passed. Resolution No. 174 was making findings as to the advisability of improving Elm Street from the south line of U.S.D. 290 Subdivision to the north line of Atchison's Subdivision. A motion for passage of said resolution was made by Commissioner Nichols, seconded by Commissioner Park and all present, as stated above, voted in favor of the motion.

#### Request of Kansas State University

A request of Kansas State University to allow construction of an irrigation facility on the experimental farm portion of the Municipal Airport property was discussed. It was reported that to affect this improvement that Kansas State University desires a 20 year lease with the stipulation that should the lease be cancelled by the City of Ottawa short of the 20 year term that Kansas State University would be reimbursed for that portion of the cost of their improvement, pro-rated over the 20 year period. The cost of said improvement that would fall under the terms of this agreement would be \$10,000. Thus, if the city were to cancel the lease in 10 years, the city would be liable to pay Kansas State University one half of the cost of the improvement. Mr. Bob Bozworth, Franklin County Agriculture Agent and a member of the Advisory Board for the experimental farm, spoke in favor of the request of KSU. Mr. Bozworth stated that the proposed irrigation system would be an asset to the city even if this land were developed for industrial purposes in the near future. Mr. Bozworth said that he was aware of other experimental projects that had used irrigation for experimental purposes and it proved quite beneficial. It was pointed out that through the course of these conversations that the ponding areas for irrigation purposes would be located in the northeast 40 acres of the 160 acre tract.

Mr. Glenn Underwood, representing the Greater Ottawa Chamber of Commerce Transportation Committee, addressed the issue stating that this acreage may be needed for industrial development in the near future. Mr. Underwood stated that if the city should proceed to enter into agreement with KSU, allowing construction of irrigation facilities that should the contract be terminated before the 20 years had expired that KSU should be required to restore the tract to its original state, if requested to do so by the City Commission. Mr. Underwood further stated that his committee thought that the land should be let on a bid basis allowing local persons to submit bids or that a committee should be appointed to determine a fair value for

the land and that KSU should pay the price arrived at by the committee. Mr. Underwood said that he had researched the costs paid by KSU for experimental tracts and that \$36 an acre seemed to be an average price for land similar to that which the city owns. It was pointed out that at present KSU pays \$25 an acre per year to rent this land. Mr. Bozworth then commented that KSU could not enter into a bidding process along with private enterprise.

The City Commission elected to take the request of Kansas State University under advisement inasmuch as two Commissioners are absent and the matter needs further study.

#### Announcements

It was announced by the City Commission that the City of Ottawa is entertaining a proposal for a study to develop a master plan for the airport. The total cost of said study to be \$19,623 with the city paying 10% of said cost or \$1962.30. Mr. Underwood said that he had been in contact with Mr. Joe Dennis who is director of airports for Johnson County and that Mr. Dennis had indicated that he would work with the city on developing a master plan for the Ottawa airport. It was decided at Mr. Underwood's suggestion that a meeting be arranged between the City Commission, the County Commission, the transportation committee, Mr. Dennis and the city planners. Mr. Underwood volunteered to make the contacts for such a meeting.

Mayor Protem Zook announced that the General Obligation Bond sale in the amount of \$622,996.05 which was scheduled for January 31, 1978 has been rescheduled to 3:00 p.m., February 14, 1978.

#### Proclamation - American History Month

A proclamation proclaiming the month of February as American History Month in the City of Ottawa was ready by the City Clerk and signed by Mayor Protem Fred Zook.

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

  
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City Clerk

City Hall - February 15, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Nichols, Zook and Park. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held February 1, 1978 were approved as written.

#### Sale of General Obligation Bonds

The Governing Body took action on the sale of General Obligation Bonds in the amount of \$622,996.05, the bids for the sale of which were received and opened on February 14, 1978. A tabulation of the bids received is as follows:

Bidder	Gross Interest Cost	Average Interest Rate
Commerce Bank, Kansas City, Mo.	180,484.68	4.5503
United Missouri Bank, Kansas City, Mo.	182,970.26	4.612994
Stern Brothers, Kansas City, Mo.	184,923.25	4.66223
Ransom & Company, Wichita	185,383.06	4.6738285
4th National Bank & Trust, Wichita	188,281.18	4.746891
George K. Baum, Kansas City, Mo.	188,480.94	4.7519
Kansas State Bank Ottawa, Kansas	192,757.29	4.85999

On the basis of the bids received, the purchase of the bonds was awarded to the Commerce Bank of Kansas City, Missouri with a net interest cost of \$180,484.68 and an average interest rate of 4.5503%. A motion to award the sale of bonds to Commerce Bank of Kansas City, Missouri and to authorize the Mayor to sign a sales agreement was made by Commissioner Park, seconded by Commissioner Nichols and all present, as stated above, voted in favor of the motion.

#### Resolution No. 177 - Paving Elm Street

A resolution directing and ordering a public hearing to be held at 9:35 a.m., March 1, 1978 to determine the advisability of improving Elm Street from the south line of USD 290 Subdivision #1 to the north line of Atchison's Subdivision was passed. The resolution set forth the estimated probable cost of improving said street with reinforced concrete pavement at \$21,733.08 or to improve said street with asphaltic concrete pavement at \$18,208.80.

#### Claim for Damages - United Telephone Company

A claim for damages resulting from a vehicle accident involving a City of Ottawa vehicle and United Telephone Company vehicle was submitted by the City Manager. The claim as submitted was for \$416.10 for the damages sustained by the United Telephone Company vehicle. It was reported by the United Telephone Company that a City of Ottawa vehicle swerved into the side of the United Telephone Company vehicle, the driver of the City of Ottawa vehicle, however, reported that the United Telephone Company vehicle swerved into the side of the City of Ottawa vehicle.

The City Attorney stated that through his analysis of the accident it was determined that the City of Ottawa vehicle belonged to the Department of Public Works and was involved in a governmental

function whereby the city has no liability in the claim. It was further recommended by the City Attorney that the claim be denied in that the city is immune from liability. The motion was made by Commissioner Park that based upon the recommendations of the City Attorney that the claim be denied. The motion was seconded by Commissioner Nichols and all present as stated above voted in favor of the motion.

Resolution No. 178 - Application for State Grant -  
Airport Planning

A resolution authorizing the Mayor and the City Clerk to submit an application to the Division of Aviation, Kansas Department of Transportation, requesting a grant from the Division of Aviation for airport planning, was passed. It was explained that there are presently no monies available for such a grant but that with the approval of our application, the city would be in line to receive such monies when they become available. The amount of the grant for which the City of Ottawa is applying is \$19,623. It was emphasized that this grant is for planning monies only and is not to fund any construction. A motion for passage of said resolution and to authorize the City Manager to be the authorized representative of the City to execute future documentations was made by Commissioner Zook, seconded by Commissioner Nichols and all present voted in favor of the motion.

Report of Planning Commission

A report of the meeting of the Planning Commission held February 7, 1978 is as follows:

"The Planning Commission approved the minutes of the last regular meeting held on January 3, 1978.

The Planning Commission held a public hearing concerning Wilma J. Smith's request to rezone her property located at 203 W. 9th from R-1 to R-2. The Planning Commission recommends to the City Commission that this rezoning request be granted.

The Planning Commission held a public hearing concerning a proposed amendment to the zoning ordinance which would broaden the definition of a home occupation. The Planning Commission recommends that the allowable uses or occupations be expanded to include a 'telephone and radio dispatching and answering service'. Furthermore, the Planning Commission recommends that the conditions governing home occupations be expanded to state that "no commercial vehicles will be parked on or in front of the premises".

The Planning Commission took under advisement a petition for annexation submitted by Mrs. Virginia Loyd regarding a tract of land located on West 15th Street."

There were no actions taken by the City Commission on the above report at this time.

Application for Cereal Malt Beverage License

An application to sell cereal malt beverage in original and unbroken case lots (6 pack) as submitted by Dana W. Stephenson, dba Paxson's Super Saver, was presented. 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 Mayor Reusch who voted opposing the motion.

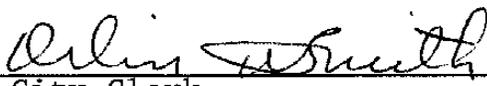
Presentation of the Ottawa Arts Council

Deborah Barker and Sarita Engles, representing the Ottawa Arts Council, spoke to the City Commission. During the course of their presentation, it was pointed out that the Ottawa Arts Council is a group of citizens promoting arts in Ottawa and the surrounding area and that they wish to eventually establish an arts center to promote interest in the arts. It was stated that this group is watching with interest the progress of the Municipal Auditorium and it is hoped that they can hold a Christmas pageant consisting of community talents.

It was requested that antique autos be allowed in City Park during the Arts and Crafts Exhibition which is to be May 20 and 21, 1978 in conjunction with the Skunk Run Book Sale. Permission to park antique autos in City Park for this event was granted by the City Commission providing that should the ground be wet so as to possibly damage the turf, the antique autos would not be allowed in the park. Further, if the ground should become wet after the autos are placed in the park, they will not be moved until ramps can be secured for their removal.

The City Commission stated that it must be understood that the City would not be responsible for any theft or damage incurred within the arts festival during their exposition. Commissioner Nichols stated that she would like to congratulate all concerned peoples for their interest and activities in the local arts field.

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 there for one year from the date of this meeting.

  
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City Clerk

City Hall - March 1, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Zook, Gaynor, Park and Nichols. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held February 15, 1978 were approved as written.

#### Service Plaque - Eric Wieneke

Mayor Reusch presented Eric Wieneke a service plaque commemorating his retirement from the city and his service to the city consisting of 26½ years.

#### Public Hearing - Improve Elm Street

As set forth by Resolution No. 177 a public hearing was held to determine the advisability of improving Elm Street from the south line of USD #290 Subdivision No. 1 to the north line of Atchison's Subdivision. The estimated probable cost of such improvement for reinforced concrete pavement is \$21,733.08 and the estimated probable cost of an alternate calling for asphaltic concrete pavement is \$18,208.80. Mr. Archie McGeehee was present and stated that he was happy to see that the city is giving consideration to an alternate type pavement. Mr. McGeehee said that he felt that this would be for the benefit of all persons within the benefit district. There were no further comments concerning this subject.

#### Resolution No. 179 - Paving Elm Street

A resolution making findings as to the advisability of improving Elm Street from the south line of USD #290 Subdivision No. 1 to the north line of Atchison's Subdivision was passed. The alternates as set forth in the above paragraph are also contained in Resolution No. 179. 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. 180 - Improvement of Elm Street

A resolution directing and ordering the improvement of Elm Street from the south line of USD #290 Subdivision No. 1 to the north line of Atchison's Subdivision was passed. The alternates as set forth in the two prior resolutions are also contained in this resolution. A motion for passage of said resolution was made by Commissioner Nichols, seconded by Commissioner Zook and all present, as stated above, voted in favor of the motion.

#### Request of Kansas State University

The City Commission proceeded to take action on a request as submitted by Kansas State University regarding construction of an irrigation facility on municipal airport property. Commissioner Gaynor stated that he did not feel the city should jeopardize its present lease or further development of this tract of land. Mr. Gaynor said that he felt that if Kansas State University wished to proceed with the construction of an irrigation pond that they should be allowed to do so but that the city should not be liable for any reimbursement should the current lease terminate prior to a 20 year period. Mr. Gaynor said, however, that he felt that the city could continue on the year to year lease basis with Kansas State University that now exists. Commissioner Park stated that with the city being in the throes of undertaking a master plan for airport development that he did not feel that the city should make a long term commitment on this tract.

Commissioner Gaynor made a motion to deny Kansas State University's request for a 20 year lease for purposes of constructing an irrigation pond but to allow construction of the proposed irrigation pond under the terms of the present lease arrangements. The motion was seconded by Commissioner Park and all present voted in favor of the motion. Following the vote, Mayor Reusch stated that the City of Ottawa does appreciate the good care that Kansas State University is taking of the land. Commissioner Zook qualified his vote in stating that though his vote would support the motion that his action was not a negative one.

#### Action on Recommendation of Planning Commission

The recommendations of the Planning Commission which were read aloud at the meeting of February 15, 1978, were read again. In considering the first recommendation to allow the definition of a home occupation to include telephone answering service and radio dispatch, Commissioner Park commented that he was opposed to any commercial operation which might stem from such an amendment. It was pointed out that even though this would be a family operation that commercial vehicles might be parked in the immediate vicinity. The City Attorney stated that this recommendation to allow a telephone answering service and radio dispatch service was primarily to dispatch taxicabs in this particular case, that the location could not be licensed for a taxicab operation. Commissioner Park made a motion that the recommendation of the Planning Commission on this subject matter be denied. The motion was seconded by Commissioner Zook and all present voted in favor of the motion except Commissioner Gaynor who abstained.

The second recommendation of the Planning Commission to rezone Lot 8, DeValley and Wharton's Addition, from R-1 (Residential) to R-2 (Two-Family) was denied. The petitioner stated that if the definition of home occupation were not broadened to allow telephone answering service and radio dispatch service that there would be no need for rezoning. Commissioner Park made a motion that the request for rezoning be denied. The motion was seconded by Commissioner Zook and all present voted in favor of the motion.

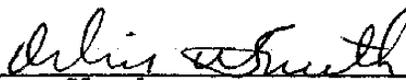
#### Proclamation - Girl Scout Week

A proclamation proclaiming the week of March 12 through March 18, 1978 as Girl Scout Week was approved and signed by Mayor Reusch.

#### Comments of Coordinator of Emergency Preparedness

Mr. Bill Rice, Coordinator of Emergency Preparedness for Franklin County, appeared before the Commission reminding everyone that the storm season is near and asks for the city's cooperation in providing storm shelters and emergency measures. Mr. Rice quoted statistics concerning storm damage in the midwest pointed out the fact that spring storms and tornados can be very disastrous. The City Commission assured Mr. Rice that the city stands ready to assist in such disasters.

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.

  
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City Clerk

City Hall - March 6, 1978

The City Commission convened in special session for purpose of a special hearing concerning alleged violations of the cereal malt beverage ordinance by the Great Plains Tavern. Present: Mayor Reusch and Commissioners Nichols, Park and Gaynor. Absent: Commissioner Zook. The defendants, Mr. Frank Caryl and Mr. John Weston, were present.

The city opened the hearing by the Assistant City Attorney, Jon Indall, putting Mr. Ralph Ritz, City of Ottawa Public Safety Officer, on the witness stand. Through testimony of Mr. Ritz, it was pointed out that the Great Plains Tavern had in fact allowed to be consumed on the premises cereal malt beverage after the hour of 12 o'clock midnight. The defendants, Mr. Caryl and Mr. Weston, questioned the accuracy of the clock or watch by which the time was determined. Mr. Ritz stated that the time was originally determined by his personal watch but immediately thereafter the accuracy of his watch was checked through radio contact with the Department of Public Safety. Mr. Caryl and Mr. Weston did not deny that the infraction could have taken place except through a possible error in time. Commissioner Park made a motion that the defendants be found guilty of said infraction in the cereal malt beverage license provision and that their cereal malt beverage license be revoked for a period of six months. The motion was seconded by Commissioner Gaynor and all present, as stated above, voted in favor of the motion.

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.

  
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City Clerk

In the Matter of the Great Plains  
Tavern, Frank Caryl, Licensee. )

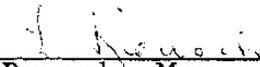
O R D E R

Now on this 6th day of March, 1978, the above matter comes on for hearing before the Governing Body for the City of Ottawa, Kansas, to consider revocation of the cereal malt beverage license issued by said City to Frank Caryl. The Governing Body finds that notice was given to Frank Caryl by personal service as required by Ordinance. Appearing on behalf of the City is Jon J. Indall, City Prosecutor. Appearing on behalf of the Great Plains Tavern are John Weston, Manager, and Frank Caryl, Licensee.

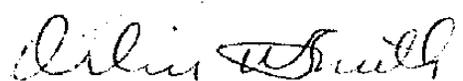
The City presents evidence of a violation on February 23, 1978, of Section 4-207 (a) (b) concerning the sale and consumption of cereal malt beverages after the hour of 12 o'clock midnight. Mr. Caryl and Mr. Weston present statements to the Governing Body. A motion was made and seconded that a finding be made that a violation of the City Ordinance mentioned above occurred. Said motion was seconded. The motion was passed unanimously by the Governing Body and the license of said Frank Caryl for the sale of cereal malt beverages in the City of Ottawa is hereby revoked.

Said revocation is effective immediately on the finding by the Governing Body for the City of Ottawa. The licensee may appeal said action within twenty (20) days by filing said appeal with the District Court of Franklin County, Kansas. During the pendency of said appeal, the license shall remain revoked. Said licensee is not eligible to reapply for a license for a period of six (6) months from the date of this order.

IT IS SO ORDERED BY THE GOVERNING BODY FOR THE CITY OF OTTAWA,  
KANSAS.

  
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Viola L. Reusch, Mayor

ATTEST:

  
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Orlin W. Smith, City Clerk

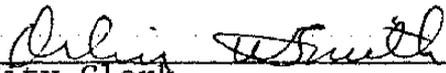
City Hall - March 8, 1978

The City Commission met in special session at 1:30 p.m. this date. Present: Mayor Reusch and Commissioners Park and Nichols. Absent: Commissioner Gaynor and Zook. The purpose of this meeting was to consider passage of an ordinance authorizing the issuance of general obligation bonds in the amount of \$622,996.05.

Ordinance No. 2575 - Issue of General Obligation Bonds

An ordinance providing for the issuance of general obligation street improvement bonds, Series A 1978, in the amount of \$622,996.05 for the purpose of improving streets in said city and fixing details of said bonds was introduced. A motion for passage of said ordinance was made by Commissioner Park, seconded by Commissioner Nichols and all present, as stated above, voted in favor of the motion.

There being no further business, the meeting was adjourned.

  
City Clerk

City Hall - March 15, 1978

The City Commission met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Zook, Nichols, Gaynor and Park. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held March 1, 1978 and of special meetings which were held March 6 and March 8, 1978 were approved as written.

#### Agreement - Swimming Pool

An agreement between the City of Ottawa and the Ottawa Recreation Commission for the operation of the Forest Park swimming pool for the 1978 season was approved. The agreement set forth that the city is to maintain and repair the mechanical and electrical equipment prior to opening the pool, that the Recreation Commission is to pay 25% of the utility costs and that the Recreation Commission is to maintain said swimming pool if the Recreation Commission has the money to do so. It was further set forth by the City Commission that the fees for admission to the swimming pool are to be approved by the city. A motion for approval of said agreement was made by Commissioner Zook, seconded by Commissioner Nichols and all present voted in favor of the motion.

#### Agreement - Baseball Facilities

An agreement by which the city leases the public baseball facilities to the Ottawa Recreation Commission for maintenance and the summer baseball program was approved. A motion for approval of said agreement was made by Commissioner Park, seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Tennis Court Policy Statement

The tennis court policy statement for 1978 allows the Ottawa Recreation Commission to establish all policy concerning the use of the tennis courts. Commissioner Park commented that he certainly hoped that the Recreation Commission would not allow all courts to be reserved for tournament or tennis club use after 6:00 p.m. on weekdays or on weekends, and further, that the reserving of the tennis courts for tournament purposes be limited to a minimal amount of time. A motion for approval of the policy statement was made by Commissioner Nichols, seconded by Commissioner Park and all present voted in favor of the motion.

#### Cereal Malt Beverage License Application

An application for license to sell cereal malt beverage as submitted by Richard L. Scroggs for the operation of the Burger Bowl & Bar, located at 2040 Princeton Drive, was approved. A motion for approval of issuance of said license was made by Commissioner Zook, seconded by Commissioner Park and all present voted in favor of the motion except Mayor Reusch who voted opposing the motion.

#### Report from Planning Commission

A report of the meeting of the Planning Commission of March 7, 1978 is as follows:

"The Planning Commission approved the minutes of the last regular meeting held February 7, 1978 as written.

The Planning Commission considered a petition for annexation submitted by Mr. and Mrs. Allen Loyd regarding a tract of land located on West 15th Street. The Planning Commission voted 6 - 0 to recommend to the City Commission the annexation of said property to

the City of Ottawa.

The Planning Commission took under advisement a request from Dr. Sam Lyman that they initiate a public hearing to consider rezoning his property located at 1334 S. Main from 0-1 (Office-Institution) to C-2 (General Commercial). Dr. Lyman pointed out that his land had been rezoned to C-2 under the old zoning ordinance but the adoption of the new ordinance relegated his property to the 0-1 zoning classification. For this reason, he thought it would be equitable if the Planning Commission initiated the public hearing.

The Planning Commission decided to initiate a meeting with Dr. Olin Wollen and surrounding residents to discuss the effects his proposed subdivision would have on the general area. The meeting was arranged for Thursday, March 16, 7:00 p.m., City Hall."

Ordinance No. 2576 - Annexation

An ordinance annexing a tract of land located on the south side of West 15th Street described as beginning at the northeast corner of the northwest 1/4 of Section 11, Township 17, Range 19, thence south 221', thence west 121', thence north 221', thence east 121' to point of beginning, was passed. A motion for passage of said ordinance and to authorize the Mayor to sign said ordinance was made by Commissioner Park, seconded by Commissioner Zook and all present voted in favor of the motion.

Discussion - Alley behind Eugene Field School

Commissioner Zook stated that he felt that the city should make an attempt to pave the alley behind Eugene Field School. Mr. Zook stated that the alley is used as the main access route to the school and is in a deplorable condition. The City Manager commented that the city attempted to work with the school system a year ago to pave this alley but nothing has materialized to date. The City Manager further commented that this paving will have to be of an inverse crown construction for drainage of surface water. The City Commission instructed the City Manager and staff to pursue this project further and see if something might be done.

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.

  
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City Clerk

City Hall - April 5, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Zook, Park, Nichols and Gaynor. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held March 15, 1978 were approved as written.

#### Report of Planning Commission

Following is a report of the Planning Commission meeting of April 4, 1978:

"The Planning Commission held a public hearing on the requested zoning change as submitted by Robert E. Rule. Mr. Rule requested property located at 1340 S. Main to be rezoned from O-I (Office-Institutional) to C-2 (General Commercial). After discussion and much support from area property owners favoring Mr. Rule's requested zoning change, the Planning Commission voted to recommend to the City Commission that such change in zoning for this tract of land be permitted.

In other business, the Planning Commission decided not to call a public hearing to rezone a tract of land at 1334 S. Main from O-I (Office-Institutional) to C-2 (General Commercial). The Planning Commission did, however, decide to take under advisement the possibility of rezoning all lands presently zoned O-I located on the west side of Main Street between 13th and 15th to C-2 (General Commercial).

The Planning Commission called for a public hearing to be held May 2, 1978 for the purpose of making various amendments to the zoning ordinance. It was decided later, however, that to meet publication requirements for such a public hearing, time was too short to meet the May 2 public hearing date and this matter was tabled until a later date.

At the request of Mr. Tom Ingram, the Planning Commission took under advisement the possibility of rezoning an area at 3rd and Cherry Streets from R-1 (Residential) to MH (Mobile Home)."

No action was taken on the recommendations of the Planning Commission at this time.

#### Consider Claim for Damages - Harold Suits

The City Governing Body gave consideration to claim for damages as submitted by Mr. Harold Suits. Mr. Suits' claim for damages arose from alleged damages done to the braking system of Mr. Suits' truck as it was removed from the city streets of Ottawa after the arrest of Mr. Suits. The claim as submitted states that damages in the amount of \$583.38 were incurred as a result.

Recommendation of the City Attorney suggested that the Governing Body deny the claim inasmuch as the truck was moved by Crites Tow Service acting as agent for the city. It was reported by Crites Tow Service that the vehicle could not be towed without modification to the light system of the truck and for that reason, it was driven to the storage yard as opposed to being towed. It was further determined by the City Attorney that the removal of this vehicle was in police power, a governmental function of this city, and the city would be immune from any liability. Based upon the recommendations of the City Attorney, the claim for damages by Mr. Suits was denied. A motion to disallow said claim was made by Commissioner Park, seconded by Commissioner Zook and all present voted in favor of the motion.

Proclamation - Project Concern's Walk for Mankind Day

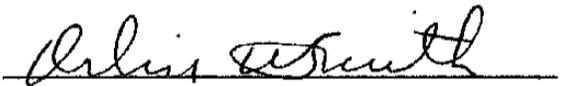
A proclamation proclaiming April 8, 1978 as Walk for Mankind Day was read. It was decided by the Commission, however, that proclamations for fund raising projects other than the United Fund campaign would no longer be issued. The City Clerk was instructed to draw a new proclamation concerning only the route that would be taken by the persons participating in this event.

Announcements

It was announced that groundbreaking ceremonies for the new water treatment facility was to be held at 2:00 p.m., April 10, 1978.

It was announced that the Federal Aviation Administration had notified the City of Ottawa that they are in receipt of our application for a grant but that at present, funds are depleted and the city's application will be considered when funds are available.

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.

  
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City Hall - April 19, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Reusch and Commissioners Zook, Park and Nichols. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held April 5, 1978 were approved as written.

#### Welcome from the Mayor

Mayor Reusch welcomed the fourth grade classes from Garfield School. There were approximately 40 students, teachers and aides from Garfield School attending this meeting.

#### Proclamation - Arbor Day

A proclamation proclaiming Friday, April 28, 1978 as Arbor Day in the City of Ottawa was approved by the Commission and signed by Mayor Reusch.

#### Proclamation - Private Property Week

A proclamation proclaiming the week of April 16 through April 22, 1978 as Private Property Week in the City of Ottawa was approved by the Commission and signed by Mayor Reusch.

#### Reorganization of City Commission

Whereby it is the custom of the City Commission to reorganize at the second meeting in April of each year by electing a new Mayor and Mayor Protem, Mayor Reusch called for nominations for Mayor. Commissioner Nichols nominated Commissioner Zook for Mayor, Commissioner Park seconded the motion and all present voted in favor of the motion.

#### Presentation of Plaque

Mayor Zook presented Commissioner Reusch with a plaque on which was mounted the gavel and sound block that she had used during her tenure as Mayor. In presenting the plaque, Mayor Zook commented that Commissioner Reusch is the first woman Mayor of the City of Ottawa as well as the first woman commissioner of the City of Ottawa. Commissioner Reusch is a member of the Governor's Task Force on Transportation and during her tenure in office, many milestones have been reached in the city. Among those are the \$5,000,000 revenue bond issue to construct a new water plant, a bond issue for renovation of the Municipal Auditorium, four new housing additions, a low-income elderly housing unit and a Community Development Block Grant.

#### Comments of the Mayor

Mayor Zook commented on several upcoming events in the City of Ottawa.

1. The city will have an election August 1, 1978 along with the regular primary election seeking authority for a  $\frac{1}{2}\text{¢}$  sales tax in the city. The  $\frac{1}{2}\text{¢}$  sales tax, if authorized by the voters, is to be used for street rehabilitation. It is projected that a  $\frac{1}{2}\text{¢}$  sales tax would net approximately \$160,000 per year which would allow for an 8 to 10 year program to rehabilitate streets.

2. The City Commission will appoint members to a Municipal Auditorium Authority in May of this year. The Municipal Auditorium Authority will be charged with the total operation of the auditorium when it is completed. The charges include the hiring of personnel to operate the auditorium along with booking, maintenance and other

operational necessities.

3. The city is submitting application for additional Community Development funds, for which hearings for public input on the use of such funds are scheduled for May 2 at Hawthorne School and May 3 at Lincoln School.

#### Statement of Commissioner Park

Commissioner Park went on record as stating that he thought Mayor Reusch had done an outstanding job in the past year and that it has been a pleasure to serve with such an aggressive leader. Commissioner Park's comments received a second from Commissioner Nichols.

#### Selection of Mayor Protem

Mayor Zook called for nominations for Mayor Protem. Commissioner Reusch nominated Commissioner Nichols, the nomination was seconded by Commissioner Park and all present voted in favor of the motion.

#### VFW Request - Loyalty Day Flag Ceremonies

Shirley Coffman, representing the Ottawa V.F.W., requested permission of the City Commission to hold Loyalty Day Flag Raising ceremonies on the courthouse lawn at 10:00 a.m., April 29, 1978. Along with the request to hold the ceremonies, Ms. Coffman asked the Mayor to participate in the Loyalty Day ceremonies. The City Commission responded that Ms. Coffman would have to seek permission from the county to hold the ceremonies on the courthouse lawn as that was out of our jurisdiction and Mayor Zook accepted the invitation to participate.

#### Question from Audience

Prior to the conclusion of the meeting a question from the fourth grade class directed to Mayor Zook asked what he considered the most pressing problems in Ottawa and what he thought the solutions were. Mayor Zook stated that he felt the question had been answered in earlier discussions centering around street rehabilitation and the securing of Federal funds in the form of Community Development grants to assist in housing and street rehabilitation for the elderly and in some blighted area.

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.

  
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City Clerk

City Hall - May 3, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Zook and Commissioners Reusch, Park and Nichols. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held April 19, 1978 were approved as written, with the request that the language in the final paragraph of the minutes be clarified.

#### Report of Planning Commission Meeting

A report of the Planning Commission meeting of May 2, 1978 is as follows:

"A public hearing was held to consider the request of Samuel W. Lyman to change the zoning of a tract at 1334 S. Main from O-I (Office-Institutional) to C-2 (General Commercial). It was announced, however, at the beginning of the hearing that no action would be taken on this request at this meeting as the Planning Commission had not completed a study of the entire area on Main Street between 13th and 15th for possible rezoning to C-2 (General Commercial). Dr. Lyman stated that he had nothing to add beyond his comments from a prior meeting except that he hoped that his petition would be considered separate from the entire area in question.

A public hearing was held upon the request of Dennis Smith. Mr. Smith requests property located at 922 N. Main to be changed from R-1 (Residential) to C-2 (General Commercial). It was announced at the beginning of the hearing that no action would be taken on this request as the Planning Commission wishes to complete a study of this area. Mr. Smith stated that he wishes to use the existing house on this tract for storage and cleanup of used cars. Mrs. Jean Phares, who owns property at 933 N. Main, registered objection to the requested zoning change as she felt it would seriously affect property values in this area. Kathleen and Ralph Pristernik requested permission to fence their front lawn starting from the front property line. It was explained by the Planning Commission that fencing of this area in the front yard is prohibited by the zoning ordinance but that a public hearing will be held starting with the next monthly meeting which would include discussion of the fencing regulations. The Pristernik's indicated they would attend this hearing."

#### Ordinance #2577 - Establishment of Auditorium Authority

An ordinance establishing a Municipal Auditorium Authority providing for the appointment of its members and defining their duties and responsibilities was considered. Mayor Zook explained the terms of appointments to the Authority and that the Auditorium Authority will be responsible for the complete operation of the Municipal Auditorium, inclusive of hiring personnel for its operation, determining rates for useage and to administer the finances. The motion for passage of said ordinance was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

#### Accept Resignations

The City Commission formally accepted the resignations of Jim Pugh from the Planning Commission and Don Campbell from the Library Board.

#### Appointments

The City Commission proceeded to make appointments to the Municipal Auditorium Authority, the Library Board, the Housing Authority,

the Planning Commission, The Board of Zoning Appeals, the Board of Plumber Examiners and to appoint the official city newspaper for the ensuing year. Appointments were as follows: Library Board - Dottie McCrossen was reappointed to a 4 year term and Mike Esser was appointed to a 4 year term replacing Jane Byrd. Kathy Jordan was appointed to fill the unexpired term of Don Campbell whose term expires in 1980 and the remaining Board members are Thelma Lewis, Bob Pence, Jerry Thompson and Justo Diaz. Planning Commission - Keith Gaeddert was reappointed to a 3 year term, Dottie Wellington was appointed to a 3 year term replacing Jim Pugh and the remaining Commission members are: Roger Bell, Virginia Anderson, Clarence Koch, Don Powell and Alice Kaiser. Board of Zoning Appeals - Jim Grogan was reappointed to a 3 year term and the other Board members are: Gary Jordan, Betty Anderson, Jack Patty and the Planning Commission Chairman. Board of Plumber Examiners - Wilfred Bugner, Bill DeWald and William Hazen were all reappointed for one year terms. Housing Authority - Marvin Forker was appointed to serve the unexpired term of Ann Bundy and the remaining members are Joe Wakefield, Howard Doyen, Dorothy Hay and Harold Gahagan. Municipal Auditorium Authority - John Sheldon and Nancy Winter were appointed to 3 year terms, Walt Butler and Archie McGehee were appointed for 2 year terms, Evert Tyson was appointed for a one year term, with Steve Abrams, Chamber of Commerce Executive Director, being appointed as an ex-officio member. Official city newspaper - The Ottawa Herald was appointed as the official city paper for the ensuing year. It was explained that the City Commission recognizes that the Ottawa Times does qualify for the official city paper of the City but that the Ottawa Herald, being a daily paper, better serves the city's needs for legal publications and for that reason, it was felt necessary to reappoint the Ottawa Herald.

#### Community Development Contracts

Contracts for improvements with Community Development funds were awarded as follows: Recreation facilities - Boys Club area - a contract for the construction of a recreation facility in the Boys Club area was awarded to the Lawrence Construction Company, Lawrence, Kansas in the amount of \$34,963. The other bid received was from Dahlstrom & Ferrell Construction Company, Topeka, Kansas in the amount of \$36,383 and the engineer's estimate was \$40,000. Street overlay - a contract for street overlay was awarded to Dwight Haworth, Ottawa, Kansas in the amount of \$53,934.60. Other bids received were Lawrence Ready Mix, Lawrence, Kansas in the amount of \$54,430.95 and the Blacktop Construction Company, Emporia, Kansas for \$54,455.10. The engineer's estimate was \$60,000. A motion to award the contract for recreation facilities to the Lawrence Construction Company was made by Commissioner Park, seconded by Commissioner Nichols and all present voted in favor of the motion. A motion to award the street overlay contract to Dwight Haworth was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Announcements

Mayor Zook announced that a public hearing will be held at Hawthorne School, May 2, 1978 at 7:00 p.m. for the purpose of discussing future use of Community Development funds and a public hearing will be held at Lincoln School, May 3, 1978 at 7:00 p.m. for the same purpose.

#### Comments from Commissioner Park

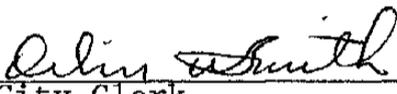
Commissioner Park commented concerning historical preservation for the coming year. Commissioner Park stated that this year the remodel and preservation of the Municipal Auditorium should be completed. He explained that the intention of historical preservation is to keep old buildings and neighborhoods alive through rehabilitation and to find new and appropriate uses for old buildings. This is done through zoning, tax incentives, federal grants and public and private financing.

Commissioner Park pointed out that about \$250,000 has been spent in renovation and preservation of historic buildings which does not include \$680,000 presently being spent on the Municipal Auditorium. Commissioner Park stated that he is hopeful that the historical site inventory may start about July 1. With the completion of the historical site survey and inventory, the Commission can give further consideration to the Historic Preservation Ordinance as proposed.

Proclamation - Historic Preservation Week

A proclamation proclaiming the week of May 7 through May 13, 1978 as Historic Preservation Week was approved by the Commission and signed by the Mayor.

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.

  
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City Clerk

City Hall - May 17, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Zook and Commissioners Nichols, Park, Reusch and Gaynor. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held May 3, 1978 were approved as written.

#### Presentation of Citation

Mayor Zook presented a special citation to William Howe of Ottawa at the request of government officials from the country of Mexico for murals he had painted at the Presidente Palace in Mexico. Mr. Howe was present to accept the citation and stated that he did this art work on a no fee basis at the request of the Mexican government. Mr. Howe is very appreciative of the citation.

#### Claim for Damages - Mr. Ray C. Reed

The City Governing Body considered a claim for damages in the amount of \$7,345 as submitted by Mr. Ray C. Reed. This claim for damages arose from the city burning a house next to Mr. Reed's residence at the request of the owner of the house that was burned. Mr. Reed's claim was based upon damages from smoke and embers causing damage to his mobile home, boat, cover, lawn furniture, etc.

John Richeson, City Attorney, was present to comment on this subject. Mr. Richeson stated that the city was acting in an official capacity in the cleanup of a health nuisance at the request of the property owner. Mr. Richeson further stated that the weather was favorable to such demolition at the time the fire was started but that a wind came up shortly thereafter, the city having no control over the wind. In further comments, it was pointed out that the city had two trucks and eight men on site at the time of the burning and the total incident is not indicative of any negligence on the part of the city or any employee of the city.

Mr. Richeson brought out the fact that the city is still immune from tort claims on the basis of governmental immunity until July 1, 1979 by act of Kansas legislature. Mr. Richeson recommended that the claim be denied by the Governing Body.

Commissioner Reusch made a motion to deny Mr. Reed's claim in the amount of \$7,345. The motion was seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Consideration of Recommendations of Planning Commission

The City Governing Body proceeded to give further consideration to the recommendations of the Planning Commission pertaining to the rezoning of a tract of land located at 1340 S. Main from O-I (Office-Institutional) to C-2 (General Commercial). The Planning Commission had recommended in favor of the requested zoning change in their meeting of April 4, 1978, their recommendation being submitted to the City Commission on April 5, 1978. Commissioner Reusch made a motion that the request for rezoning as submitted be denied. The motion was seconded by Commissioner Park. Mr. Tom Bach, agent for the seller, addressed the issue stating that it was puzzling to him as to why the Governing Body would deny a recommendation made by a committee appointed by a Governing Body.

Mr. Bach pointed out that the area residents want the tract rezoned as indicated by their attendance and statements at the public hearing. Mr. Bach stated that inasmuch as there was no objection to the requested zoning brought forward, it should be assumed that there was no one opposing the rezoning. Commissioner Reusch commented that it was the duty of the City Commission to rule in what it felt was in the best interest of the entire city.

Commissioner Park pointed out that if this area were rezoned that this could well be the beginning of strip commercial zoning along Main Street and he did not feel that this would be in the best interest of the community. The Governing Body indicated a consensus that they were opposed to strip commercial zoning. Mr. Bach said that he felt that it was unfair to the Planning Commission for the Governing Body not to follow the advise of the Planning Commission.

Before calling for a vote on the motion, Mayor Zook said he did not support the motion and that he would go along with the Planning Commission. Upon calling for a vote, Commissioners Park, Reusch and Gaynor voted in favor of the motion, Mayor Zook voted opposing the motion and Commissioner Nichols abstained.

#### Ordinance No. 2578 - Franklin City-County Planning Commission

An ordinance authorizing the City of Ottawa to become a member of the Franklin City-County Planning Commission was introduced. A motion to pass the ordinance authorizing the City of Ottawa to become a member of the Franklin City-County Planning Commission was made by Commissioner Park, seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Appointment - Franklin City-County Planning Commission

Mayor Zook announced that Mr. Jim Grogan is being appointed as the City of Ottawa's representative to the Franklin City-County Planning Commission. This appointment is being made by Mayor Zook with the approval of the City Commission.

#### Ordinance No. 2579 - Acquisition of Easement

An ordinance authorizing and providing for the acquisition of an easement to construct and forever maintain sewer mains and laterals upon certain property in the southwest part of the city was introduced. 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 No. 181 - Acquisition of Easement

A resolution authorizing and providing for the acquisition of an easement to construct and forever maintain, replace, remove and use sewer mains and laterals upon certain property in the southwest part of the city was introduced. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Ordinance No. 2580 - Construction of Sewers

An ordinance providing for the construction of main sewers to be known and designated as Southwest Main Sewer Extension No. 5, Part 1 and Southwest Main Sewer Extension No. 5, Part 2, was introduced. The total estimated probable cost of sewer extension No. 5, Part 1, is \$51,236.10 and the estimated probable cost of extension No. 5, Part 2, is \$5,249.40. The ordinance as introduced included construction of Southwest Main Sewer Extension No. 3, Part 3, this section was deleted however as the immediate need for it is unknown at this time. A motion for passage of said ordinance was made by

Commissioner Gaynor, seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution No. 182 - Calling Public Hearing

A resolution directing and ordering a public hearing to determine the advisability of creating lateral sewer district No. 158 and constructing a sanitary sewer within the boundaries of lateral sewer district No. 158 was introduced. The resolution set forth that the public hearing is to be held before the Governing Body of the city on June 7, 1978 at 9:35 a.m. and that the total estimated probable cost shall be \$27,470.40. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Nichols and all present voted in favor of the motion.

#### Resolution - Authorizing Agreement

A resolution authorizing the city to enter into an agreement with the Kansas Department of Transportation for signs on the on-federal aid street system was introduced. The agreement provides that the city shall be reimbursed for 90% of the costs involved, the city's portion being in-kind services. The total cost of said project is to be \$10,353.78. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution - Authorizing Agreement

A resolution authorizing the city to enter into an agreement with the Kansas Department of Transportation for traffic signs on the off-federal aid highway system was introduced. The agreement sets forth that the city will be reimbursed for 90% of the total cost of this project, the city's 10% portion being in-kind services. The cost of this project is estimated to be \$8,660.90. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Nichols and all present voted in favor of the motion.

#### Resolution No. 183 - Special Tax Levy

A resolution providing for and authorizing a special tax levy in an amount not to exceed two mills to create a special fund for law enforcement purposes or for the purchase of fire fighting equipment was introduced. It was explained by the City Commission that this mill levy is necessary to support and maintain our present public safety department. The public safety department has been supported in part by CETA funds for payment of personnel and by revenue sharing for personnel and equipment. It is recognized that the CETA funds and revenue sharing may be of a short duration and that the city needs to prepare to underwrite these additional costs from tax levies. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Announcement

Mayor Zook announced that he has accepted a position with Ottawa University's College Without Campus which will entail his moving to Arizona. Commissioner Zook stated that he wishes to stay with Ottawa University and stay active in the academic field. He stated that his resignation from the City Commission would be effective about July 1, 1978 and that he would miss the association with the City Commissioners and city staff.

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 this meeting. There was much discussion on the issues contained in these minutes which is recorded on the tape.

  
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City Clerk

City Hall - June 7, 1978

The City Governing Body met in regular session at 9:35 a.m. this date.  
Present: Mayor Pro-Tem Dorothy Nichols and Commissioners Reusch, Park and  
Gaynor. Absent: Mayor Fred Zook.

#### Approval of Minutes

The minutes of the last regular meeting which was held May 17, 1978, were approved as written, upon being check by request of Mayor Pro-Tem Nichols.

#### Request by Ottawa Jaycees - Chautauqua Day

Mr. Phil Krug, President, appeared on behalf of the Ottawa Jaycees requesting City Commission approval for the use of Forest Park on July 4, 1978. The purpose will be to carry out the Chautauqua Day Celebration. This being a yearly event, permission was granted by the City Commission for this event.

#### Public Hearing - Creating Sewer District 158

As set forth by Resolution No. 184 a public hearing was held to determine the advisability of the creation of Lateral Sewer District No. 158 and construction of a sanitary sewer within the boundaries of Lateral Sewer District No. 158. The estimated probable cost of said improvement will be \$27,470.40. The location is immediately west of Elm Street and bordered on the south side by 19th Street. The north line would be approximately 250 feet from the south line of 19th Street.

#### Resolution No. 184 - Sewer District 158

Resolution making findings as to the advisability of the creation of Lateral Sewer District No. 158 was passed. Commissioner Park moved for passage of said resolution, Commissioner Reusch seconded and all present voted in favor of the motion.

#### Resolution No. 185 - Ordering Sewer District 158

Commissioner Reusch moved that a resolution be drawn ordering the creation of Lateral Sewer District No. 158 and the construction of a sanitary sewer. Commissioner Park seconded and all present voted in favor of the motion.

#### Planning Commission Report

The report of the Planning Commission meeting of May 2, 1978 is as follows:

The Planning Commission reorganized for the upcoming year in the following manner: elected were Roger Bell, Chairman; Keith Gaeddert, Vice-Chairman; and Don Powell, Secretary.

The Planning Commission reconsidered an earlier recommendation it had made to the City Commission approving the rezoning of the property located at 1340 S. Main from O-1 (Office-Institutional) to C-2 (General Commercial). The reconsideration action was in compliance with a state statute dealing with a denial of a Planning Commission recommendation by the City Commission. Citing a desire to conform with the City of Ottawa's "701" Plan and zoning ordinance provisions. the Planning Commission decided by a 7 - 0 vote to recommend to the City Commission the denial of the rezoning request.

The Planning Commission acted on a rezoning request submitted at an earlier meeting by Dr. Lyman concerning the rezoning of his property located at 1334 S. Main from O-1 (Office-Institutional) to C-2 (General Commercial). After discussing the existing land usage in the area, the Planning Commission decided by a 7 - 0 vote to recommend to the City Commission the denial of the rezoning request.

The Planning Commission considered a request submitted by Mr. Stuart Young concerning the vacating of certain alley right-of-ways in the Simon Sub-division. The City Manager indicated that there was a manhole and an 8" sewer line located in the west part of the east-west alley and that a utility easement should be retained for repair, replacement and maintenance of the existing sewer. Mr. Young, who was in attendance, stated that he would be willing to grant the easement to the city. Following this discussion, the Planning Commission decided by a 7 - 0 vote to recommend to the City Commission that Mr. Young's request be granted with the understanding that he provide the necessary utility easement.

The Planning Commission discussed at length several proposed amendments to the zoning ordinance dealing with setback requirements, fences, oil and gas extraction, mobile homes, and administrative procedures for dealing with interpretations of similar uses. The Planning Commission decided by a 6 - 0 vote to continue the public hearing on Thursday, June 15 at 7:00 p.m.

Commissioner Park asked with regard to utility easements, what it meant in terms of restrictive access and things of this nature. City Manager Mills stated that we ask for an all utilities easement, and a permanent easement so if the need arises we can enter the property and make necessary repairs to the sewer system and also maintain the sewer system. This could involve having vehicles of some size being brought in to make necessary repairs. A permanent building can not be built on an easement and only those improvements that are readily removed should be put up on these easements. The report of the Planning Commission was accepted.

#### Announcement - Airport Grant

Mayor Pro-Tem Nichols announced that the City of Ottawa has been awarded a grant for the master plan study of the Airport, in the amount of \$17,660.00. This is a 10% matching grant so the City must come up with \$1,776.00. We had been told we would not receive this so it came as a pleasant surprise.

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 this meeting.

Mary L. Graham

City Hall - June 21, 1978

The City Commission met in regular session at 9:35 a.m. this date.  
Present: Mayor Pro-tem Nichols and members Park, Gaynor and Reusch.  
Absent: Mayor Zook.

#### Approval of Minutes

The minutes of the last regular meeting which was held June 7, 1978 were approved as written with the correction of a typographical error appearing on the second page.

#### Recommendations of the Planning Commission

The City Commission received recommendations of the Planning Commission from their meeting of June 15, 1978. These recommendations set forth recommended changes and amendments to Ordinance 2527, the city zoning ordinance. The recommendations were quite lengthy, they were not read at this time as the City Commission decided to read them and discuss them at a later date.

#### Actions of the City Commission concerning recommendations from the Planning Commission received June 7, 1978

(a) The Planning Commission recommended denial of a request for a zoning change for property located at 1340 S. Main from O-1 (Office Institutional) to C-2 (General Commercial). Commissioner Reusch made a motion that the recommendation of the Planning Commission be accepted that the request for zoning change be denied. The motion was seconded by Commissioner Park. Commissioner Park then remarked that the Planning Commission recommended the zoning be changed on April 4, 1978 and that the vote of the Planning Commission was 4 to 2 in favor of the motion. On May 17, 1978 the City Commission denied the request and sent the recommendation back to the Planning Commission for further consideration in compliance with State law. Commissioner Park further commented that the City Commission did not feel that C-2 zoning in this area was compatible with the Comprehensive Plan or the zoning ordinance and that the City Commission did not feel that strip zoning was in conformity with established policy. When the recommendation was sent back to the Planning Commission for reconsideration, the Planning Commission voted 6 - 0 in favor of denial of the change. If the zoning of this area were to change to C-2 (General Commercial), the Comprehensive Plan and the zoning ordinance should be changed at the same time to conform with that zoning.

Upon calling for a vote, the City Commission voted all in favor of denial of the requested zoning change.

(b) The Planning Commission recommended denial of a request for a zoning change for property located at 1334 S. Main from O-1 (Office Institutional) to C-2 (General Commercial). Commissioner Park made a motion to accept the recommendation of the Planning Commission that the request for zoning be denied. The motion was seconded by Commissioner Gaynor. It was remarked that the circumstances surrounding this change for zoning were the same as those under item (a). The City Commission voted unanimously in favor of the motion.

(c) The Planning Commission recommended that request for vacation of alleys in the Simon Subdivision be granted subject to the city being provided all utility easements providing access to sewer lines located in one of the alleys.

#### Ordinance <sup>2581</sup>~~#2851~~ - Alley Vacation

An ordinance vacating an alley in the Simon Subdivision of Lot 4, Block 4, Riverview Addition was introduced. A motion for passage of said ordinance was made by Commissioner Gaynor subject to the granting of necessary easements by the owner of record. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

#### Resolution - Authorizing acceptance of grant offer

A resolution authorizing the acceptance of a grant offer in the amount of \$17,660 from the Federal Aviation Administration for the development of a master airport plan was introduced. A motion to pass said resolution was made by Commissioner Reusch and was seconded by Commissioner Gaynor who went on record as stating he was very much in favor of the development of a master plan providing the city would follow through the airport development. Commissioner Gaynor said that too many times "master plans" are developed and written only to gather dust on a shelf. Mr. Bob Lehman of Bucher & Willis, planners and designers, explained that the development of the master plan does not guarantee funding for a follow through of the master plan.

It was brought out that the city must match this grant in the amount of 10% or \$1766. Commissioner Park stated that he was in agreement with Mr. Gaynor but that next April will bring in three new commissioners and that this Commission cannot guarantee any decisions from a new Commission.

Upon call for the question, all present voted in favor of the motion.

#### Agreement - Airport Master Plan

An agreement authorizing the firm of Bucher & Willis to prepare an airport master plan was introduced. Commissioner Gaynor made a motion that the agreement be approved and to authorize the Mayor to sign the agreement. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution No. 186 - Application for Grant

A resolution authorizing the filing of an application with the Environmental Protection Agency for a grant to finance a facilities plan for wastewater treatment was introduced. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution No. 187 - Adopting Rules for Electric Service

A resolution adopting general rules and regulations for electric service to conform to the Kansas Corporation Commission Order Docket No. 110,766-U, regulating heat loss efficiency for new structures and energy efficiency for heating and cooling units was introduced. A motion for passage of said resolution was made by Commissioner Gaynor, seconded by Commissioner Park and all present voted in favor of the motion.

#### Kathleen Pristernik question concerning fencing

Mrs. Kathleen Pristernik asked the Commission if any action would be taken on the proposed amendments to the zoning ordinance pertaining to fencing regulations of front yards today. Mayor Pro-tem Nichols explained that the City Commission had received the recommendations today but that no action would be taken until a later date to allow the members of the Commission to read and discuss the proposed amendments and regulations.

#### Comments

Commissioner Gaynor commended the Department of Public Safety for the handling of the warning system program upon the sighting of tornadoes Saturday evening, June 17, 1978. Mr. Gaynor stated that many people had approached him and given praise to the Department of Public Safety for their efforts and actions. The other Commissioners concurred with Mr. Gaynor's statement.

Mayor Pro-tem Nichols made mention of the upcoming election on a city  $\frac{1}{2}\%$  sales tax. Mrs. Nichols stated that more information on this subject would be forthcoming.

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.

  
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City Clerk

City Hall - July 5, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Zook and Commissioners Reusch, Park and Nichols. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held June 21, 1978 were approved as written.

#### Resolution No. 188 - Local Option Sales Tax

A resolution to submit to the qualified electors of the City of Ottawa the proposition of levying a half of one percent retailers sales tax in the City of Ottawa was considered. A motion for passage of said resolution was made by Commissioner Reusch and seconded by Commissioner Nichols. It was discussed that the half of one percent retailers sales tax, if approved by the voters, would be used for a street improvement program in the city. It was pointed out that a county-wide survey taken approximately eight years ago indicated that one of the main priority items in the county should be the improvement in roads and streets. It was further pointed out that if the sales tax issue is not approved by the voters of the city that another source of revenue will have to be found for this purpose, possibly an increase in ad valorem property taxes. Upon calling for the question, all present voted in favor of the motion.

#### Agreement with Kansas State Historical Society - Historical Site Survey

An agreement with the Kansas State Historical Society by which the city will receive \$3000 in matching funds to finance a historical site survey was discussed. A motion to approve said agreement and to authorize the Mayor to execute said agreement was made by Commissioner Park. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

#### Public Hearing - Urban Development Action Grant Program

Several persons present at this hearing questioned the purpose of the program and, if approved, what benefits Ottawa would receive. It was explained that the Urban Development Action Grant program will provide funding in commercial and industrial areas which will result in additional jobs being created. The program does not provide funds for employment but will provide funds to enhance development and thus provide for additional employment. It was further explained that the City of Ottawa is not at the present time applying for funds but is holding a series of hearings by which we would qualify to apply for funds in the future. An example of funding might be the beautification of the downtown area in the event of extensive remodeling, renovation and enlargement of businesses therein which would necessitate more employees.

City Hall - July 5, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Zook and Commissioners Reusch, Park and Nichols. Absent: Commissioner Gaynor.

#### Approval of Minutes

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#### Recommendations of Planning Commission

The City Governing Body proceeded to consider recommendations of the Planning Commission from their meeting of June 15, 1978. The Planning Commission recommended adoption of certain amendments to the zoning ordinance and the subdivision regulations. Commissioner Park made a motion that the amendments to the zoning ordinance be resubmitted to the Planning Commission for consideration of the enlargement of the concrete pad upon which a mobile home must be placed from a two foot width to a three foot width and that all mobile homes will be required to be skirted within 60 days as opposed to 30 days as stated in the amendments. A motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

The motion was made by Commissioner Park that the subdivision regulation amendments be approved as submitted. The motion was seconded by

Commissioner Nichols and all present voted in favor of the motion.

Proclamation - Welcome Wagon Week

A proclamation proclaiming the week of July 16 as Welcome Wagon Week was approved by the City Commission and signed by the Mayor.

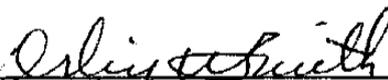
Mr. Frank Canfield - Alcoholic Prevention

Mr. Frank Canfield, representing the Douglas County Citizens Committee on Alcoholism, spoke to the City Commission regarding the establishment of a alcoholic treatment center in Ottawa. Mr. Canfield stated that there is need for an additional alcoholic treatment center in this area as the Douglas County area is unable to treat all persons from this area. Mr. Canfield stated that Ottawa is being considered for establishment of this center as it is centrally located in the area to be served. It was pointed out that they would not be asking for funds to underwrite the operation of such an establishment, that there are funds available at this time. Mr. Canfield indicated that a public meeting is scheduled in Ottawa for July 17 at 8:00 p.m. in the County Courts Building to explain this program to the public.

Presentation to Mayor Zook

Mayor Pro-tem Nichols presented Mayor Zook with a miniature gavel representing a short-timer due to the Mayor's resignation from the City Commission. Mayor Zook has been on the City Commission since 1971. Mayor Pro-tem Nichols also presented Mayor Zook with a key to the city. All Commissioners, including former Commissioner Loyd, went on record commending Mr. Zook for his service to the city and stating that it had been a pleasure to work with him.

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.

  
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City Clerk

for purposes other than that for which they are now in use or have been used. This request was taken under advisement.

#### Contract - Historic Site Survey

A contract with Mr. Dale E. Watts to conduct a Historic Site Survey in the City of Ottawa in an amount not to exceed \$6,000 was introduced. Commissioner Park made a motion that the contract be approved and to authorize the Mayor to sign said contract. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion.

#### Report from Planning Commission

Following are recommendations from the Planning Commission meeting of July 11, 1978: The Planning Commission recommended the rezoning of a tract of land located between 14th and 15th Streets and between Willow and Olive Street from R-2 (Multi-Family) to R (Single Family). The Planning Commission further amended the proposed changes to the zoning ordinance to allow for two 3' strips of concrete under mobile homes and to allow a maximum of 60 days for the skirting of mobile homes. The changes affecting mobile homes are as recommended by the City Commission.

#### Ordinance 2582 - Zoning Amendments

An ordinance amending ordinance 2527 (zoning ordinance) was introduced. A motion to adopt said ordinance was made by Commissioner Park, seconded by Commissioner Marstall and all present voted in favor of the motion.

#### Ordinance 2583 - Employee Benefit Fund

An ordinance establishing an employee benefit contribution fund was introduced. It was explained that by passage of this ordinance as set forth by Kansas Statutes Annotated for all existing employee benefit funds will be consolidated into one, thus making the budgeting procedure and the bookkeeping procedures less complicated and more understandable. A motion for passage of said ordinance was made by Commissioner Marstall, seconded by Commissioner Park and all present voted in favor of the motion.

#### Ordinance 2584 - One Way Glass

An ordinance prohibiting one way glass and other application on certain windows and head lamps of motor vehicles was introduced. It was explained that passage of this ordinance is necessary to make the city traffic regulations consistent with state regulations and allowing our local Public Safety officers to enforce state regulations. 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.

#### Agreement - Power Source Study

The City Commission authorized the execution of a statement of participation with the Eastern Kansas Municipal Energy Agency for a study of a long range electric power supply. Phase One of this study consists of a feasibility study, the cost of which to the City of Ottawa will not exceed \$6,786.72. A motion to approve said agreement was made by Commissioner Gaynor, seconded by Commissioner Marstall 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 - August 2, 1978

The City Governing Body met in regular session at 9:35 a.m. this date.  
Present: Mayor Nichols and Commissioners Reusch, Park and Marstall. Absent:  
Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting were corrected as follows: The last paragraph on page 34 was corrected to reflect the request for Revenue Sharing funds to be for an economic feasibility survey for rehabilitation of buildings in the Central Business District, not just a survey for rehabilitation. The balance of the minutes were approved as written.

#### Comments on Sales Tax Referendum

The City Commission went on record as being disappointed at the failure of the  $\frac{1}{2}$  of 1% sales tax referendum. The proceeds of this tax had been pledged for street improvements in the city. The City Commission was unsure of the message the defeat of this proposal was to convey. Do the people of Ottawa not want the streets repaired, do they want to pay through debt and advalorem taxes, or is this vote against the Commission and/or additional taxes?

It was stated that some streets are such that they create a safety hazard, and that the City Commission has a responsibility in this area to the point of looking to other means of financing a street rehabilitation program.

#### Report of Planning Commission

The following report of the Planning Commission meeting of August 1, 1978, was submitted by David Watkins, Administrative Assistant:

The Planning Commission decided by a 5 - 0 vote to adopt a Resolution accepting the amendments to the City of Ottawa's Subdivision Regulations.

The Planning Commission, decided by a 5 - 0 vote, to accept a report submitted by Myles Schachter, of Bucher & Willis, concerning potential new area for mobile home zoning. Mr. Schachter stated that Ottawa had sufficient mobile home zoning to accommodate 706 additional mobile home units. However, he suggested that the Planning Commission might want to consider rezoning an area located east of the 300 block of South Cherry Street to a Mobile Home (M-H) District. The Planning Commission members stated that they wanted time to study the report.

The Planning Commission met with Mr. Sharrell Howell to review his planned addition to his existing mobile home park, located at 601 Burrough. The Planning Consultant, Mr. Schachter, suggested that Mr. Howell should ask to have his property rezoned from M-H (Mobile Home District) to M-P (Mobile Home Park District). This would alleviate him of the need to place mobile homes on permanent foundations. Mr. Howell informed the Planning Commission members that he would take out a rezoning request immediately and would be back before the Planning Commission at a later date to go over his plans again.

#### Ordinance No. 2585 - Zoning

An Ordinance changing the zoning of a tract of land located between Willow and Olive Streets, and 14th and 15th Streets, from R-2 (Multi-Family) to R (Single Family) was accepted and adopted. A motion to pass said Ordinance was made by Commissioner Reusch, seconded by Commissioner Marstall, and all present voted in favor of the motion.

#### Request of Franklin County Historical Society

Mr. Eldon Roehl, representing the Franklin County Historical Society, made the following request for Revenue Sharing Funds for 1979:

Centennial Cabin:	
Roof repairs	\$ 994
Porch repairs	700
Repair of mortar	500
	<hr/>
	\$2,194

Museum

Interior repair	\$ 1,200
Repair of old Fire Truck	3,000
	<u>\$ 4,200</u>

Total \$6,395

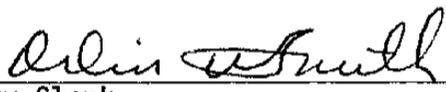
Mr. Roehl asked that the City also start paying the utility costs on the museum, amounting to about \$65.00 per month.

Mr. Park asked Mr. Roehl when the Historical Society was going to get the museum roof repaired and utilize the \$4,000.00 in Revenue Sharing funds that are pledged to the Historical Society in 1978. Mr. Park pointed out that these funds are available in 1978 only, and will not be carried into 1979. Mr. Roehl stated that the roof repairs are going to cost much more than the original estimate but that the repairs should be effected in the near future.

Mayor Nichols asked Mr. Roehl what means of support the Historical Society had. Mr. Roehl replied that they were allowed <sup>one mill</sup> ~~one mill~~ within the Franklin County Mill Levy, which amounts to about \$5,500.00 per year.

The request for Revenue Sharing Funds as submitted by the Franklin County Historical Society, in the total amount of \$6,395.00 was taken under advisement.

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.

  
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City Clerk

City Hall - August 15, 1978

The City Governing Body met in special session at 3:00 p.m. this date. Present: Mayor Nichols and Commissioners Reusch and Marstall. Absent: Commissioners Park and Gaynor.

This special meeting was called for the purpose of a public hearing on the proposed 1979 budget.

Mayor Nichols called the meeting to order and stated that the budget had been published, and everyone therefore had been given the opportunity to review it. She then asked if there were any comments or questions from the floor.

Mr. Leonard Larson appeared before the Commission and asked about the approximately 30% increase in the "General" budget since last year. It was explained that there were two main contributors to that increase. One was the 7% increase in salaries of employees who are charged to the General Fund. That includes the Engineering Department, General Government Department, Public Works Department, and the Public Safety Department. The 7% personal services increase accounts for approximately \$112,008 in the 1979 budget over the 1978 budget. The second largest increase is reflective of the anticipated revenue and expenditures relative to a local  $\frac{1}{2}$ ¢ sales tax. It was pointed out that this could be taken out, but since the budget was so far along in its preparation, the Governing Body chose to leave it in, but it does exaggerate the budget by some \$229,000. Other increases reflect higher cost for equipment and materials used in these respective departments.

Mr. Larson's second question concerned the new Employee Benefits Fund. It was pointed out that this was not a new expenditure but rather the combination of the Social Security, Retirement, Workmans Compensation, and Unemployment Insurance Funds. 1979 will require an increase of \$51,197 over 1978. Reasons for an increase for 1979 are the Social Security rate went up, and also Retirement is tied percentagewise to the higher salaries.

Question: What is the Highland Cemetery Reserve Fund?

Answer: This fund is a trust that was established many years ago when the City offered a perpetual care program. This program no longer exists. Funds remain in the perpetual trust and are invested. Only the earned interest can be spent to maintain the cemetery. The City budgets these monies only to make repairs to stones and mausoleums in the event this becomes necessary, along with the purchase of some seed and plantings for the cemetery.

Mayor Nichols explained that anticipated revenues for the Highland Cemetery Fund were not going to be sufficient to take care of the anticipated 1979 expenses, and in order to make this fund self supporting, it was going to be necessary to increase the price of lots and the charge for opening of graves. It was also pointed out that there is a need to provide additional land for Highland Cemetery, and that we should consider buying a reasonable amount of land south of the cemetery in order to have sufficient land which might be needed in the future. Since property values are increasing it was suggested that now is the time to act. It would create many problems administratively if we had to create another cemetery in a different location for the lack of additional land to expand Highland Cemetery.

Mayor Nichols asked if it was known who owned the land at this time. After receiving a negative response she requested the City Manager to obtain this information. Commissioner Marstall also asked that the City Manager or his staff proceed with initial inquiries regarding acquiring the land from the owner. Commissioner Resuch concurred with the sentiments expressed by the others with regard to the acquisition of more land, and also stated the belief that Highland Cemetery should be self supporting and reiterated the fact that in order to do this we are faced with an increase in the price of lots and services very shortly.

Commissioner Marstall commented he thought a very conscientious job had been performed in preparing the budget, and in light of the very small increase in

assessed evaluation, he felt the net increase in ad valorem taxes to finance the budget were reflective of a good administrative effort and that we are fortunate that it is no greater in these inflationary times.

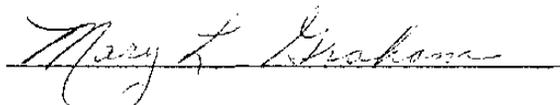
Commissioner Reusch said that in the overall budget she felt it was very remarkable that we have been able to come out as well as we have, since it looks like the CETA program may not be available in the future. With increased inflation, and the increased salary level, due to inflation, it is indeed remarkable that we have been able to hold this down to this extent. One positive contributing factor she said is the fact that the bond issue for flood control is ending, which has helped.

Mayor Nichols stated that we will have \$148,510 in Revenue Sharing monies for 1979. The City has budgeted \$123,065, which left \$25,445 to meet request considerations. Requests from outside the city government were for \$37,000. Since requests were greater than monies available, there will have to be some items denied.

Depending on the final form of the Revenue Sharing Budget, it was pointed out that the City is going to be in the position of having between \$20,000 and \$30,000 to finance the maintenance of the streets in 1979. Being restricted to this amount, since the  $\frac{1}{2}$ ¢ sales tax didn't carry, and knowing that hot mix materials run about \$25 a ton, and concrete \$30 a yard, not much will be accomplished in this area of need next year. If we experience the same freeze-thaw cycles we have experienced the last two winters, we are going to experience some serious problems.

Mayor Nichols further pointed out that in the Revenue Sharing Budget, new traffic signals at 9th and Main Streets are included.

The City Commission concluded the public hearing on the proposed 1979 budget and 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.

  
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City Hall - August 16, 1978

The City Governing Body met in regular session at 9:35 a.m. this date.  
Present: Mayor Nichols and Commissioners Reusch and Marstall. Absent:  
Commissioners Gaynor and Park.

Approval of Minutes

The minutes of the last regular meeting were approved, with the correction being made reflecting the Historical Society receiving two tenths mill levy, rather than one mill as stated in the minutes.

Ordinance 2586 - City Budget for 1979

An Ordinance approving, adopting and appropriating by fund, the budget of the City for the year beginning January 1, 1979, was taken under consideration. A motion for passage of said Ordinance was made by Commissioner Reusch and seconded by Commissioner Marstall. All present voted in favor and the motion carried.

Damage Claim - Mr. & Mrs. V. A. Hendrickson

A claim for damages resulting when Public Safety Officers burned down a dilapidated structure on nearby property was taken under consideration. It was noted that the fire was set by request of the property owner, and there was no negligence on the City's part and the wind rising was "an act of God". Commissioner Marstall then moved that the claim be denied. Commissioner Reusch seconded the motion and all present voted in favor. Motion carried.

Ordinance 2587 - Designating 7th St. as a Trafficway

An Ordinance designating portions of Seventh Street in the City of Ottawa, Kansas as a trafficway, was introduced. It was explained that this Ordinance is in part related to the improvement of Seventh Street, which would include grading, curbing, guttering and other necessary improvements. The City is seeking a 70% grant, and in order to accomplish this, Seventh Street needs to be designated as a trafficway. Commissioner Reusch moved that the Commission enact the Ordinance designating Seventh St. as a trafficway. Commissioner Marstall seconded the motion and all present voted yes and the motion carried.

Resolution 189 - Widening & Reconstruction of 7th Street

A Resolution directing and ordering the improvement or reimprovement of Seventh Street, from the west line of Cedar Street to the west city limits, in the City of Ottawa, Kansas was introduced. It was indicated that the width of this street is still in question at this time, but it must be determined by future need. It will be 39 feet or less. It is estimated that the total cost of this construction will be \$700,000. The City will be responsible for 30% of that amount. This Resolution is subject to a remonstrance petition for 30 days after its adoption. Should a sufficient petition be submitted, the matter would be placed on the ballot at a special election. Commissioner Reusch moved that the Commission enact the resolution. Commissioner Marstall seconded, and all present voted in favor. Motion carried.

Ordinance 2588 - No Fund Warrants

An Ordinance declaring that an emergency exists and that it is necessary to repair and improve the Ottawa Library building within the City of Ottawa, Kansas; stating the maximum amount to be expended therefore; providing that application is not required to the State Board of Tax Appeals for authority to expend funds for such purpose, and to issue no-fund warrants in the amount of \$2,000, under the provisions of K.S.A. 12-1737, and providing for the levy of taxes to pay therefor, was introduced. Commissioner Marstall moved that such an Ordinance authorizing this financing be adopted. Commissioner Reusch seconded the motion. All present voted in favor and the motion carried.

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 Hall, September 6, 1978

The City Governing Body met in regular session at 9:35 A.M this date. Present: Mayor Nichols and Commissioners Park, Gaynor, Reusch and Marstall. Absent: none.

#### Approval of Minutes

The minutes of the special meeting which was held August 15, 1978 and of the regular meeting which was held August 16, 1978 were approved as written.

#### Report of Planning Commission Meeting

A report of the Planning Commission Meeting of September 5, 1978, is as follows: The Planning Commission met with Mr. Jim Grogan, who is Ottawa's representative on the Franklin City, County Planning Commission, to discuss the impact of the proposed countywide subdivision regulation on the City of Ottawa. The Planning Commission stated that they would give this matter prompt review, but first needed to study the effect these regulations would have on the City of Ottawa's one-mile extension of it's own subdivision regulation.

The Planning Commission approved by a 6-0 vote the preliminary plat of Dr. Olin Wollen's proposed subdivision to be located South of the City's Water Plant. The Planning Commission instructed Dr. Wollen to address himself to several questions raised by the Administrative Staff prior to submitting a final plat. These questions pertained to lot width measurements, legal description, topographical measurements, etc. In addition, the Planning Commission advised Dr. Wollen to specifically state in a letter to them his plan for maintenance of the park to be located in the subdivision.

The Planning Commission decided by a 5-1 vote to recommend to the City Commission the rezoning of Mr. Sherrell Howell's tract of land from M-H (Mobile Home District) to M-P (Mobile Home Park District). This property is generally located at 601 Burrough.

The Planning Commission decided by a 5-1 vote to instruct the Administrative Assistant to publish the proposed amendment to the M-P (Mobile Home Park) zoning classification in the Ottawa Herald in order to hold a public hearing on the subject in October. The Planning Commission also authorized the Administrative Assistant to give Bucher & Willis approval to prepare other proposed amendments to the Zoning Ordinance for their review.

The Planning Commission met with Mr. Noel Douglas to discuss his Country Club Heights Subdivision located in North Ottawa.

The Administrative Assistant stated that Mr. Douglas had to replat this subdivision if he intended to create additional building lots, however he encouraged the Planning Commission to waive the preliminary plat requirements, because of the economic hardship it would create for Mr. Douglas. The Planning Commission took this matter under advisement.

There was no action taken on this report at this time.

#### Resolution No. 190 - Findings to improve Elm St.

A resolution making findings as to the advisability of improving Elm Street from 7th to 8th was considered. The estimated probable cost is \$60,665.34, of which the City at large will pay \$17,766.78 or an amount not to exceed 29.29% of the total cost.

Estimated probable benefit district cost is \$42,909.56. A motion for passage of said resolution was made by Mr. Gaynor, the motion was seconded by Mr. Park and all present voted in favor of the motion.

#### Resolution No. 191 - Ordering Improvement of Elm Street

A resolution directing and ordering the improvement of Elm Street from 7th to 8th was considered. The cost of said improvement is as set forth in Resolution No. 190. A motion for passage of said resolution was made by Mr. Park, the motion was seconded by Mrs. Reusch and all present voted in favor of the motion.

#### Resolution No. 192 - Findings to improve Maple Street

A resolution making findings as to the advisability of improving Maple Street from 11th to the North line of Gleason's Addition was considered. This resolution set forth alternatives of either concrete or asphaltic concrete. The estimated probable cost being \$45,881.16 for concrete or \$44,149.20 for asphaltic concrete. The city at large will pay \$7,995.60 for either type paving or an amount not to exceed 17.43% of the total cost for concrete or an amount not to exceed 18.11% for asphaltic concrete. A motion for passage of said resolution was made by Mrs. Reusch, the motion was seconded by Mr. Marstall and all present voted in favor of the motion.

#### Resolution No. 193 - Ordering Improvement of Maple Street

A resolution directing and ordering the improvement of Maple Street from 11th to the North line of Gleason's Subdivision was considered. The cost of the improvement is as set forth in resolution No. 192. A motion for passage of said resolution was made by Mr. Marstall, the motion was seconded by Mr. Park and all present voted in favor of the motion.

#### Agreement with A. C. Kirkwood & Associates - Waste water treatment study

The City Commission authorized the City Manager to execute an agreement with A. C. Kirkwood & Associates for engineering services relative to a waste water facilities study plan regarding future plant and collection system needs. A motion to authorize the City Manager to execute said agreement was made by Mr. Park, the motion was seconded by Mr. Gaynor and all present voted in favor of the motion.

#### Mutual Aid Agreements for Fire Protection

The City Governing Body approved Mutual Aid Agreements for fire protection and/or rescue service between the City of Ottawa and the Cities of Lawrence, Paola, Osawatomie, Richmond and Wellsville. It was explained that these agreements would allow participant cities to call other participant cities for aid for the before mentioned reasons. A motion for approval of said agreements and to authorize the Mayor to sign said agreements was made by Mr. Marstall, the motion was seconded by Mr. Park and all present voted in favor of the motion.

#### Accept ownership of Water Lines, Sewer Lines and Street Improvements in Southview Addition

The City Governing Body accepted ownership of the water lines, sewer lines and the street improvements in the Southview Addition. This action is as set forth in the Subdivision Regulations of the City, proper bond and certificates having been filed. A motion to accept the ownership was made by Mr. Park, the motion was seconded by Mrs. Reusch and all present voted infavor of the motion.

#### Ordinance No. 2589 - Assessment on Court Fines

An ordinance imposing and providing for the collection of an assessment in addition to any fines of forfeitures payable upon conviction of violation of any ordinance of the City as required by Kansas Statute was passed. A Motion for passage of said Ordinance was made by Mr. Marstall, the motion was seconded by Mrs. Reusch and all present voted in favor of the motion .

#### Request of Local Automobile Dealers Association

The Ottawa Automobile Dealers Association requested permission to hold a showing of new cars in City Park on October 12, 13 and 14, 1978. A motion to grant this request was made by Mr. Gaynor, the motion was seconded by Mr. Park and all present voted in favor of the motion. The granting of this request was conditional, that if it rains and the turf becomes soft precautionary measures must be taken to protect the turf from ruts and other damage.

#### Request for Pep Parade - Ottawa Highschool

The City Commission granted Ann Crosby, representing Ottawa Highschool, permission to hold a pep parade in downtown Ottawa at 7:30 P.M., September 7, 1978. The commission directed that the Department of Public Safety be informed of the parade. A motion for approval for the parade was made by Mr. Park, seconded by Mrs. Reusch and all present voted in favor of the motion.

#### Application for C.M.B. License - Great Plains Tavern

An application to sell cereal malt beverage in broken case lots as submitted by John Weston for the operation of the Great Plains Tavern, 110 N. Main was considered by the Governing Body. It was reported that the Great Plains Tavern which had been closed by action of the Governing Body six months prior for violation of City Ordinances concerning sale of Cereal Malt Beverage had been closed during this period of time and was eligible for new license to reopen. It was further reported that a check of records indicated that the applicant for license was eligible to receive license. Mr. Park made a motion that said license be issued, the motion was seconded by Mr. Gaynor and all present voted in favor of the motion except Mrs. Reusch who voted opposing the motion.

#### Announcement of Revenue Sharing Allocations

It was announced that requests for revenue sharing allocations received are as follows: Franklin County Rehabilitation Center \$10,000.00, Ottawa Library \$15,845.00, Home Base \$2,364.00 and Franklin County Historical Society \$6,395.00 and Ottawa Central Business District \$2,500.00. The City Commission had decided after a study of the needs of these groups and the needs of the City that the Ottawa Library would be allocated \$7,000.00 in Revenue Sharing Funds for 1979, this is the same as they are receiving in 1978, and that the city street program being in dire need, would be allocated the funds not being allocated to other agencies.

Gary Shofner - Proposed Improvement of 7th. Street West

Mr. Gary Shofner, representing Cook, Flatt and Strobel Engineers, spoke to the Governing Body concerning the improvement of 7th Street from Cedar to the West City Limits. Mr. Shofner talked of the desired width of the pavement, the possibilities of public input on the project and a possible time table from the preliminary engineering to the completion of the project. Mr. Shofner stated that he would like to see the project proceed which would call for field check plans by March or April of 1979, hearing for public input, final design completed by September, 1979, final plans by early 1980 and construction starting in the spring of 1980.

Side walks, street width and other considerations could be considered prior to construction but as the planning progresses and public input could be considered at many points in planning.

The City Commission acknowledged Mr. Shofners comments.

There being no further business the meeting was adjourned. The text of this meeting except for the final few minutes is on tape in the office of the City Clerk and will remain for one year from the date of the meeting.

  
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City Clerk

City Hall - September 20, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Park, Gaynor, Reusch and Marstall. Absent: none.

Approval of Minutes

The minutes of the last regular meeting which was held September 6, 1978 were approved as written.

Public Hearing - Special Assessments - 9th Street  
Ordinance No. 2590

A hearing was held as provided by state law on the special assessments for the improvement of 9th Street from Willow to Ash. The benefit district cost is \$14,605.71. A letter from Mrs. Sheldon Mundy, owner of property within the benefit district, was entered into the record. The letter stated that Mrs. Mundy objected to her assessment of \$85.21 or any amount for said improvement, inasmuch as the Mundy's were not personally asked if they wanted the improvement. It was explained that this segment of paving was ordered in as a connecting link by the City Commission under authority of Kansas law. A motion was made by Commissioner Reusch directing that an ordinance be drawn establishing the special assessments as set forth by the records of the City Clerk and authorizing the Mayor to sign said ordinance. The motion was seconded by Commissioner Park and all present as stated above voted in favor of the motion. It was further directed by the City Commission that persons owning property within the improvement district should have until October 20, 1978 to pay their assessments in full. Proceedings shall be started at that time to sell General Obligation bonds.

Public Hearing - Special Assessments - Maple Street  
Ordinance No. 2591

A hearing was held as provided by state law on the special assessments for the improvement of Maple Street from 11th Street to a point 480' north. It was reported that the cost of the improvement to the benefit district is \$24,007.63. There was no one present to comment on this improvement project. A motion was made by Commissioner Marstall directing that an ordinance be drawn establishing the special assessments as set forth by the records of the City Clerk and authorizing the Mayor to sign said ordinance. The motion was seconded by Commissioner Reusch and all present as stated above voted in favor of the motion. It was further directed by the City Commission that persons owning property within the improvement district should have until October 20, 1978 to pay their assessments in full. Proceedings shall be started at that time to sell General Obligation bonds.

Public Hearing - Special Assessments - Cypress Street  
Ordinance No. 2592

A hearing was held as provided by state law on the special assessments for the improvement of Cypress Street from 7th to 8th Streets. It was reported that the cost of the improvement to the benefit district is \$26,955.52. Mr. Chris Wilson appeared asking what the rate of interest would be when the bonds were sold. Mr. Wilson was answered that the bonds are sold on a competitive bid basis and the rate of interest is not known til bids are received and accepted. It was pointed out, however, that a maximum rate of interest is set forth by state law. Mr. Wilson further stated that he objected to the paving prior to it being done and still objects to this street being paved. Mr. Norman Moore appeared stating that he objected to the paving, that he thought the city had not proceeded fairly at the beginning of the project. The point of Mr. Moore's objection was that a protest petition against

the pavement was circulated after a petition requesting the pavement had been found valid. State law does not recognize a protest petition for these improvements. A motion was made by Commissioner Park directing that an ordinance be drawn establishing the special assessments as set forth by the records of the City Clerk and authorizing the Mayor to sign said ordinance. The motion was seconded by Commissioner Marstall and all present as stated above voted in favor of the motion. It was further directed that persons owning property within the benefit district will have until October 20, 1978 to pay the assessments in full, at such time proceedings will be started to sell General Obligation bonds.

Public Hearing - Special Assessments - Cherry Street Ordinance No. 2593

A hearing was held as provided by state law on the special assessments for the improvement of Cherry Street from 9th to 10th Streets. It was reported that the cost to the benefit district for this improvement is \$30,469.20. There was no one present to comment on the improvement project. A motion was made by Commissioner Marstall directing that an ordinance be drawn establishing the special assessments as set forth by the records of the City Clerk and authorizing the Mayor to sign said ordinance. The motion was seconded by Commissioner Park and all present as stated above voted in favor of the motion. It was further directed that persons owning property within the benefit district will have til October 20, 1978 to pay the assessments in full. At that time proceedings will be started to sell General Obligation bonds for the improvement.

Resolution No. 194 - Sales Tax Referendum

A resolution to submit to the qualified electors of the City of Ottawa the proposition of levying a  $\frac{1}{2}$  of 1% retailers' sales tax in the City of Ottawa was considered. Mr. Bill Rice, 13th and Willow, objected to calling the election and stated that the people of Ottawa have twice stated that they don't want the sales tax by way of referendum. Mr. Rice suggested that the city cut back in other areas to allow for funds for street repairs and maintenance. Mr. Rice further stated that he did not feel that the streets in Ottawa were in the bad condition that they are reported to be. It was brought out by the City Commission that this question is being resubmitted and that if the people of Ottawa fully understood the financial plight of the city in trying to repair streets that they thought the majority of the electors would vote in favor of the proposition. Commissioner Park made a motion that said resolution be passed. The motion was seconded by Commissioner Marstall and all present voted in favor of the motion.

Resolution No. 195 - Pledging Proceeds of Sales Tax

A resolution pledging proceeds from the sales tax as set forth in Resolution No. 194 to be used for the improvement and maintenance of streets, curbs and drainage appurtenances necessary to the improvement, re-improvement, construction or re-construction of the streets in Ottawa was introduced. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Marstall and all present voted in favor of the motion.

Ordinance No. 2594 - Zoning

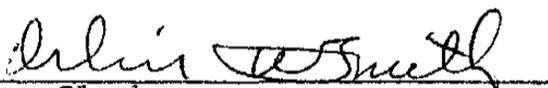
An ordinance changing the zoning of a tract of ground located in the vicinity of 6th and Burrough Streets from M-H (Mobile Home) to M-P (Mobile Home Park) was introduced. A motion to pass said ordinance was made by Commissioner Reusch and seconded by Commissioner Gaynor. Mr. Marstall stated that this zoning change was necessary as it was zoned for mobile home use through over-

sight in the adoption of the new zoning ordinance two years ago, the tract was then in use as a mobile home park and is in use as a mobile home park today. Mr. Marstall further stated that there were also other tracts of ground in the city similarly zoned which are actually in use as mobile home parks and that these will have to be considered for rezoning to Mobile Home Park in the near future. All Commissioners present voted in favor of the motion.

#### Application for Cereal Malt Beverage License

An application for license to sell cereal malt beverage in broken case lots for consumption on the premises as submitted by Doris Y. Mefford for the operation of the Twilight Retreat, 111 S. Main, was considered. It was reported that Ms. Mefford meets the qualifications as set forth by Kansas law and city ordinance. A motion to approve the issuance of said license was made by Commissioner Marstall and seconded by Commissioner Park. All present voted in favor of the motion except Commissioner Reusch who voted opposing the motion. Mrs. Reusch stated that her vote opposing the issuance of the license was a vote against the State law which requires that if a person meets the qualifications as set forth by State law that the license must be issued.

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.

  
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City Clerk

City Hall - October 4, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Park, Reusch, Gaynor and Marstall. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held on September 20, 1978 were approved as written.

#### Report of Planning Commission

A written report of the Planning Commission meeting of October 3, 1978 was read as follows:

"The Planning Commission approved the minutes of the last regular meeting held on September 5, 1978 as written.

The Planning Commission decided by a 5 - 0 vote to recommend that the northwestern portion of a tract of land owned by Dr. Wollen be rezoned from I-1 (Light Industrial) to R(Residential). This land is located immediately south of the city's water plant.

The Planning Commission decided by a 6 - 0 vote to deny a request submitted by Mr. Noel Douglas to waive the preliminary plat requirement for the replatting of his Country Club Heights subdivision. The proposed replat would have contained corner lots that did not conform to the minimum standards contained in the subdivision regulations.

The Planning Commission decided by a 4 - 2 vote to recommend the adoption of the proposed amendments to the M-P (Mobile Home Park District) as published in the Ottawa Herald on September 9, 1978.

The Planning Commission decided by a 6 - 0 vote to recommend the City of Ottawa's participation in the Franklin City-County Subdivision Regulations. In addition, the Planning Commission recommended that the City of Ottawa retain its present one-mile extra-territorial jurisdiction for its own subdivision regulations and also have the right to expand this area as annexations occur in the future.

The Planning Commission decided to change the date of its next meeting from Tuesday, November 7 to Thursday, November 9 at 7:00 p.m."

The report of the Planning Commission meeting was accepted. There was no action taken on any of the items at this time.

#### Application - No Fund Warrants

It was discussed by the City Commission that the city's "snorkel" fire truck is in need of extensive repair on the aerial apparatus. The proposed repair consists of the repairing and/or replacement of all of the electrical and hydraulic apparatus that is necessary to make the aerial platform operate. It was explained that several technicians have inspected this apparatus and the same conclusion is drawn by most that replacement and overhaul of this equipment is necessary. The estimated cost for this repair is \$40,000 which would be opposed to a cost of \$200,000 to replace the entire fire truck unit. At this point the city is considering seeking approval of the State Board of Tax Appeals to issue no fund warrants in the amount of \$40,000 to affect said repairs. Commissioner Reusch made a motion to authorize the city to submit an application to the State Board of Tax Appeals to issue no fund warrants in the amount of \$40,000 to affect repairs to the city's "snorkel" fire truck. The motion

was seconded by Commissioner Park and all present voted in favor of the motion.

#### Cereal Malt Beverage License Application

An application to sell cereal malt beverage for consumption on the premises as submitted by Taco-Tico, 1608 S. Main, Pat Aguirre, was considered. It was reported by the City Clerk that the applicant and manager meets the prescribed qualifications as reported by the office of the City Attorney and the Department of Public Safety. A motion was made by Commissioner Park that said license be approved for issue, the motion was seconded by Commissioner Gaynor and all present voted in favor of the motion except Commissioner Reusch who voted opposing the motion.

#### Resolution No. 196 - Final Disposition-7th Street Improvement Project

It was announced by the City Commission that a petition calling for a referendum on the proposed improvement of 7th Street, from Cedar to the west city limits, had been received and has been certified as sufficient. It was stated that the City Commission has two alternatives in dealing with this project, one being to call an election, the other being to rescind a prior resolution ordering the project.

Commissioner Marstall commented that he was of the opinion that the voting public of the city should be given an opportunity to vote on this subject inasmuch as he was sure that the petition calling for an election did not necessarily convey the desire of all the voters. Commissioner Park then commented that he did not feel that the voting public was even in a position to vote on the issue at this time as there are many unknowns built into the proposed project which should be answered. It was brought out that further action on this project can be terminated by rescinding Resolution No. 189 which set the project in motion.

Commissioner Reusch made a motion that a resolution rescinding Resolution No. 189 be passed. The motion was seconded by Commissioner Park and Commissioners Park, Reusch and Gaynor voted in favor of the motion, Commissioner Marstall voted opposing the motion and Commissioner Nichols abstained from voting.

#### Airport Agreement

It was reported that copies of a proposed fixed base operators lease and airport services agreement had been furnished to approximately 12 individuals for bidding purposes and that only Mr. Ed Beck, the present lessee operator, submitted a proposal for operation of the Ottawa Municipal Airport. Mr. Beck had earlier requested that the services agreement be amended to pay him \$350 per month as opposed to the present \$300 per month. Mr. Beck, who was in attendance at the meeting, further verbally requested that the lease be amended to reflect a five year term and a 60 day cancellation provision as opposed to the present and proposed two year lease with a 30 day cancellation provision. Mr. Beck further requested that the lease stipulate that the airport be open for services 362 days a year as opposed to the present 364 days a year, this would allow the airport services portion to close for two additional holidays.

Mr. Gaynor stated that if the provisions of the lease and service agreement are changed that he felt that this opened up a totally new ballgame for bidding purposes as the lease did not contain the same terms as were given to other individuals for consideration. However, Mr. Gaynor said that he did agree with a 60 day cancellation as opposed to the 30 day cancellation.

Commissioner Park suggested that an ad hoc committee be appointed to advise on airport management which would include the type of agreements that should exist between the operator and the city, along with services to be expected by the city. Commissioner Park made a motion that an ad hoc committee be appointed for the foregoing stated purpose, the motion was seconded by Commissioner Gaynor. Commissioner Marstall pointed out that the life of the committee should be stated and that an agreement should be reached with Mr. Beck to continue to operate the airport in the interim period. Further discussion pointed out that the Governing Body could enter into the originally proposed agreement with Mr. Beck inasmuch as this agreement does have a 30 day cancellation clause, this is providing that Mr. Beck will accept such agreement. Mr. Beck gave approval for this arrangement. Upon calling for the question, all present voted in favor of the appointment of the ad hoc committee. It was clarified that the ah hoc committee would consist of flyers and non-flyers and business people.

Discussion then centered on repeal of Resolution No. 69 which sets forth the rates that could be charged for main hangar rental, T hangar rental and tiedown areas. It was the concensus of the City Commission that the fixed base operator should determine rates as only he is in a position to know what the market is and can keep the rates current.

Resolution No. 197 - a resolution rescinding Resoltuion No. 69 was passed. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Marstall and all present voted in favor of the motion.

Commissioner Marstall made a motion that the city enter into a fixed base operator's lease and airport services agreement as originall proposed with Mr. Beck. The motion was seconded by Commissioner Reusch. Mr. Beck reiterated that he understood the terms of the agreement and that cancellation could be made at any time as per the terms of the agreement. Upon calling for the question, all present voted in favor of the motion.

#### Mutual Aid Agreement - Baldwin City

The Governing Body approved and entered into an agreement for mutual aid fire and rescue service with Baldwin City. A motion for approval of said agreement was made by Commissioner Park, seconded by Commissioner Reusch and all present voted in favor of the motion.

#### Proclamation - Business and Professional Women's Week

A proclamation as presented by Miss Marsha Hermreck proclaiming the week of October 15, 1978 as National Business and Professional Women's Week was read, approved by the City Commission and signed by Mayor Nichols.

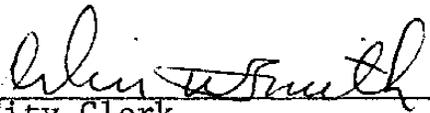
#### Parade Request - VFW

Representatives of the Ottawa Veterans of Foreign Wars requested permission to hold a parade in downtown Ottawa from 6:30 to 7:00 p.m., November 11, 1978 commemorating Veteran's Day. The request for parade was approved by the City Commission with the comments that the efforts of the VFW to establish this symbol of patriotism was appreciated.

There being no further business, the meeting was adjourned. The entire text of this meeting is on tape in the files of

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the City Clerk and will remain so for one year from the date of this meeting.

  
City Clerk

City Hall - October 18, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Reusch, Marstall and Park. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held October 4, 1978 were approved as written.

#### Service Awards - City Employees

Mayor Nichols presented service awards to the following employees commemorating ten years of service with the city for each: Phillip Fowler, Eldon Henley, William Mason, Eldon McCurdy and Willard Ogle. Jean Burgoon, who was to receive a ten year award at this time, was not present due to a death in his family and his award will be presented at a later date.

#### Ordinance No. 2595 - Zoning

An ordinance rezoning a tract of land located south of the City of Ottawa water plant was considered. It was explained that this small tract was inadvertently zoned for industrial purposes during a total rezoning consideration of the city two years ago. The land should have been zoned for residential purposes. 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. 2596 - Zoning Amendments

An ordinance amending a portion of the City of Ottawa zoning ordinance as it pertains to the Mobile Home Park District was considered. These amendments were recommended for adoption by the City Planning Commission in an effort to allow less restrictive use in the Mobile Home Park District. Commissioner Marstall commented that even though these amendments allowed for certain weaknesses within the Mobile Home Park zoning classification that he felt that they were necessary at the present time to promote development of these areas. Commissioner Marstall then made a motion that an ordinance be drawn adopting the amendments as recommended by the Planning Commission and that the Mayor be authorized to sign said ordinance. The motion was seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution No. 198 - Findings - Improvement of Hemlock Street

A resolution making findings as to the advisability of improving Hemlock Street from the south line of Blackhawk to the south line of Wilson was considered. It was brought out that this pavement is being ordered in by the City Commission at the request of the principle property owner within the benefit district. The basis for the ordering in of said pavement is that it will provide a connecting link between two improved streets. A motion for passage of said resolution was made by Commissioner Park, seconded by Commissioner Marstall and all present as stated above voted in favor of the motion.

#### Resolution No. 199 - Ordering - Improvement of Hemlock Street

A resolution directing and ordering the improvement of Hemlock Street from the south line of Blackhawk to the south line of Wilson was introduced. This resolution calls for reinforced concrete paving at an estimated probable cost of \$62,799.18 or an alternate asphaltic concrete at an estimated probable cost of \$59,907.60. As set forth in the resolution, the city-at-large will pay approximately \$24,025.02 or an amount not to exceed 38.26% of the estimated probable cost for reinforced concrete or the city-at-large will pay \$24,280.80 or an

amount not to exceed 40.53% of the total estimated probable cost for asphaltic concrete. A motion for passage of said resolution was made by Commissioner Marstall, seconded by Commissioner Park and all present as stated above voted in favor of the motion.

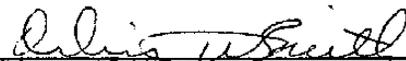
Proclamation - Learning Disabilities Week

A proclamation proclaiming the week of October 16 through October 20, 1978 as Learning Disabilities Week was approved by the City Commission and signed by Mayor Nichols. Mrs. Virginia Anderson, Chairman of a local Learning Disabilities committee, was present and expressed her appreciation for the proclamation.

Announcement - Receipt of Plaque

Mayor Nichols announced that the city had received a plaque from television station WIBW, Topeka, Kansas commemorating the filming of some scenes in and around Ottawa for use on their series, "The Eyes of Kansas". The plaque as shown by Mayor Nichols was dated October 12, 1978, the day of the filming.

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.

  
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City Clerk

City Hall - November 1, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Park, Reusch and Marstall. Absent: Commissioner Gaynor.

#### Approval of Minutes

The minutes of the last regular meeting which was held October 18, 1978 were approved as written.

#### Request for Parade

The City Commission granted a request for a parade as submitted by the Ottawa High School. The Ottawa High School had requested to have a parade at 6:30 p.m., November 1, 1978.

#### Ordinance No. 2597 - Sewer Mains

An ordinance amending Ordinance No. 2580 pertaining to the costs of the construction of Southwest Sewer Main Extension #5, Part 1, and Southwest Sewer Main Extension #5, Part 2, was considered. This ordinance establishes the costs of these sewer mains at \$67,669.34 and \$6,634.50 respectively. This is an increase from the costs as set forth in Ordinance No. 2580. The increase in costs were brought about by the inflationary factor coupled with the time delay caused by condemnation proceedings to acquire right-of-way for the sewer. Commissioner Reusch made a motion for passage of said ordinance, the motion was seconded by Commissioner Park and all present, as stated above, voted in favor of the motion.

#### Contract Sewer Construction

Upon the recommendation of Kirkwood & Associates, Consulting Engineers, the Governing Body proceeded to award a contract to Amino Brothers for the construction of main sewer extensions #5, Part 1 and #5, Part 2 for a bid price of \$83,720.50. A motion to award said contract and to authorize the Mayor to sign said contract was made by Commissioner Park, seconded by Commissioner Marstall and all present, as stated above, voted in favor of the motion.

#### Resolution No. 200 - Industrial Revenue Bonds

A resolution setting forth the intent of the City of Ottawa to issue Industrial Revenue Bonds in the amount of \$160,000 for Independent Welding Supplies, Inc., was introduced. A motion for passage of said resolution was made by Commissioner Marstall, seconded by Commissioner Park and all present, as stated above, voted in favor of the motion.

#### Announcement

Mayor Nichols announced that the City Commission has been studying the possibilities or necessities entailed in providing the most economical source of electrical energy for the City of Ottawa. She said that the city had met with Congressman Winn in an effort to interpret a recent energy bill passed by Congress in an effort to determine the effect it would have on Ottawa. Whatever the city decides to do in the area of providing additional electrical energy, it will probably be a two-year process before any new energy sources can be realized.

Mayor Nichols also commented that the City Commission anxiously awaits the results of the November 7 election and the outcome of the sales tax referendum. The City Commission has explored all possibilities of street rehabilitation programs and they feel that the local 1/2¢ sales tax is the most economical method of rebuilding city streets.

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.

  
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City Clerk

City Hall - November 15, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Gaynor and Marstall. Absent: Commissioners Park and Reusch.

#### Approval of Minutes

The minutes of the last meeting which was held on November 1, 1978 were approved as written.

#### Ordinance No. 2598 - Retailers' Sales Tax

An ordinance levying a city retailers' sales tax in the amount of one half of one percent within the City of Ottawa to be effective February 1, 1979 was passed. A motion for passage of said ordinance was made by Commissioner Gaynor, seconded by Commissioner Marstall and all present voted in favor of the motion.

#### Engineering Services Agreement - A. C. Kirkwood & Associates

An Engineering Services Agreement with A. C. Kirkwood & Associates regarding engineering and power plant expansion inclusive of design, construction and inspection was introduced. It was reported by the City Manager that this agreement is written so that the fees of A. C. Kirkwood & Associates will be on a per diem basis as opposed to a percentage basis. The reason for this type of financial agreement is the fact that there are too many unknowns in the final cost figures and that this project may not become a reality. A motion to approve the Engineering Services Agreement and to authorize the Mayor to sign said agreement was made by Commissioner Marstall, seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Claim for Damages - Don W. Beeler

A claim for damages resulting from an accident in the City Hall building as submitted by Don W. Beeler was considered. Mr. Beeler stated in his claim that he was seeking \$100 for mental anguish and personal hardship, plus \$40 for doctor bills for a total of \$140, resulting from the beforementioned accident. Based on recommendation from the City Attorney which stated he had reviewed the facts surrounding the accident and concluded that the city had no legal liability resulting from the accident and that the claimant, through his own negligence, was the cause of his injury, the City Commission denied Mr. Beeler's claim. A motion to deny said claim was made by Commissioner Gaynor, seconded by Commissioner Marstall and all present voted in favor of the motion.

#### Report of Planning Commission

A report of the Planning Commission meeting of November 9, 1978 is as follows:

"The Planning Commission decided by a 5 to 0 vote with one abstention to hold a public hearing at its December 5 meeting to consider the expansion of the jurisdiction of the subdivision regulations of the City of Ottawa at or within three miles of the contiguous corporate limits.

The Planning Commission decided by a 6 to 0 vote to recommend the approval of Mr. Sharrell Howell's development plans for an expansion of his mobile home park at 601 Burrough. The Plans were approved with the condition that he meet certain requirements of the ordinance prior to consideration by the City Commission.

The Planning Commission decided by a 6 to 0 vote to approve a split of Lot 8, Country Club Heights Subdivision, as requested by Mr.

Noel Douglas. The two lots created, Lots 8a and 8, would be 68' X 135' and 80' X 135' respectively.

The Planning Commission by a 6 to 0 vote recommends the vacation of South Poplar Street from its intersection with Cedar Street northward up to and including that portion of a platted cul-de-sac not needed to accommodate a proposed cul-de-sac with a radius of 50'.

The Planning Commission decided by a 6 to 0 vote to take under consideration a request to rezone the northeast corner of West 2nd and Locust Street from R-2 (Multi-Family) to C-3 (Retail Business District).

The Planning Commission decided by a 6 to 0 vote to adopt rules and regulations governing the procedure at their meetings. These rules and regulations were formulated during several meetings with the city's planning consultant, Myles Schachter."

The Governing Body took no action on this report at this time.

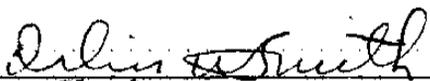
Cereal Malt Beverage License Application - Virgil James Bien

The Governing Body considered an application for license to sell cereal malt beverages as submitted by Virgil James Bien for the operation of Bienie's Place to be located at 122 S. Main. It was reported through correspondence from the City Attorney that upon review of the records of the Department of Public Safety for the City of Ottawa that the applicant did not qualify for license as a result of a conviction for public intoxication on March 9, 1977. The City Attorney's report further stated that since the applicant does not meet the minimum standards set forth in city ordinances and State Statutes, a license cannot be issued. A motion to deny issuance of a cereal malt beverage license to Virgil James Bien based upon the report of the City Attorney was made by Commissioner Marstall, seconded by Commissioner Gaynor and all present voted in favor of the motion.

Cereal Malt Beverage License Application - Highway Oil, Inc.

An application to sell cereal malt beverages as submitted by Highway Oil, Inc., for package sales for their location at 304 E. Logan Street was considered. A motion to approve said application was made by Commissioner Marstall, seconded by Commissioner Gaynor 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.

  
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City Clerk

City Hall - Decmeber 6, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Reusch, Marstall, Gaynor and Park. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held November 15, 1978 were approved as written.

#### Report of Planning Commission

A report of the Planning Commission meeting of December 5, 1978 is as follows:

"The City Planning Commission held its regular meeting on December 5, 1978. Following is a report of that meeting:

The minutes of the last regular meeting held on November 9, 1978 were approved as written.

The Planning Commission held a public hearing to consider the rezoning of Pinehurst Estates Subdivision from R-1 (Single Family) to R-2 (Multi-Family). The Planning Commission viewed a presentation of a proposed 30 unit multi-family apartment complex to be located on the site, if rezoning is approved. The Planning Commission also received input from adjacent property owners who registered objections to the rezoning effort. The Planning Commission decided to continue the public hearing at its January meeting.

The Planning Commission decided by a 6 to 0 vote to recommend the extension of the City of Ottawa's extraterritorial jurisdiction for subdivision regulations to the largest rectangular area along section lines within three miles of the city limits. This rectangular area would extend around the city except for an extension along the south growth corridor which would include the city's airport. This jurisdictional area is outlined on a map prepared by Bucher & Willis.

The Planning Commission decided by a 5 to 1 vote to recommend the rezoning of the northwest section of West 2nd Street and Locust Street from R-2 (Multi-Family) to C-3 (Retail Commercial).

The Planning Commission decided by a 6 to 0 vote to hold a public hearing in January to consider the rezoning of the East 9th Mobile Home Park and Sunrise Mobile Home Park, located at 825 E. Wilson, from MH (Mobile Home District) to MP (Mobile Home Park District)."  
*Business*

#### Review Phase 3 Expansion of Acres Estate Mobile Home Park

The City Commission reviewed the proposed phase 3 expansion of the Acres Estate Mobile Home Park. The phase 3 expansion had been recommended for approval by the Planning Commission provided they meet all requirements of the zoning ordinance. David Watkins, Administrative Assistant, stated that he and Myles Schachter, Planning Consultant, had gone over the proposed phase 3 expansion and had determined that this expansion does meet all requirements of the zoning ordinance. A motion that the phase 3 expansion of the Acres Estate Mobile Home Park be approved was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Ordinance No. 2599 - Straight Vacation - South Poplar

An ordinance vacating a portion of Poplar Street (formerly Peterson Drive) and a portion of a cul-de-sac, all located in the replat of Highland Heights Addition, was considered. It was discussed that this portion of Poplar Street topographically was not feasible to  
*Street*

open and pave. The owner of all property fronting on this street, ~~being the sole owner of all property fronting on this portion of this street~~, has requested the street be vacated along with a portion of a cul-de-sac. The Planning Commission at their meeting of November 9, 1978 has recommended that this vacation be made in accordance with the request of the property owner. A motion for passage of an ordinance vacating this portion of Poplar Street along with a portion of the cul-de-sac was made by Commissioner Marstall, seconded by Commissioner Park and all present voted in favor of the motion.

#### Resolution No. 201 - License Agreement - A.T.S.F.

A resolution authorizing the Mayor and City Clerk to execute and sign a license agreement with the A.T.S.F. Railway allowing the City of Ottawa to cross existing railroad right-of-way with electric utility lines was considered. The necessity of crossing said railway right-of-way with electric utility lines is to serve a ready-mix concrete plant. 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.

#### Cereal Malt Beverage License Applications

The Governing Body proceeded to take action on cereal malt beverage license applications for renewals for 1979. The following license renewals were approved by the City Commission:

Pence Food Center North  
305 N. Main  
Wallace Hart, Manager

Taco Tico, Inc.  
1608 S. Main  
Keeta Berger, Manager

Pence Food Center South  
1428 S. Main  
Thomas O. Moats, Manager

Pizza Hut of Wichita, Inc.  
118 E. 15th  
Lee Johnson, Manager

Paxson Super Saver, Inc.  
602 S. Maple

Benevolent & Protective Order of Elks  
114½ W. 2nd  
Glenn Lancaster, Manager

Andy's Service Station  
1115 W. 7th

Hickory Inn Tavern  
120 E. Dundee  
Billie Galutia, Owner

Fraternal Order of Eagles  
524 E. 15th  
Hayward Brill, Manager

Pizza Village, Inc.  
330 S. Main  
James M. Jones, Manager

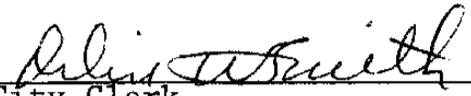
A motion for approval of the foregoing cereal malt beverage application renewals was made by Commissioner Park, seconded by Commissioner Marstall and all present voted in favor of the motion except Commissioner Reusch who voted opposing the motion.

#### Discussion of National League of Cities Meeting

*then*  
The Mayor and City Commissioners proceeded to discuss their recent attendance at the NLC meeting in St. Louis. Each Commissioner presented ~~his~~ views of the meeting and all felt that much had been ~~learned~~ *learned* through their meeting with various speakers and other city officials at the meeting.

*see comm. Mar 6*  
The City Commission met with Department of Energy officials and representatives of Congress, Winn and Dole, in Washington, D.C. *was attended* on Friday after the NLC meeting. The City Commissioners again felt that much had been accomplished toward enlarging the City of Ottawa's electric generation capacity through their meeting in Washington.

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.

  
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City Clerk

City Hall - December 20, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Nichols and Commissioners Gaynor, Park, Reusch and Marstall. Absent: none.

#### Approval of Minutes

The minutes of the last regular meeting which was held December 6, 1978 were corrected as follows:

Reference to C-3 (Retail Commercial) zoning classification on Page 58 was changed to reflect C-3 (Retail Business) zoning classification; the heading for Ordinance No. 2599 was changed to reflect Street Vacation as opposed to Straight Vacation; first paragraph on page 59 - the statement "being the sole owner of all property fronting on this portion of this street" was stricken to clarify the statement being made; second sentence of the second paragraph from the bottom on page 59 changed to read "each Commissioner in attendance presented their views of the meeting and all felt that much had been learned through their meeting with various speakers and other city officials at the meeting"; and last paragraph page 59, first sentence changed to indicate Commissioner Park was not in attendance, second sentence changed to indicate City Commissioners in attendance.

#### Report of Airport Ad Hoc Committee

Mr. Hank Claterbos, chairman of the airport ad hoc advisory committee, reported on the recommendations of the airport committee. Mr. Claterbos stated that the ad hoc committee was originally considering present short-term and long-term plans for the operation of the airport. However, upon investigation of the airport, it was concluded that the airport problems were mainly management, the fixed base operator arrangement and ownership. The committee, in checking with the airport operations in other cities of like size, found many variations in airport operation but from the visits with other cities the recommendation of the airport committee was formulated. The recommendations also took into account meetings with private citizens in and around Ottawa concerned with the airport operation. The airport ad hoc committee recommends that the possibility of joint ownership of the airport between the city and Franklin County be investigated as a possibility inasmuch as the airport serves the entire area, not just the City of Ottawa. The committee recommends that a city-county airport board be appointed to oversee the operation of the airport and that an airport manager be appointed to be responsible for the airport operation. It is further recommended that the fixed base operator operation be for at least a five-year term and cancellable only for cause. It is possible that the fixed base operator might also be the airport manager. It was also mentioned that it might be advantageous to have an airport authority whereby a mill levy could be created to help support the airport.

The City Commission indicated that they were very appreciative of the airport ad hoc advisory committee and that they would be meeting with the County Commissioners this date and that it would be discussed at this meeting.

(Note: Mr. Claterbox' presentation was somewhat lengthy and very comprehensive and the entire text of his report is on tape.)

#### Resolution No. 202 - Intent to Issue Electric Revenue Bonds

A resolution setting forth the intent of the City of Ottawa, Kansas, to issue electric revenue bonds in the amount of \$6,000,000 for the purpose of electric system improvements was considered. It was

commented by the City Commission that time is of the essence on electric system improvements as this matter has now been studied for a number of years. It was remarked that the actual electric system improvements is contingent upon approval of the U.S. Department of Energy as Ottawa's position in electrical generation is not fully covered in Federal rules and guidelines. 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.

#### Authorize Specifications for Electrical Improvements

Mr. B. J. Kirkwood of A. C. Kirkwood & Associates appeared before the City Commission and stated that his firm, under the direction and guidance of the City Commission, the City Manager and the Director of Utilities, had prepared specifications for an engine-generator for the municipal power plant. Mr. Kirkwood stated that the equipment would consist of a diesel generating unit, dual fuel with a capacity of 6,000 to 9,000 KW. Mr. Kirkwood further stated that other plans and specifications for buildings, switch gear, transformers and interconnections are presently being formulated. Commissioner Marstall made a motion that the city proceed to take bids on the generating equipment and that the City Manager and A. C. Kirkwood & Associates be authorized to work out any irregularities. The motion was seconded by Commissioner Gaynor and all present, as stated above, voted in favor of the motion.

#### Report - Historical Site Survey

Mr. Dale Watts reported that he had completed the Historical Site Survey for which he had been under contract with the city for several months. Mr. Watt's said that the survey had been very interesting and that the results are quite surprising. In his survey Mr. Watts classified historic buildings in three categories - A, B & C. "A" buildings were considered as proper material for the National Register of Historic Places, "B" were considered as good historic sites but not National Register material and "C" were considered as important to the setting to a historic site. The final results of the survey indicated that there were 52 "A" historical sites or buildings, 52 "B" historical sites or buildings and 211 "C" historical sites or buildings. The largest cluster of historic sites were found to center around the business district of the city but there are numerous historic sites removed from the Central Business District. Throughout the program, Mr. Watts found that the architecture of Mr. George P. Washburn dominated Ottawa and Mr. Watts felt that possibly there should be further study on the works of Mr. Washburn. The Washburn firm began business around 1880 and was continued until 1940. Mr. Watts reported that he had taken photographs of all A, B & C sites and that he had also taken slides of these areas which he felt would be suitable for a slide presentation. The City Commission thanked Mr. Watts for his work in this area and indicated that in the near future they might be interested in the slide presentation Mr. Watts spoke of.

#### Public Hearing - Community Development Application

Mr. Watkins, Administrative Assistant, opened the public hearing by outlining the items that had been accomplished under our previous Community Development Grant which we received in 1975. These were inclusive of housing rehabilitation, paving, alley cleanup, demolition of dangerous structures, code enforcement, sale of the North American Hotel and construction of some recreational facilities. Mr. Watkins stated that the city has the option of submitting an application for a single purpose project with a limit of \$400,000 or submitting an application for a comprehensive multi-purpose project with a limit of \$750,000.

Mr. John Kerner, representing ECKAN, suggested that one of the projects for the new grant could be a continuation of the housing

rehabilitation program. However, Mr. Kerner suggested that instead of allocating grants for housing rehabilitation that possibly the city could make low interest loans available to some persons, thus spreading the monies over a larger area. Mr. Kerner further suggested that there is a definite need for a senior citizen center in this community, the present facilities being inadequate to serve the total needs that a senior citizen center should serve.

Mr. Henry Parker, representing the Girls Club, brought out the need for meeting space for the Girls Club. Mr. Parker stated that at present there are 30 girls in the Girls Club who are meeting one day a week at the Boys Club but they are still lacking space for sewing, cooking and storing of equipment and supplies.

Mr. Marvin Forker, representing Franklin County Council on Aging, spoke to the needs of a senior citizen center. Mr. Forker stated that he is no longer chairman of the Franklin County Council on Aging due to other commitments and responsibilities but he was still concerned with the need for a senior center. Mr. Willis Jordan and Mr. Kenneth Pratt, also representing the Franklin County Council on Aging, also spoke of the need for a senior citizen center emphasizing Mr. Forker's statements and it was brought out that possibly a community center could serve the needs of senior citizens, Girls Club and other community organizations.

At the conclusion of the hearing, Mayor Nichols commented that there would be further hearings in the near future.

#### Ordinance No. 2600 - Zoning

An ordinance rezoning a tract located at the northeast corner of 2nd and Locust Streets from R-2 (Multi-Family) to C-3 (Retail Business) was introduced. A motion for passage of said ordinance was made by Commissioner Marstall and Commissioner Gaynor seconded the motion. Mrs. Betty Salsbury spoke opposing the proposed rezoning stating that 2nd Street being a fire lane, she felt the additional traffic caused by commercial operations would interfere with the fire lane. Commissioner Park spoke opposing the proposed change in zoning stating that the C-3 zoning category is comprised of 107 various uses which are inclusive of taverns which he did not feel would be appropriate for the neighborhood. Mr. Park stated that under C-3 zoning the use cannot be limited to a specific use but that any of the 107 uses could appear in this area. Mr. Park said that he felt that this type of zoning was too close to other residences involved and that a zoning boundary along a street is not the proper place to change a zoning.

Upon call for the question, Commissioners Gaynor, Marstall and Mayor Nichols voted in favor of the motion and Commissioners Park and Reusch voted opposing the motion.

#### Resolution No. 203 - Subdivision Regulations

A resolution defining the area outside of the corporate limits of the city but within three miles of the corporate limits that will be governed by the city's subdivision regulations was introduced. A motion for passage of said resolution was made by Commissioner Reusch, seconded by Commissioner Park and all present voted in favor of the motion.

#### Ordinance No. 2601 - Temporary Notes

An ordinance authorizing the issuance of temporary notes in the sum of \$94,000 to pay the cost of constructing sewer improvements in the southwest portion of the city was introduced. A motion for passage of said ordinance was made by Commissioner Park, seconded by Commissioner Reusch and all present, as stated above, voted in favor of the motion.

Cereal Malt Beverage License Applications

Cereal malt beverage license applications for 1979 submitted for consideration of the City Commission are as follows:

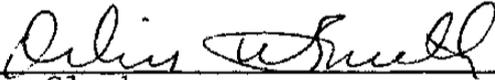
Bill's Bar	231 N. Main	Margie M. Adams
A & P Grocery	111 S. Hickory	Henry Hermreck, Mgr.
The Pub	122 S. Main	James H. Baugher
Waymire's Butcher Block	2008 Princeton St.	Charles Waymire, Mgr.
Saddleback Lounge	111 N. Main	William L. Osburn
White's Grocery	720 W. 7th	Shirley L. White
Great Plains Tavern	110 N. Main	John Lawrence Weston
Ottawa Country Club	East Logan	A. C. Chrismer, Mgr.
Twilight Retreat-Mike's Place	111 S. Main	Doris Y. Mefford
Pow Wow Lounge	2040 Princeton Rd.	Rick Scroggs

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

Ordinance No. 2602 - Redefining Territorial Limits of the City

An ordinance defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas and repealing Ordinance No. 2573 of the City of Ottawa was introduced. 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.

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.

  
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City Clerk

City Hall - July 19, 1978

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Pro-Tem Nichols and Commissioners Park, Reusch and Gaynor. Absent: Mayor Zook.

#### Approval of Minutes

the minutes of the last regular meeting which was held July 5, 1978 were approved as written.

#### Accept Resignation of Mayor Zook

The resignation of Mayor Zook was read and accepted. Mayor Zook was resigning as necessitated by his moving from the city. The motion to accept the resignation of Mayor Zook was made by Commissioner Park, seconded by Commissioner Gaynor and all present voted in favor of the motion.

#### Appointment of New Commissioner

Commissioner Reusch made a motion that George Marstall be appointed to the Commission to fill the unexpired term of Commissioner Zook. The motion was seconded by Commissioner Park and all present voted in favor of the motion. Mr. Marstall was at this time given the oath of office by the City Clerk.

#### Reorganization of the City Commission

Commissioner Reusch made a motion that Commissioner Nichols be elected Mayor for the unexpired term of Mayor Zook. The motion was seconded by Commissioner Park and all present voted in favor of the motion. Commissioner Park made a motion that Commissioner Gaynor be appointed Mayor Pro-Tem. The motion was seconded by Commissioner Reusch and all present voted in favor of the motion except Commissioner Gaynor who abstained.

#### Public Hearing - Urban Development Action Grant Program

It was explained that this public hearing is necessary to qualify for the possible use of Urban Development Action Grant funds should the city qualify in the future. It was further explained that the Urban Development Action Grant program is basically to finance improvements in both commercial and industrial areas that would lead to additional employment and that the program is not for housing programs or for public buildings. There was no further discussion on this subject.

#### Public Hearing - Revenue Sharing Funds for 1979

Mr. Tim Sullivan, librarian of the Ottawa Library, asked that the library be granted \$15,845 for its operation for 1979. Mr. Sullivan explained that the original estimate of taxes to be received in 1979 was incorrect, thus leaving the library short of operational funds for next year. Mr. Sullivan's request was taken under advisement.

Mr. Dan Andrews, Executive Director of the Franklin County Rehabilitation Facility, requested \$10,000 in revenue sharing funds to help underwrite the operation of his facility for next year. Mr. Andrews stated that they had also requested \$10,000 in revenue sharing funds from Franklin County. Mr. Andrews' request was taken under advisement.

A letter from Mr. Ben Park, president of the Ottawa Central Business District, Inc., requested \$2,500 of revenue sharing monies. These monies are to be used for a survey of the Central Business District for the purpose of determining the feasibility of rehabilitating buildings within the Central Business District