

City Hall - Ottawa, Kansas - January 2, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Review City Investment Schedule

Commissioner Bemmels made a motion that the City Investment Schedule existing as of December 31, 1984, be approved. The motion was seconded by Commissioner Heathman. Mayor McCrea commented that as of December 31, 1984, the city had \$4,635,000 invested at an average interest rate of 9.76 percent. Upon call for the question, all present voted in favor of the motion.

Consider Issuance of Cereal Malt Beverage License

An application for cereal malt beverage license for The Working Man's Friend Oil Company, Inc., 304 Logan Street, Ottawa, Kansas, for license to retail cereal malt beverage in original and unopened containers only was considered. Commissioner Lister made a motion that a license to sell cereal malt beverage in original and unopened containers only be issued to The Working Man's, James Richard Carterman, Manager. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Agreement with Ottawa/Franklin County Economic Development Corporation

Mayor McCrea explained that the city is considering entering into an agreement with the Ottawa/Franklin County Economic Development Corporation, formerly the Ottawa Industrial Development Corporation, to hire an Economic Development Coordinator. The city's share of the expenses for the this coordinator will be paid from the city's Revenue Sharing fund. Mayor McCrea further explained that as the agreement is finalized, details will be made public concerning the job description for this position. Commissioner Lister made a motion that the mayor be authorized to sign an agreement with the Ottawa/Franklin County Economic Development Corporation, formerly Ottawa Industrial Development Corporation, to hire an Economic Development Coordinator as per the guidelines set forth in the agreement. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Announcements

Mayor McCrea announced that there will be a public meeting held at 7:00 p.m. January 10, 1985, at the Ottawa Middle School to pass information to the public concerning the demolition and replacement of the Marias des Cygnes River bridge. It will be a question and answer session, and the City of Ottawa is in hopes that a representative from the Kansas Department of Transportation may also be available for the meeting.

It was announced that the snow ordinance for the City of Ottawa is now in effect, and cars should not park on the streets designated snow routes or in municipal parking lots. To date, the city has not ticketed any cars nor had them removed, but in the future cars will be ticketed and towed from these prohibited areas when the snow ordinance is in effect.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - January 16, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held December 19, 1984 were amended on Page 108 under the head of Ordinance No. 2782-84 - Zoning, to indicate that Commissioner Lister made a motion that an ordinance be adopted relating to and regulating the planning and zoning within the City of Ottawa, Kansas, redistricting the certain tract and area within the city and amending the amended zoning map attached to and made a part of Ordinance No. 2713-82 of the City of Ottawa, Kansas, and repealing certain parts of said amended zoning map of the city. The balance of the minutes were approved as written. The minutes of the regular meeting held January 2, 1985, were approved as written.

Public Hearing - Urban Development Action Grant Application

Mayor McCrea announced that at this time a public hearing would be held on an application for \$125,000 in Urban Development Action Grant funds to assist in the renovation of the North American Hotel. The present plan of funding for the renovation of the hotel includes \$125,000 in Urban Development Action Grant funds and \$125,000 in Small Cities Community Development Block Grant funds through the Kansas Department of Economic Development. Commissioner Bemmels commented that the Kansas Department of Economic Development had encouraged the city to submit application for Urban Development Action Grant funds in the amount of \$125,000 to be used along with the Kansas Department of Economic Development also in the amount of \$125,000, for a total of \$250,000 for the North American Hotel project. The city will be notified January 31, 1985, if it has been successful in securing the Small Cities grant through the Kansas Department of Economic Development. If the city is successful, the grant would be contingent upon receipt of the Urban Development Action Grant in the amount of \$125,000. The funds received through the Small Cities program would be loaned interest free until repaid in twelve years. The funds received from the Urban Development Action Grant would be loaned at an interest rate to be negotiated with the developer by the Department of Housing and Urban Development. Once the funds have been repaid to the city, they could again be used by the city in accordance with specified guidelines. There being no further discussion, Commissioner Lister made a motion that the public hearing be closed. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, January 8, 1985 at 7:00 p.m. at City Hall. Present: Chairman Searls and members Underwood, Hendrix, Thornburg, Jackson and Spears. Absent: Member Koch.

The minutes of the last meeting, held December 4, 1984 were approved as written.

The Planning Commission reviewed a preliminary plat of the Patterson Subdivision generally located at 1550 South Cedar. The Planning Commission took no action on this preliminary plat but instead requested that the developer revise the preliminary plat to provide additional information and resubmit this plat at the February meeting.

The Planning Commission held a public hearing to consider amending the zoning ordinance of the City of Ottawa to permit multifamily uses in the C-2 district. After discussion the Planning Commission continued the public hearing to their next regular meeting.

The Planning Commission voted 5-2 to establish a deadline of February 5, 1985 to make a recommendation to the City Commission regarding softball facilities.

There being no further business to come before the Planning Commission, the meeting was adjourned.

Ordinance to Rezone a Tract of Land Generally Located at 1550 S. Cedar

Mayor McCrea opened discussion on the matter by stating that the City Commission had received from the Planning Commission a recommendation that the the property generally located at 1550 S. Cedar be rezoned from C-2 (General Commercial) to R-2 (Multi Family). Commissioner Bemmels then stated that in his own mind he was not ready to consider the issue and then moved that the item be tabled until the next regular meeting, which would be held February 6, 1985. The motion was seconded by Commissioner Heathman. Commissioner Thompson then stated that he had received phone calls from people residing in the area of the proposed rezoning and those persons were concerned with such items as traffic and property values. He said he thought the people were losing sight of the uses that are allowed under the present zoning classification of C-2. Many of these uses might be much worse than an apartment building for elderly persons. Commissioner Heathman stated that he called a person who resides across the street from the Sunflower Plaza housing unit and that person had learned to live with the building in place and it was not as bad as he had imagined it would be. The one objection that person was that he receives the sun two hours later each morning than prior to the construction of the Sunflower Plaza. Commissioner Lister questioned if the entire tract shouldn't be rezoned for R-2 (Multi Family) and not just the tract on which the building was to be located. Commissioner Lister stated that she felt that it might be better for the area if they looked to the entire tract for rezoning. Commissioner Bemmels then commented that in his original remarks he was not ready to consider the issue, that he was also concerned with the possibility of rezoning the entire area to R-2 as opposed to the site specifically for the building.

Mr. Boyd White, 1625 S. Oak, commented that he had heard of the many bad things that could be located in a C-2 zoned district, but he was still opposed to erecting a multi-story apartment complex in this area. Mr. White then offered an alternative plan for zoning in the area, which it was acknowledged might be looked into.

Mrs. Kathy Shannon, ECKAN, a co-sponsor of the the project, stated that there were only two sites that could be considered for this project. In the final analysis, this was the only site in the City of Ottawa which could qualify for such a project, being within walking distance of doctors, drugstores and grocery stores. Mrs. Shannon reported that the structure will be three stories as opposed to five stories for the Sunflower Plaza. Commissioner Heathman questioned that if the Franklin County Council on Aging did not provide transportation for elderly residents to the drugstore, doctor's office and grocery store. Mrs. Shannon answered that the Franklin County Council on Aging provides only that type of transportation to rural residents. However, it was pointed out that such service could be provided on special request for residents of the city.

Richard Jackson, Director of ECKAN and a member of the Planning Commission, commented that even though he is a member of the Planning Commission, he did not vote on this issue as it might be construed as a conflict of interest. However, Mr. Jackson stated that if this site is not approved for the rezoning, the construction could not proceed in Ottawa but would go to

another community. This is the only site in the City of Ottawa submitted to the Department of Housing and Urban Development and if this site is not approved, the project will be moved elsewhere.

Mr. Boyd White questioned the walking distance to the drugstores, grocery store and doctors. He was answered that it is nine blocks to the drugstore, two blocks or less to grocery stores and approximately three blocks to the hospital.

Mr. Gerald Magrath suggested that the complex be located immediately north of the Wal-Mart store as that location would be in a close proximity to a variety store, grocery store, motel and a restaurant.

Mr. Jackson then again reiterated that this site is the site as submitted to HUD and if not approved, the City of Ottawa would not receive the apartment complex.

Mrs. Shannon commented that the City of Ottawa was most fortunate to receive the award as our city apparently had a better site and greater need than other communities which submitted competing applications.

Upon call for the question, all present voted in favor of the motion, except Commissioner McCrea, who voted opposing the motion.

Status Report of Current City Projects

The following is a list of current city projects and their status.

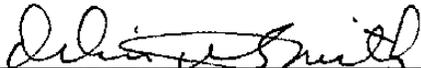
1. Central Business District Improvements - The final payment was made on December 15. A Public Hearing regarding the spread of special assessments for this project will be held this spring.
2. Airport Runway & Taxiway and Lighting Improvements - The new parallel taxiway and lighting improvements have been completed. The contractor, LRM Industries will complete the runway improvements and overlay in 1985.
4. 1984 Community Development Block Grant Program - City Staff is proceeding to comply with state guidelines, modify the housing rehabilitation program, and finalizing plans for the Cypress and Olive Street Storm Drainage Improvements. A spring bid letting for the drainage project is expected.
5. EPA Project--Collector System Improvements and Wastewater Treatment Plant - Construction of collector system improvements is in progress. Reed Construction is currently working on the main sewer line improvement on First Street at approximately Cedar. Walters-Morgan Construction Co., the contractor for treatment facility improvements, is progressing according to schedule.
6. Skunk Run Storm Drainage Improvement Phase IV - 7th Street has been completed and was opened on December 21. As weather permits the contractor will continue to work on the culvert improvement from 7th street to Pecan.
7. Skunk Run Storm Drainage Improvement Phase V - A preconstruction conference will be held on January 17.
8. Marias des Cygnes River Bridge - The city has been advised that the bid letting has been moved back to May.
9. South Main Street Improvement - The City received word on November 29 that it has been awarded a KLINK grant from the Kansas Department of Transportation in the amount of \$100,000. This grant will be combined

with street rehabilitation funds to finance the improvement of south main from 7th to 10th. City staff has begun working with the engineer for this project, Cook, Flat & Strobel in order to finalize plans and schedule a bid letting for this project.

Announcements

Mayor McCrea announced that the city has been considering for some time and will be installing handicapped parking stalls just off Main Street on First, Second, Third, Fourth and Fifth Streets. Once the handicapped stalls are properly marked, violators will be ticketed.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - January 21, 1985

The City Governing Body met in special session at 3:00 p. m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Mayor McCrea announced that the purpose of this special meeting is for a second public hearing for a proposed application for an Urban Development Action Grant in the amount of \$125,000 to assist in the renovation of the North American Hotel. Mayor McCrea called on Interim City Manager Kristy Cannon to explain the grant application process.

Ms. Cannon explained that this is the second and final required public hearing for the submission of an application for an Urban Development Action Grant in the amount of \$125,000 to assist in the renovation of the North American Hotel. In addition to the Urban Development Action Grant (UDAG) in the amount of \$125,000, the city has already submitted an application for a Kansas Department of Economic Development (KDED) Community Development Block Grant (CDBG) in the amount of \$125,000 for a total of \$250,000 to supply gap funds for the renovation of the North American Hotel. The KDED CDBG will be repaid to the city in twelve years at no interest charge to the developer and the UDAG, if secured by the city, will be repaid to the city at an interest rate to be negotiated by the Department of Housing and Urban Development, in twelve years. The city should be informed by January 31, 1985, regarding the outcome of its application for the CDBG funds from KDED. If the city is successful, it will be contingent upon the city securing the UDAG funds as well. The city should learn the results of the UDAG application by March 31, 1985. The total cost of the project is estimated to be \$1,850,000, with \$1,650,000 being secured through private lenders and owner equity.

Mr. Larry Powell, Executive Director of the Greater Ottawa Chamber of Commerce, appeared before the City Commission urging the city to proceed with the grant application as it is felt the renovation of the North American Hotel is very important to the revitalization of the central business district.

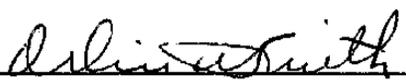
Commissioner Lister commented that she felt the renovation of the North American Hotel was also a very important project to revitalize the central business district.

Commissioner Bemmels commented that KDED had strongly encouraged the city to apply for \$125,000 in UDAG funds so possibly the city would then be successful in securing the \$125,000 CDBG funds.

Commissioner Thompson commented that the North American Hotel has been a white elephant on Ottawa's Main Street for many years and various attempts have been made to renovate the hotel, all of them unsuccessful to date. He was very hopeful the city would be successful in securing these funds for the renovation.

Commissioner Bemmels made a motion that the public hearing be closed and that the city staff be authorized to proceed with the application for UDAG funds. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

The business for which the special meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - February 7, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Mayor McCrea announced that three members of the City Commission had been in Topeka on February 6, 1985, attending a legislative information seminar which was hosted by the Kansas League of Municipalities. In addition to the Ottawa City Commission, County Commissioners Sink and Haas were in attendance as well as Mr. Pete Nicholson, representing Franklin County. Mayor McCrea also announced that the city expenditures for 1984 were 87 percent of the authorized budget, which is even less than the guidelines established by the City Commission of total expenditures not in excess of 90 percent of the total budget.

Approval of Minutes

The minutes of the regular meeting held January 16, 1985 were approved as written and the minutes of the special meeting held January 21, 1985 were also approved as written.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, February 5, 1985, at 7:00 p.m. in City Hall. Present: Chairman Searls and Members Thornburg, Hendrix, Jackson and Spears. Absent: Members Underwood and Koch.

The minutes of the last meeting held January 8, 1985, were approved as written.

The Planning Commission held a public hearing to consider rezoning a tract of land generally located at 1641 S. Main from R-1 (Single Family Residential) to C-2 (General Commercial). After discussion, the Planning Commission continued the public hearing to its next regular meeting.

The Planning Commission reviewed the preliminary plat of the Patterson Subdivision. After discussion, the Planning Commission unanimously approved this preliminary plat.

The Planning Commission reviewed the final plat of the Patterson Subdivision. After discussion, the Planning Commission unanimously approved the final plat.

In a related matter the Planning Commission called a public hearing to rezone a tract of land generally located in the vicinity of 1600 S. Cedar from C-2 to R-2.

The Planning Commission called a public hearing to amend the subdivision regulations of the City of Ottawa to allow a final plat to be prepared by registered land surveyors.

The Planning Commission continued a public hearing to amend the Zoning Ordinance to allow multi-family uses in C-2 zoning districts. After discussion, the Planning Commission voted 4-1 to recommend that the City Commission approve this amendment.

The Planning Commission voted 4-1 to reaffirm the recommendation of the Capital Improvements Program to schedule softball improvements in the amount of \$310,000 for 1988.

Review of City Investment Schedule

The Investment Schedule as of January 31, 1985 was reviewed by the City Commission. Commissioner Lister made a motion that the investment schedule be approved, stating that as of January 31, 1985, the city had a total of \$4,635,000 invested at an average interest rate of 9.08 percent. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Resolution No. 397-85 - Relocation Assistance

Commissioner Bemmels made a motion that a resolution establishing a local policy for Community Development Block Grant relocation assistance be passed. The motion was seconded by Commissioner Thompson. Mayor McCrea stated that the need for such a resolution came about as a result of a relocation of a mobile home tenant in conjunction with the final phase of the Skunk Run Storm Drainage Improvement. The city has had no prior written policy and it was deemed advisable by the Department of Housing and Urban Development to develop such a local policy. It was pointed out in the discussion that the costs of the relocation are borne by the federal government through the Community Development Block Grant program. Upon call for the question, all present voted in favor of the motion.

Ordinance No. 2788-85 - Zoning

An Ordinance to rezone a tract of land generally located at 1550 S. Cedar from C-2 (General Commercial) to R-2 (Multi Family) was introduced. Commissioner Thompson made a motion that an ordinance to rezone a tract of land generally located at 1550 S. Cedar from C-2 (General Commercial) to R-2 (Multi Family) be passed. The motion was seconded by Commissioner Bemmels. Mayor McCrea then called on persons from the audience to comment on the proposed change in zoning.

Mr. Boyd White, a resident of the area, questioned the City Commission as to whether they had received a petition protesting the zoning and if it had been received, if the petition was legal. Mayor McCrea answered that the City Commission was in receipt of the petition protesting the zoning change and the petition had been found to be legal and sufficient by the city attorney. Mayor McCrea further stated that the significance of the petition is that it will require a four-fifths vote of the City Commission to pass the ordinance and effect the change in zoning. Mr. White then stated that the petition contained a majority of the property owners residing within 200 feet of the property proposed to be rezoned, and he thought there were thirty to forty signatures. Mr. White stated that on the other side of the question, there four groups wanting the rezoning, consisting of ECKAN, HUD, the landowner and the developer. Mr. White closed his statement by stating that he did not see how the City Commission could vote to change the zoning with the majority of the property owners in the vicinity opposing the change.

Mr. Gary Owen appeared before the City Commission stating that he has a pending purchase of a house across the street from the proposed project, and Mr. Owen questioned what real value to the city the proposed housing complex for the elderly would be. He stated that the residents of the projects in all probability would not have the money to spend in Ottawa to enhance the economy, and probably the only person to benefit from the project were the developer, who is from Johnson County, and there would probably be no local purchases of building materials for the project. Mr. Owen then stated that he was aware of the petition which had been circulated and as a result of the petition a four-fifths majority vote would be required in order to rezone the property. Mr. Owen then implied that there could be a conflict of interest on the part of one member of the City

Commission; however, he did not name the commissioner about whom he was referring.

Mrs. Kathi Shannon of ECKAN spoke to the effect that as a result of the housing project involving rent subsidies for low-income elderly persons, those people will have more money to spend within the community and should benefit the City of Ottawa.

Commissioner Lister then commented that she thought she was probably the person referred to by Mr. Owen as having a conflict of interest concerning the rezoning question. Mrs. Lister further stated that if she voted opposing the zoning and the change was not accomplished, she would stand to profit. If the zoning were accomplished, she would stand to lose. However, Mrs. Lister stated that she was aware that there are 1000 persons in Franklin County who fall within the low-income elderly classification and are in need of housing. Therefore, she would vote in favor of the zoning change.

Tonia Salivina, Mid-America Council on Aging, stated that she was aware of people locating outside of this area because of their need for subsidized housing.

Dr. John Thornburg, a member of the City Planning Commission, stated that in observing this commission meeting he was impressed with the method in which the opponents of the zoning question had presented their cause, and he acknowledged that they had presented many valid reasons against the proposed change. However, Dr. Thornburg stated that he felt the people were opposing the zoning because of the type of project and not because of the nature of the zoning itself. He then stated he felt the change in zoning is very appropriate for the area and does not really constitute a spot zone but constitutes a buffer between commercial and single-family residential zoning.

Commissioner Bemmels stated he thought the change in the zoning was a step in the right direction, creating the proper buffer for the area and was in accord that the proposed change did not constitute a spot zone.

Commissioner Lister stated that she was considering the zoning and not the proposed project for the area. She felt that this was the best use for the land. She also stated that she did not feel this type of a project would devalue the surrounding land and did constitute a proper buffer.

Commissioner Heathman stated that in his opinion the rezoning of this tract of land to R-2 would constitute spot zoning and he did not feel the city should rezone the property against the wishes of the people in that area.

Commissioner Thompson stated that he was of the opinion that the strip of ground in question should be rezoned to R-2 as opposed to remaining in C-2 classification because the land is going to develop at some point in time and it would be better for the adjoining neighbors to have a residential type of use on that land as opposed to a commercial use. For that reason he was in favor of the zoning.

Mayor McCrea stated that this had been a very difficult decision for everyone involved, including the City Commission and the Planning Commission. Further, the Planning Commission was now studying the issue further concerning other land adjacent to this tract with the possibility of rezoning it to R-2 as well. Upon call for the question, Commissioner Lister stated that it was a difficult decision for her but considering the best interest of the city and of the land in question, she must vote yes in favor of the rezoning. Commissioner Bemmels voted yes. Commissioner Thompson voted yes. Commissioner Heathman voted no and Mayor McCrea voted yes.

Change Order No. 1 - Contract No. 2 Wastewater Treatment System Improvements

Commissioner Thompson made a motion that Change Order No. 1 - Contract No. 2 Wastewater Treatment System Improvements be approved. The net effect to Contract No. 2 is that it will add a total of \$12,668 to the project cost. The motion was seconded by Commissioner Bemmels. It was stated that the items appearing in the change order have been approved by the Environmental Protection Agency (EPA) and they constitute changes and improvements from the original design of the plant. The additional cost of \$12,668 is a very small percentage of the total contract in excess of a million dollars. Upon call for the question, all present voted in favor of the motion.

Request for Sidewalk Sale

A request from the Ottawa Retail Association to hold a sale on the sidewalks in the Central Business District on February 23, 1985, between the hours of 8:00 a.m. and 5:00 p.m. was read. The request stated that it did not include the closing of Main Street and no parking stalls would be blocked. The merchants were aware that they must retain a clear lane on the sidewalk for handicapped individuals. Commissioner Bemmels made a motion that the request of the Ottawa Retail Association for a sidewalk sale be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Request to Use City Park for Annual Skunk Run Book Sale

A request from the Ottawa Community Arts Council, the Franklin County Historical Society and the Friends of the Ottawa Library to use City Park the weekend of June 1-2, 1985, for the annual Skunk Run Book Sale was considered. Commissioner Thompson made a motion that the request to City Park for this event be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Proclamation - Black History Month

Commissioner Lister made a motion that the mayor be authorized to sign a proclamation proclaiming the month of February 1985 as "Black History Month". The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Proclamation - Jaycee Women Week

Commissioner Bemmels made a motion that the mayor be authorized to sign a proclamation proclaiming the week of February 10-16, 1985 as "Jaycee Women Week". The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - February 20, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, and Lister Absent: Commissioners Thompson and Heathman.

Approval of Minutes

The minutes of the last regular meeting held February 6, 1985, were approved as written.

Approval of the Plat of Patterson Subdivision

Mayor McCrea stated that the Patterson Subdivision is located in the vicinity of 16th and Cedar Streets, and the Planning Commission has spent many hours studying the proposed plat and has recommended its approval. Commissioner Lister commented that inasmuch as the Planning Commission has recommended its approval and has spent many hours studying the proposed plat, she was in favor of approving the plat as it would be a workable plat for the city. Commissioner Lister made a motion that the final plat of the Patterson Subdivision be approved by the City Commission. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Change Order No. 2 - Airport Lighting Improvements

Commissioner Bemmels made a motion that Change Order No. 2 relating to Airport Lighting Improvements be approved, stating that the change order involves the additional expenditure of \$313.75, which is less than one percent of the original contract of \$35,476.00. The motion was seconded by Commissioner Lister. Mayor McCrea stated that the additional expenditure set forth in Change Order No. 2 is necessary due to some additional trenching and some additional buried cable. On call for the question, all present voted in favor of the motion.

Resolution No. 398-85 - Authorizing Signature of City Manager

Commissioner Lister made a motion that a resolution authorizing Lyle H. Dresher, City Manager, to sign documents relating to EPA grants be approved. The motion was seconded by Commissioner Bemmels. There being no discussion, the question was called and all present voted in favor of the motion.

Status Report on Current City Projects

The following is a list of current city projects and their status.

1. Airport Lighting Improvements - All lighting improvements have been completed and the construction has been accepted by the FAA and the City. The City Commission will consider a final change order for this project on February 20.
2. Airport Runway & Taxiway - The new parallel taxiway has been completed. The contractor, LRM Industries will complete the runway improvements and overlay in 1985.
3. Cypress and Olive Street Storm Drainage Improvements. A spring bid letting for the drainage project is expected.
4. EPA Project--Collector System Improvements and Wastewater Treatment Plant - Construction of collector system improvements is in progress. Reed Construction is currently working on the main sewer line improvement on First Street at approximately Elm Street. Walters-Morgan Construction Co., the contractor for treatment facility improvements, is progressing according to schedule.

5. Central Business District Improvements - A Public Hearing regarding the spread of special assessments for this project will be held this spring.
6. Skunk Run Storm Drainage Improvement Phase IV - Construction has been halted due to weather.
7. Skunk Run Storm Drainage Improvement Phase V - A notice to proceed was issued on January 28. The contractor, Smokey Hill of Salina began preliminary work during that week. The City Water Distribution Crew set a manhole on February 19 at 9th Street. Sewer line improvements will continue south of this manhole as necessary to accommodate drainage improvements.
8. Marias des Cygnes River Bridge - The city has been advised that the bid letting is scheduled for May.
9. South Main Street Improvement - \$100,000 of KLINK funds have been committed by the state and will be combined with street rehabilitation funds to finance the improvement of south main from 7th to 10th. A field check for this project has been scheduled for February 21.

Mayor McCrea called on the city manager to comment on the condition of the city streets at this time. The city manager stated that the staff is aware of the many potholes existing in the streets throughout Ottawa. Just as soon as the weather permits, the public works department will be repairing streets. As long as water is standing in potholes, there is no material the crews could use which would hold for any length of time whatsoever. Also the city manager remarked that some of the larger potholes will be marked by barricades and flashing lights to warn motorists of these dangers. Insofar as the alleys are concerned, the city presently is hauling rock to some of the alleys most obviously in need of rock. He invited citizens to contact city hall to report particular problems.

In closing remarks, Mayor McCrea mentioned that the sidewalk sale in the central business district is scheduled for Saturday, February 23, and that a week from today, on February 27, from 9:00 to 11:00 a.m. an open house will be held at City Hall in the city commission room to welcome the new city manager and his wife.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - March 6, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held February 20, 1985 were approved as written.

Multi-Family Uses in C-2 Zoning District

Mayor McCrea stated that the Governing Body would consider the recommendation of the Planning Commission to amend the Zoning Ordinance to allow multi-family uses in the C-2 zoning district and asked for a motion on the subject. Commissioner Thompson made a motion that the item be tabled for study. The motion was seconded by Commissioner Bemmels. Commissioner Lister stated that she possibly saw the need for multi-family uses in the C-2 zoning district, but she questioned the advisability of permitting such uses. Commissioner Thompson stated that in the report from the Planning Commission, the three reasons given for denying such uses seemed to weigh rather heavily against such a change. Commissioner Bemmels stated that even though the city might be short on area for multi-family uses, he was not sure that allowing multi-family uses in the C-2 zoning district was the answer to the problem. Upon call for the question, all present voted in favor of the motion.

Consider Proposed Improvements to the Municipal Auditorium

Mayor McCrea called on persons from the audience who might wish to address the proposal. Mr. Archie McGehee addressed the City Commission, stating that he was a member of the original Auditorium Board for the newly remodeled auditorium, and treasurer of the board from 1978 to 1983. Mr. McGehee said that he certainly was not opposed to any improvements to the auditorium which might be beneficial to the community, but he was definitely opposed to the use of the monies which had been set aside for maintenance for such capital improvements. Mr. McGehee stated that at the request of former Mayor Zook and City Manager Bob Mills, the Auditorium Board had worked diligently to set aside \$5,000 per year from the operating budget of the auditorium for maintenance purposes. When it was determined that it would not be possible to set aside monies for future maintenance, at the recommendation of the City Commission, the Auditorium Board had requested \$10,000 per year of Revenue Sharing monies to be set aside in a maintenance and repair fund. As the result of the request of the Board, in 1981, 1982 and 1983, \$10,000 had been set aside each year for the maintenance repair fund, and it was specifically set forth that the monies would be used for maintenance and repair, and not for capital improvements. Another point that Mr. McGehee made was that if the monies set aside for maintenance and repair were used for capital improvements, how would these funds be replaced into the specific fund?

Mr. Walter Butler addressed the City Commission, stating that he had been on the Auditorium Board for a number of years and president of the Auditorium Board for a number of years, particularly when the funds were being set aside for the repair and maintenance of the building. Mr. Butler said that the funds requested and received from the city were to be set aside for repair and maintenance, and he questioned how the monies could be used for capital improvements at this time when they were originally set aside for repair and maintenance.

Mr. Brian Larios appeared before the City Commission, stating that he was in favor of the improvements in the basement of the auditorium, but he felt

that the city or the Auditorium Authority should exercise better control on the activities in the auditorium. For instance, after the use of the facility for the "haunted house" each year, things never seemed to be quite the same.

Commissioner Thompson then explained the plans for the remodel of the basement, stating that a wall would be built down the center of the basement and the south half of the basement would be remodeled and cleaned up for smaller meeting rooms and for display of the Ottawa Arts Council. The partition down the center of the basement would be folding doors which might be opened in order to use the total basement for some events. In addition to the remodel of the south half of the basement and the wall down the center, it is also planned to put heating and air conditioning in the basement as well as a range and new refrigerator. Mr. Thompson stated that presently the reserve fund has \$38,000 and there is another \$10,000 to be received from Revenue Sharing this year, along with interest calculated to be \$4,000 for a total of \$52,000 in 1985. The Ottawa Arts Council has pledged \$5,000 per year for three years from a grant they are to receive from state or federal level to enhance the arts in the community. The present plans are to spend \$39,300 for the engineering fees and the remodel. With the replacement of the monies from the Arts Council, by 1987, the reserve fund would be replenished to \$30,700.

Walter Butler then commented that he didn't think Mr. Thompson's comments were relevant since the point of the discussion is that the monies set aside in the reserve fund were for repair and maintenance, and not for capital improvements. Mr. Butler stated that he realized the City Commission had the authority to spend the monies for this purpose, but questioned whether they had the moral right to do so.

Commissioner Bemmels made a motion that action on this proposal be tabled until the next regular meeting of the City Commission. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Authorize Final Payment on Airport Lighting Improvements

Mayor McCrea stated that the airport lighting improvements have been completed in a timely manner and it is time for the City Commission to consider authorizing final payment for those improvements. The total of the final estimate is \$4,932.48 on a total contract price of \$35,476.00. Commissioner Lister made a motion that the final payment to the Heckert Construction Company for airport lighting improvements in the amount of \$4,932.48 be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Recommendations for Membership on the Marais des Cygnes Basin Planning Committee with Regard to State Water Plan

Mayor McCrea stated that presently the State of Kansas is asking individuals interested in serving on an advisory committee to the State Water Plan to submit applications for membership on such a committee. The City of Ottawa has three individuals interested in serving on the committee, namely Commissioner Lister, City Manager Dresher and Director of Utilities Jack Davis. Mayor McCrea further stated that he felt this would be interesting work and would be beneficial for a person securing a position on the advisory committee. Commissioner Bemmels made a motion that the City Commission endorse the city's applicants, Commissioner Lister, Mr. Dresher and Mr. Davis, for membership on the advisory committee to the State Water Plan. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, March 5, 1985, at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held February 5, 1985, were approved with corrections.

The Planning Commission held a public hearing to consider rezoning a tract of land generally located at 1600 South Cedar from C-2 to R-2. After hearing comments in opposition of this rezoning from and on behalf of the property owner, the Planning Commission continued the Public Hearing to the next regular meeting.

The Planning Commission began their study of the 15th and Cedar Street Area and discussed current land use and existing zoning in this area.

The Planning Commission continued a public hearing to consider rezoning a tract of land generally located at 1641 S. Main (also know as the Royal Manor Motel) from R-1 (Single Family Residential) to C-2 (General Commercial). After discussion, the Planning Commission voted 7-0 to recommend approval of this rezoning subject to approval of a plat for the entire tract of land.

The Planning Commission reviewed the plat of the Royal Manor Motel Subdivision located at 1641 S. Main. After discussion of the need for dedicating a right of way for 17th street on the south edge of this property, the Planning Commission tabled this discussion to their next meeting by a vote of 6-1.

The Planning Commission reviewed the preliminary plat of the Ottawa Meadows Subdivision located on West 15th Street. After discussion of the plat and identification of necessary corrections, the Planning Commission unanimously approved this preliminary plat subject to corrections as discussed.

The Planning Commission reviewed the preliminary plat of the Ottawa Investment Corporation Subdivision located at the intersection of Highway 59 and 23rd Street. After discussion of the plat and identification of necessary corrections, the Planning Commission unanimously approved this preliminary plat subject to corrections as discussed.

The Planning Commission held a public hearing to amend the subdivision regulations of the City of Ottawa to allow a final plat to be prepared by registered land surveyors. After discussion the Planning Commission voted 7-0 to recommend that this amendment be approved by the City Commission.

The Planning Commission called a Public Hearing to update the Capital Improvements Program of the City of Ottawa.

The Planning Commission called a Public Hearing to consider amending the Zoning Ordinance of the City of Ottawa to combine permits for development and construction in flood plains.

The Planning Commission noted that because of the April 2 election, the next regular meeting will be held at the Ottawa Youth Center.

Commissioner Thompson made a motion that the report of the Planning Commission meeting be accepted. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Approval of City Investment Schedule as of February 28, 1985

It was reported that as of February 28, 1985, the City had a total of \$5,635,000 in idle funds invested at an average interest rate of 8.58 percent. Commissioner Thompson made a motion that the schedule of investments existing as of February 28, 1985 indicating a total of \$5,635,000 invested at an average interest rate of 8.58 percent be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion. It was noted that even though the average interest rate has been declining, the actual rate of the individual investments has been increasing since mid-January.

Request for Use of Main Street for Ottawa Auto Affair

Mayor McCrea directed that a written request for the use of Main Street for an auto show to be held April 26-28, be read. The request set forth that the local auto dealers would like to use the 100, 200 and 300 blocks of Main Street for an auto show on April 26-28, 1985. It was also suggested that the area might be used for showing recreation vehicles, boats and antique cars at the same time in order to stimulate interest and attract persons to the downtown area. Mayor McCrea stated that this request had been under consideration by the City Commission for some time and it was felt by the commissioners that the use of the 200 and 300 blocks might be adequate for the show, and there is some thought that a sidewalk sale might be held in the downtown area at the same time. Commissioner Bemmels made a motion that the area auto dealers be allowed to use the 200 and 300 blocks of Main Street and Third Street from Main to the alley east of Main Street, for the Ottawa Auto Affair on April 26-28, and the interesections of Second and Fourth Streets are to be left open. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Request for Use of City Park and Band Shell for Art Exhibit

A request was read asking permission to use the band shell and City Park for a children's art work display from March 18 through 31, 1985. The request stated that this would involve large canvases mounted in the band shell and wooden sculptures throughout the park. It was stated that none of the artworks or installations are of any significant monetary value, so security of the area would not be a concern. A proclamation was then read, proclaiming the month of March 1985 as "Youth Art Month". Commissioner Lister made a motion that the Ottawa Community Arts Council be permitted to use City Park and the band shell from March 18-31, 1985, for display of art works and that a proclamation proclaiming March as "Youth Art Month" be approved and authorization be given for its signature by the mayor. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Proclamation - Music In Our Schools Month

A proclamation was read proclaiming the month of March 1985 as "Music in our Schools Month". Commissioner Thompson made a motion that the proclamation be approved and the mayor authorized to sign same. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

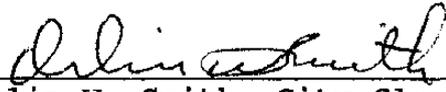
Proclamation - Ottawa and Franklin County Congregate and Home-Delivered Meals Week

A proclamation was read proclaiming March 10-16, 1985 as "Ottawa and Franklin County Congregate and Home-Delivered Meals Week". Commissioner Bemmels made a motion that the proclamation be approved and the mayor authorized to sign same. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Announcements

Mayor McCrea announced that a hearing would be held at 3:00 p.m. March 25, 1985 for the purpose of discussing and receiving comments on the special assessments for the downtown sidewalk, lighting, storm drainage, street and sewer improvement project.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - March 20, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held March 6, 1985, were corrected on Page 14, second paragraph to reflect that the partition down the center of the basement would be in part folding doors which might be opened in order to use the total basement for some events. The balance of the minutes were approved as written.

Improvements to Municipal Auditorium

Mayor McCrea introduced the subject, stating that the City Commission had studied various financing alternatives for the proposed improvements to the basement of the auditorium. Inasmuch as the city completely remodeled the auditorium a few years ago, the basement renovation would be a fine addition to that facility. Commissioner Lister made a motion to approve Phase I of the proposed auditorium improvements to be financed from the general fund; that monies received from the Arts Council be placed into the general fund; that such improvements not exceed \$24,800; and that interest accrued from the auditorium reserve fund established for the purpose of future maintenance remain in the reserve fund. The motion was seconded by Commissioner Bemmels.

Mr. Charles Gillette, Chairman of the Auditorium Authority, spoke to the City Commission, stating that the Auditorium Authority felt that it was a real opportunity to enhance the auditorium by taking advantage of the \$15,000 offered by the Ottawa Arts Council for such remodeling. Mr. Gillette stated that the Auditorium Authority had looked at many financing possibilities for the proposed project and seemingly the alternative offered by the City Commission would be the most viable.

Deborah Barker, Administrator of the Ottawa Arts Council, spoke before the City Commission, stating that the Ottawa Arts Council felt very confident of receiving the \$15,000 grant for the remodel of the basement in the auditorium, emphasizing that the Ottawa Arts Council had been 100% successful in receiving the grants for which they had applied through the Kansas Arts Commission. Upon question from Mayor McCrea, Mrs. Barker stated that the first \$5,000 of the grant award should be available to the city in August or September of 1985. Mayor McCrea asked Mrs. Barker if it might be possible that other grants would be available in the future for such purposes. Mrs. Barker stated that this is an experimental grant and whether the practice will be continued is in question.

Mr. Sherwin Snyder, a member of the Auditorium Authority, spoke to the City Commission, stating that he thought the city was very fortunate in having the aid from the Ottawa Arts Council to help in the remodeling endeavor. Mr. Snyder stated further that in addition to being an asset to the auditorium, the remodeled area might also enhance the arts capacities within the community. Mr. Snyder then commented concerning Commissioner Lister's motion, which in part stated that the interest from the auditorium reserve fund remain in the auditorium reserve fund. Mr. Snyder questioned how long the interest monies were to remain in that fund and for what purpose might they be used. Mr. Snyder spoke to the possibility of creating capital outlay funds for the city inasmuch as the city does maintain many older buildings. For the cost of such repair and maintenance, there is no apparent funding aside from the regular city operating budget.

Mr. Frank Lump, President of the Ottawa Arts Council, spoke in favor of the motion made by Commissioner Lister, stating that the remodeled auditorium basement would allow persons attending auditorium activities to also view fine artwork.

Mr. Stanley DeFries, head of the music department at Ottawa University, spoke in favor of the motion calling for Phase I of the auditorium basement remodeling, stating that he was hopeful that with such a remodel, there could be more total community involvement in the operation and use of the auditorium.

Commissioner Bemmels then stated that the auditorium itself and the basement area to be remodeled are not specifically for special interest groups. The area will be used for the Arts Council, but it is not restricted to their use.

Commissioner Lister spoke in support of the comments that had been made on the subject today and further stated that she thought the addition to the auditorium would contribute to the quality of life within the community.

Mr. Larry Powell of the Greater Ottawa Chamber of Commerce stated that Mr. Gillette had appeared before the Chamber Board of Directors and the directors had voted support for the concept and the proposed remodel of the basement.

Commissioner Thompson stated that many companies looking for new communities in which to locate are not only looking for the neat and clean aspect, but they are looking for recreation, education and availability of the arts. The cost of having such a facility to accommodate the arts might be returned many times over to the community.

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

Discuss Allowing Multi-family Uses in C-2 (General Commercial) District

Commissioner Thompson made a motion that the recommendation of the Planning Commission to allow multi-family uses in the C-2 (General Commercial) district, not be approved. The motion was seconded by Commissioner Heathman. Commissioner Thompson then commented that it is sometimes difficult to get land zoned for C-2 use inasmuch as C-2 is very restrictive, and he did not think it would be wise to allow multi-family uses in a commercial district and perhaps rule out possible commercial uses within that district.

Commissioner Lister then read one of the possible reasons for denial of the recommendation, being that by allowing residential uses in commercially zoned areas could create a potentially dangerous situation, both for the residential inhabitants as well as the commercial uses.

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

Planning Commission Resolution No. 7

Planning Commission Resolution No. 7 provides that a licensed surveyor may sign off on a plat as opposed to the present regulation which provides that only a licensed engineer may sign off on a plat. Commissioner Bemmels made a motion that Planning Commission Resolution No. 7 providing for a licensed surveyor to sign off on a plat be approved. The motion was seconded by Commissioner Thompson. Mayor McCrea called on City Manager Dresher to comment on the subject.

The city manager stated that the city's regulations do require a licensed engineer to design and sign all public improvements within the city. Insofar as the development of a plat is concerned, a surveyor is qualified to sign the plat and under these regulations would be allowed to do so. The city manager stated that by allowing a surveyor to sign off on a plat, it would possibly lessen the costs for the developer in the plat preparation, and would allow licensed surveyors to do some of the plat work that engineers are presently doing. Commissioner Bemmels then noted that the resolution does not set forth that a surveyor may sign the plat, the resolution states that the name and address of the developer and the licensed surveyor who prepared the plat must appear on the plat. The city

manager noted that the section on Resolution No. 7 amends the certification section of the plat whereby the only signature line would be for a surveyor, and not for a licensed engineer. Inasmuch as Resolution No. 7 does not specifically state that a licensed surveyor may sign off on a plat, Commissioner Bemmels amended his original motion that Item (j) would state: name and address of the developer and the name, address and signature of the licensed surveyor who prepared the plat. Commissioner Thompson seconded the amendment. Upon call for the question all present voted in favor of the amendment to the motion and all present voted in favor of the motion as amended.

Resolution No. 399-85 - Code of Conduct

The city manager explained that the Kansas Department of Economic Development who is currently administering the Community Development Block Grant funds requested the City of Ottawa pass a resolution establishing a written code of conduct concerning the prohibition against elected officials, city staff and agents benefiting from Community Development Block Grant procurements. It was further explained that the application for Community Development Block Grant funds does contain a section where the mayor signs a statement whereby the elected officials, city staff and agents shall not benefit from Community Development Block Grant procurements; however, it was felt by the Kansas Department of Economic Development that the city should have a written statement on file to this effect. Commissioner Lister made a motion that a resolution establishing a written code of conduct concerning the prohibition against elected officials, city staff and agents thereof benefiting from Community Development Block Grant procurements, be passed. The motion was seconded by Commissioner Heathman. Commissioner Bemmels inserted a change into the text of the resolution, which did not change the meaning but corrected a grammatical error. Commissioner Lister approved the change. Upon call for the question, all present voted in favor of the motion.

An Ordinance Regulating Signs on Terraces

Mayor McCrea stated that the ordinance regulating signs on terraces would not be considered at this time. The ordinance is being referred to the Planning Commission as it has been discovered that there is a conflict between the ordinance and the city's Zoning Ordinance Sign Regulations.

Application for Cereal Malt Beverage License

An application for license to sell cereal malt beverage for consumption on the premises and for consumption not on the premises as submitted by John Duncan and James Duncan for the operation of Pizza Time, 2304 Princeton, was presented to the Governing Body. The city clerk reported that the applicants had met all criteria except that the records check for James Duncan had not as yet been received by the Department of Public Safety. Commissioner Thompson made a motion that a license to sell cereal malt beverage for consumption on the premises and for consumption not on the premises to John Duncan and James Duncan for the operation of the Pizza Time at 2304 Princeton be approved. The motion was seconded by Commissioner Bemmels. It was further directed that if the records check on James Duncan proved not to be satisfactory, the license not be issued. Upon call for the question, all present voted in favor of the motion.

Report on the Status of Various City Projects

The following is a list of current city projects and their status.

1. Airport Runway & Taxiway - The contractor, LRM Industries, plans to complete the runway patching and overlay this summer.
2. EPA Project--Collector System Improvements and Wastewater Treatment Plant - Walters-Morgan Construction Co., the contractor for the Waste Water Treatment Plant improvement has almost completed plant work. One RBC unit will be brought on line during this week. The plant is

expected to be fully operational by the first part of April. The holding basin construction, part of the plant improvement will be completed later in the spring when the condition of soil permits. Construction of collector system improvements is in progress and Reed Construction Co. is continuing work on the main sewer line improvement on First Street.

3. Cypress and Olive Street Storm Drainage Improvements. A spring bid letting for the drainage project is expected.
4. Central Business District Improvements - A Public Hearing regarding the spread of special assessments for this project will be held on March 25, 1985 at 3:00 p.m.
5. Skunk Run Storm Drainage Improvement Phase IV - Construction has been halted due to weather.
6. Skunk Run Storm Drainage Improvement Phase V - The contractor, Smoky Hill of Salina, is working in the vicinity of 9th & Locust and on March 14, poured the base of a junction box at Locust. They are currently laying 38 x 60" horizontal elliptical concrete drainage pipe. The City Water Distribution Crew has completed approximately 80% of the sewer line improvements necessary to accommodate the drainage improvement in this phase.
7. Marais des Cygnes River Bridge - The city has been advised that the bid letting is scheduled for May. Currently, the gas and the telephone companies are working on the relocation of their respective utilities on the bridge to accommodate the bid letting schedule.
8. South Main Street Improvement - \$100,000 of KLINK funds have been committed by the state and will be combined with street rehabilitation funds to finance the improvement of South Main from 7th to 10th. Plans are being completed for this project and an early summer bid letting is anticipated.
9. Swimming Pool Repairs - The City Public Works Department has removed the diving boards and replacement boards have been ordered by the ORC. The leak detection tests in the circulation system have been completed and the two leaks discovered have been repaired. In addition, materials to replace valving have been ordered and a new chlorine vent fan has been installed.

Announcement of Public Hearing

Mayor McCrea announced that a public hearing would be held on special assessments for the Central Business District improvement on Monday, March 25, 1985, at 3:00 p.m.

Request of Welcome Wagon for Easter Egg Hunt

Mrs. Terri Turner appeared before the City Commission asking permission to hold an Easter egg hunt for the children of Newcomers in the City of Ottawa, at Forest Park on March 31. Further, she requested that if the weather would not permit the hunt on that date, April 4 would be used as an alternate date. Commissioner Lister made a motion that the request of the Welcome Wagon to use Forest Park for an Easter egg hunt on March 31, with an alternate date of April 4, 1985, be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Request of KOFO for Easter Egg Hunt

Radio Station KOFO asked permission to use Forest Park on April 6, from 8:00 a.m. until noon for an Easter egg hunt. If it were not possible to hold the hunt on that date, they requested permission to use the alternate date of April 13. Commissioner Bemmels made a motion that Radio Station KOFO be permitted to use Forest Park on April 6, 1985, for an Easter egg hunt and

that an alternate date of April 13 be authorized. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

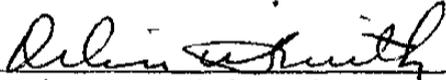
Report of PRIDE Committee

Mary Schneider, Chairprson of the loal PRIDE Committee, stated that the Pride Committee would be conducting a survey within the city to obtain a random sampling of what people thought to be both the negative and the positive aspects of the city. The random sampling will be one house per square block. Once the questionnaires are delivered and returned to Pride, they will be sent to the Kansas Department of Economic Devlopment for tabulation and the results will be returned to the Pride Committee. Mrs. Schneider stated that the random sampling survey was necessary before they could get on with any of the projects that Pride wishes to undertake. It was further stated if anyone wishes to complete one of the survey forms, they should contact June Butler who is chairperson of the survey committee.

Closing Remarks

In closing remarks, Mayor McCrea reminded everyone that Tuesday, April 2, is election day in the City of Ottawa for both the City Commission and the U.S.D. 290 School Board, and he urged everyone to vote for the candidates of their choice.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - March 25, 1985

The City Governing Body met in special session at 3:00 p.m. this date.
Present: Mayor McCrea and Commissioners Heathman, Lister and Thompson.
Absent: Commissioner Bemmels.

The purpose of the special meeting is to review the special assessments for the improvement in the Central Business District and to consider passage of special assessment ordinances.

Mayor McCrea called the meeting to order, stating that this meeting was called for the purpose of review of special assessments in the Central Business District and stated that the City Commission would be considering the special assessments block by block, starting at the north end of Main Street and proceeding south. Mayor McCrea then called for comments on assessments on the west side of Main Street between the Main Street bridge and First Street.

Mrs. Mildred Mitchell, owner of property in this area, stated that she was very surprised to see that this block on Main Street was included in the benefit district as she did not feel that it had the commercial potential as the balance of Main Street did. Mrs. Mitchell stated that she had voiced objection to the improvement in this area at the public hearings which were held preceding construction and also signed a petition protesting the improvements. Mayor McCrea stated that the City Commission did receive a petition protesting the improvements in the Central Business District, but the petition was ruled insufficient by the city attorney. Further Mayor McCrea stated that it would be very difficult not to make an improvement of one business location on the request of a property owner and to proceed with the improvement in front of other business locations. Mrs. Mitchell stated that she thought the city should have a campaign to shop at home as opposed to improving the sidewalks in the Central Business District. Mrs. Mitchell objected to the additional cost for the driveway going into her property; however, it was explained that all properties have been charged an equal amount per front foot for the 4" sidewalk, but those properties needing a driveway were charged an additional amount for 6" reinforced concrete.

Proceeding to the east side of Main Street between the Main Street bridge and First Street, there were no comments or objections

For the west side of Main Street between First Street and Second Street, Mr. Elliott Barnes, representing the Franklin County Senior Center, requested that the city look into a drainage problem in the alley behind the center as in the winter, much ice forms in this area. Further Mr. Barnes wondered if their property being exempt from ad valorem taxes made them exempt from special assessments. The city clerk answered Mr. Barnes that even though the property does not now receive a tax statement, one will now be rendered setting forth the cost of the special assessments.

For the east side of Main Street between First Street and Second Street, Mrs. Mary Douglas complained of sidewalk damage along the north side of their property caused by a contractor working on the sewage collector system in that area and some damage caused by the contractor who built the new sidewalks. Mayor McCrea stated that the city would look at the problem and see what measures might be taken to correct the situation.

For the west side of Main Street between Second Street and Third Street, there were no comments or objections.

For the east side of Main Street between Second Street and Third Street, there were no comments or objections.

For the west side of Main Street between Third Street and Fourth Street, Mr. Ed Haley asked whether the city or the benefit district paid for the trash receptacles and planters in that area. Mr. Haley was answered that the benefit district was paying for those items. Mr. Haley also asked who was

to maintain the planters in the summer and was informed that the city parks department will be responsible.

For the east side of Main Street between Third Street and Fourth Street, there were no comments or objections.

For the west side of Main Street between Fourth Street and Fifth Street, there were no comments or objections.

For the east side of Main Street between Fourth Street and Fifth Street, there were no comments or objections.

Mayor McCrea directed that the review of the special assessments for the improvement of sidewalks in the Central Business District be closed.

Ordinance No. 2789-85

Commissioner Lister made a motion that an ordinance apportioning and levying the special assessments to pay the cost of improving sidewalks, drainage (curbs and gutters), landscaping the parkings, streetlights and streetlighting systems on Main Street from the south line of the Marais des Cygnes River bridge to the existing north curb line of Fifth Street on both the east and west side of said Main Street; also sidewalks, drainage, landscaping the parkings, streetlights and streetlighting systems on First, Second, Third, Fourth and Fifth Streets from the east line of the alley between Main Street and Walnut Street to the west line of the alley between Main Street and Hickory Street; provided, however, the south side of East Third and the north side of East Fourth Streets shall extend to Hickory Street, in the City of Ottawa, Franklin County, Kansas, and with noted exceptions, for a total benefit district cost of \$367,081.07, be passed. The motion was seconded by Commissioner Thompson. On call for the question, Commissioners Thompson, Bemmels, Lister and McCrea voted in favor of the motion and Commissioner Heathman voted opposing the motion.

Review of Assessments on Side Streets Abutting Main Street

Mayor McCrea then opened the review of assessments for the sidewalk improvements on the side streets abutting Main Street. Proceeding in order, Mayor McCrea asked for comments or objections for the north side of East Second Street. There were no comments or objections

For the south side of West Second Street there were no comments or objections.

For the south side of East Second Street there were no comments or objections.

For the south side of West Fourth Street there were no comments or objections.

Mayor McCrea then declared the review of assessments for the sidewalk improvements on the side streets abutting Main Street be closed.

Ordinance No. 2790-85

Commissioner Thompson made a motion that an ordinance apportioning and levying the special assessments to pay the cost of improving sidewalks, drainage (curbs and gutters), landscaping the parkings, streetlights and streetlighting systems in the City of Ottawa, Franklin County, Kansas, as follows: (a) South side of west Second Street from the west line of the alley between Main Street and Walnut Street to the east curb line of Walnut Street; (b) South side of east Second Street from the east line of the alley between Main Street and Hickory Street to the west curb line of Hickory Street; (c) North side of east Second Street from the west curb line of Hickory Street west ninety-four feet (94 ft.); (d) South side of west Fourth Street from the west line of the alley between Main Street and Walnut Street to the east curb line of Walnut Street, for a total cost to

the benefit district of \$14,924.23, be passed. The motion was seconded by Commissioner Lister. Upon call for the question, Commissioners Lister, Thompson, McCrea and Bemmels voted in favor of the motion and Commissioner Heathman voted opposing the motion.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - April 3, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held March 20, 1985 and of the special meeting held March 25, 1985 were approved as written.

Ordinance No. 2791-85 - Steel Traps

Commissioner Bemmels made a motion that an ordinance providing for a certain amendment in Chapter 3 of the Municipal Code of the City of Ottawa, Kansas, 1982, specifically by adding a new Section 3-201a to Article 2 of said chapter of said code and providing for the incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1982, specifically making it unlawful to use steel traps for the capturing of animals in the City of Ottawa, be passed. The motion was seconded by Commissioner Thompson. Mayor McCrea stated that it was discovered that the city has no ordinance governing the use of steel traps to capture animals and steel traps of the type that grasp the leg or a part of the body of an animal are particularly dangerous in the city, both to domestic animals and children. Upon call for the question, all present voted in favor of the motion.

Consider Contract for Engineering Design Services for a Storm Sewer Project, the Cost of Which Will be Paid from Community Development Block Grant Funds

Mayor McCrea called on City Manager Dresher to comment on the selection process for an engineering firm. He explained that under the Community Development Block Grant (CDBG) guidelines the city must solicit qualifications of area engineering firms for the design portion of the storm sewer project. The city manager stated that the city had received qualifications submittals from several engineering firms and recommended that the firm of Cook, Flatt & Strobel be contacted to prepare an engineering agreement for the design services involved in the storm sewer project. Commissioner Thompson made a motion that the city staff be instructed to contact the firm of Cook, Flatt & Strobel to negotiate the cost and timeframe in which Cook, Flatt & Strobel might prepare the plans and specifications for the project. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Agreement for Operation of Municipal Swimming Pool

Mayor McCrea explained that the agreement for the operation of the municipal swimming pool between the City of Ottawa and the Ottawa Recreation Commission is an annual event and that this agreement does have a few minor changes incorporated into it. Upon question from Mayor McCrea, Mr. Don Williams, Recreation Director, stated that the agreement was satisfactory. Mayor McCrea then questioned as to whether the Ottawa Recreation Commission had reviewed the agreement since it had been typed and the minor changes incorporated therein. Mr. Williams reported that they had not had the opportunity to see the agreement and that they would be meeting again in approximately two weeks. Commissioner Bemmels made a motion that the city Governing Body approve the agreement for the operation of the municipal swimming pool with the Ottawa Recreation Commission for 1985. The motion was seconded by Commissioner Thompson. Commissioner Bemmels then stated that a minor addition to the agreement is that the Ottawa Recreation Commission must assure the city that the pool is managed by qualified personnel who have prior experience in the operation of municipal swimming pools and experience in the maintenance of equipment necessary to operate the pool. Upon call for the question, all present voted in favor of the motion.

Agreement for Operation and Maintenance of Baseball and Softball Facilities

Commissioner Lister made a motion that an agreement with the Ottawa Recreation Commission for the operation and maintenance of the baseball and softball facilities be approved. The motion was seconded by Commissioner Thompson, who remarked that there may be some problems concerning the use of the ball diamonds this year and it behooves all parties to try to work out any differences since all groups must be governed by the same rules.

Application for Membership in One-Call

Mayor McCrea called on the city manager to explain the One-Call System. Mr. Dresher explained that the One-Call System is an organization to which the city may belong. Contractors and excavators may call the One-Call System and the system would in turn notify utilities and others that might have lines or pipes near the excavation site in order to alert them prior to the excavation taking place. The fee for application for membership is \$150 to \$175 and the present annual fee is \$250. It was the feeling of the city manager and of the City Commission that that the \$250 per year membership fee could be recouped in only one instance of proper notification of excavation in the area where utilities might be buried. Commissioner Lister made a motion that an application for general membership in the Kansas One-Call System, Inc. by the City of Ottawa be approved. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Approval of Final Plat of the O.I.C. Subdivision

Mr. Earl Devore addressed the City Commission stating that the Planning Commission had approved the plat of the O.I.C. Subdivision at their meeting last night. The plat was approved by the Planning Commission subject to three conditions. The conditions are: (1) that no more than two curb cuts may be placed onto 23rd Street from Lot 5; (2) that the street designated as 23rd Street Terrace be redesignated as Cedar Street; and (3) that a cul-de-sac configuration be placed at the south end of Cedar Street to allow for traffic to turn around. Mr. Devore further stated that the engineering firm of A. C. Kirkwood & Associates is presently working with the developer, the city engineer and the director of utilities in resolving the placement and construction of streets, sewers, water and electrical facilities. According to Mr. Devore, the developer is presently under contract with Wendy's subject to approval of the plat and that a motel is to be located on the tract. In addition, there are two other lots which will probably be under contract for development prior to the completion of streets and utilities. Mr. Devore stated that the total development will probably be in excess of \$2 million to be placed on the Franklin County tax rolls and will provide 75 to 100 new jobs. Commissioner Thompson made a motion that the final plat of the O.I.C. Subdivision located at the intersection of U.S. 59 and 23rd Street be approved as recommended by the Planning Commission, subject to the plat restricting access to Lot 5 from 23rd Street to no more than two curb cuts, that 23rd Street Terrace be redesignated as Cedar Street and that a cul-de-sac configuration be approved for turn around on the south end of Cedar Street. The motion was seconded by Commissioner Bemmels. Commissioner Lister spoke in favor of the development, stating that the development had been discussed at study sessions. Mayor McCrea expressed concern for the need for guardrails being placed on 23rd Street as a protection for motorists from the drainage area which will be located along the side of 23rd Street. It was explained that the engineering firm of A. C. Kirkwood & Associates is presently working with the city engineer to determine what might be necessary in this area. It was also pointed out that the cul-de-sac to be located at the south end of Cedar Street resulted in a variance being granted the developers, whereby an 80-foot right-of-way will be provided at the end of Cedar Street, which will not necessarily conform to a cul-de-sac. However, it was determined that the 80-foot right-of-way would allow the city and the fire vehicles to negotiate a turn around if necessary. Upon call for the question, all present voted in favor of the motion.

Approval of City Investment Schedule

Commissioner Bemmels made a motion that the city investment schedule as of March 31, 1985 indicating a total of \$5,335,000 invested at an average interest rate of 8.7% be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Report of the Planning Commission

The City Planning Commission met in regular session on Tuesday, April 2, 1985, at 7:00 p.m. at the Ottawa Youth Center. All members were present.

The minutes of the last meeting held March 5, 1985, were approved with corrections.

The Planning Commission held a Public Hearing to gather input regarding the update of the City's Capital Improvement Program. Tom Sachse, a member of the Library Board, appeared before the Planning Commission to urge the continued inclusion of a new library facility in the CIP. No other input was provided to the Planning Commission. After discussion, the Planning Commission continued this public hearing to their next regular meeting.

The Planning Commission held a Public Hearing to consider rezoning a tract of land generally located at 2141 Princeton Road from R-S (Residential Suburban) to C-S (Highway Service). After hearing comments both in favor and against the requested rezoning, the Planning Commission continued this public hearing to their next regular meeting.

The Planning Commission continued a public hearing to consider rezoning a tract of land generally located at 1600 South Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential). After discussion, the Planning Commission voted 7-0 to table any action on this matter for 60 days.

The Planning Commission reviewed the final plat of the Ottawa Investment Corporation Subdivision located at the intersection of Highway 59 and 23rd Street. After discussion the Planning Commission unanimously approved the final plat subject to the following conditions: 1) that the note placed on the plat restricting access to lots from 23rd Street be amended to add that no more than 2 curb cuts may be placed onto 23rd Street from Lot 5; 2) that 23rd Street Terrace shown on the plat be changed to Cedar Street; 3) that a cul-de-sac configuration be approved by city staff and shown on the plat before filing.

The Planning Commission reviewed the plat of the Royal Manor Motel Subdivision located at 1641 S. Main. After discussion of the need for dedicating a right of way for 17th street on the south edge of this property, the Planning Commission voted 7-0 to approve the plat subject to the following conditions: 1) that buildings currently shown be removed from the plat before filing; 2) that an additional 60' building setback be shown along the southern most property line of this tract.

The Planning Commission reconsidered their previous recommendation to approve an amendment to the zoning ordinance which would allow multiple family uses in the C-2 district. This item was returned to them by the City Commission. After discussion, the Planning Commission took no action on this matter.

The Planning Commission briefly discussed their study of the 15th and Cedar Street Area and decided to discuss this study in more detail at their next study session.

The Planning Commission held a public hearing to amend the Zoning Ordinance of the City of Ottawa to combine permits for development and construction in flood plains. After discussion, the Planning Commission continued this public hearing to their next regular meeting.

There being no further business to come before the Planning Commission, the meeting was adjourned.

Proclamation - Fair Housing Month

Mr. Richard Jackson, Director of ECKAN, presented the proclamation for Fair Housing Month, commenting before presentation that April is Fair Housing Month and the New Horizons Fair Housing Task Force appointed by the City Commission has scheduled some activities concerning fair housing for the month of April. Each Wednesday morning in April there will be a program on radio station KOFO concerning the housing needs in the City of Ottawa along with a question/answer session wherein listeners may call the radio station with their questions. Mr. Jackson stated that the task force had recently completed a report to the City Commission concerning the housing needs and conditions in the community. Mr. Jackson then reported some of the statistics from that report as well as some of the goals established to meet the future housing needs. Mr. Jackson read the proclamation proclaiming the month of April as Fair Housing Month in the City of Ottawa. Commissioner Lister made a motion that the mayor be authorized to sign the proclamation. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Proclamation - Cancer Control Month

Mary Louise Risdon, Publicity Chairman of the Ottawa Chapter of the American Cancer Society, read a proclamation proclaiming the month of April as Cancer Control Month in the City of Ottawa. Ms. Risdon reported that Governor John Carlin will sign a proclamation proclaiming April Cancer Control Month in the State of Kansas as will President Reagan sign a similar proclamation for the nation on April 3. Commissioner Thompson made a motion that the mayor be authorized to sign the proclamation. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Mayor McCrea then announced that along with the presentation by Mr. Jackson on Fair Housing Month that the City of Ottawa has Community Development Block Grant funds available for housing rehabilitation. He encouraged interested persons to apply at City Hall.

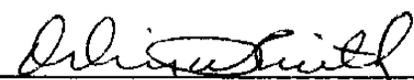
Mr. Russell Crites, a member of the Kansas Water Authority, reported that the authority will be meeting in the City of Ottawa on May 16 and 17, 1985. Possibly Governor John Carlin will be present to address the authority at that time. Further, Mr. Crites provided an update of the progress in formation of the authority along with pending appointments to the advisory committees.

Closing Comments

Mayor McCrea commented that it appeared the district boundaries of the voting precincts within the City of Ottawa should be revised inasmuch as some of the precincts are much larger than others. Mayor McCrea also stated that it appeared that the property owners should be aware of the need to trim trees which overhang city sidewalks. Many branches are low enough that it poses a problem for the walking public. Mayor McCrea also stated that the people should be aware that the municipal code prohibits parking motor vehicles across sidewalks and block the path of pedestrians.

Commissioner Lister stated that April would be a good month for the citizens of Ottawa to clean up their yards and lots as the county is going to allow free dumping at the county landfill sometime during the month of April.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - April 17, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor McCrea and Commissioners Bemmels, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held April 3, 1985, were approved as written.

Request for Bike-a-Thon

Mr. Bob Becker, Chairman of the St. Jude Bike-a-Thon, appeared before the City Commission requesting permission to use the walking trail in Kanza Park from 9:00 a.m. to 3:00 p.m. on May 18, 1985, for a Bike-a-Thon. Mr. Becker pointed out that he realized a lot of walkers did use the trail in Kanza Park and it would be difficult to walk the trail safely while the Bike-a-Thon was being held. Mayor McCrea indicated that it might be best if the dead end at 13th Street be used as a headquarters for the Bike-a-Thon, thereby alleviating possible traffic congestion on 15th Street. Further, Mayor McCrea suggested that cardboard signs be posted on 15th Street and along the trail indicating that a Bike-a-Thon would be held on May 18, and walking on the trail would be prohibited while this activity was in progress. Mr. Becker was agreeable to Mayor McCrea's comments, stating that he would put his headquarters on the west side of the park on the 13th Street dead end and a week prior to the Bike-a-Thon, he would post signs along the trail indicating that the trail would be in use for the Bike-a-Thon on May 18 during the hours of 9:00 a.m. to 3:00 p.m. Commissioner Thompson made a motion that Mr. Becker be allowed to use the trail in Kanza Park for a Bike-a-Thon between the hours of 9:00 a.m. and 3:00 p.m. on May 18, 1985, and further that a date of May 25, 1985 be established for a possible rain date. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Report on Status of City Projects

The following is a list of current city projects and their status.

1. Airport Runway & Taxiway - LRM Industries will begin runway patching during the week of April 22. During this time that runway will be closed. The improvement of the south 1000' of the runway and the 3000' asphalt overlay of the entire runway will be delayed to accommodate the annual Aerobatics contest in July and to insure good weather for the final portions of the runway improvement.
2. EPA Project--Collector System Improvements and Wastewater Treatment Plant - During the first week of April the plant became operational. The plant is approximately 95% complete. The holding basin construction, part of the plant improvement will be completed in late spring/early summer when the weather and condition of soil permits. Construction of collector system improvements is in progress and Reed Construction Co. is continuing work on the main sewer line improvement on First Street. The subcontractor, who will bore under Main Street has moved equipment onto First street.
3. Cypress and Olive Street Storm Drainage Improvements. On April 3 the City Commission directed city staff to obtain an engineering contract from Cook, Flat & Strobel. Upon execution of an engineering agreement, the City anticipates approximately 60 days for final plan preparation, after which a bid letting will be held.
4. Skunk Run Storm Drainage Improvement Phase IV - The City was advised on March 26, 1985 that Tillery Construction, the contractor for this phase had filed for bankruptcy and would not be completing this project. Tillery's bonding company has been working with the City's engineer for this project, A.C. Kirkwood & Associates and with City staff to obtain

a new contractor to complete the project. The city anticipates that a contractor will be hired and that this project will resume during the month of April.

5. Skunk Run Storm Drainage Improvement Phase V - Pecan Street box culvert has been poured and two existing storm sewers will be tied into the south side of that box culvert. During the week of April 22 the pavement patch in this section will be poured. The City expects that Pecan Street will be reopened during the first week in May. Part of the box culvert that angles across 11th Street at the west side of Locust has also been poured and approximately 200 feet of concrete drainage pipe has been layed across Locust Street and southwest to Elm Street. The City's water distribution crew will complete all sewer work in conjunction with this project by the end of next week.
6. Marais des Cygnes River Bridge - The city has been advised that the bid letting is scheduled for May. The gas and the telephone companies are working on the relocation of their respective utilities from the bridge in order to accommodate this bidding schedule. Currently, the gas company is placing a new line along Wilson Street in order to service their customers North of the Marias des Cygnes River.
7. South Main Street Improvement - \$100,000 of KLINK funds have been committed by the state and will be combined with street rehabilitation funds to finance the improvement of South Main from 7th to 10th. Plans are being completed for this project and an early summer bid letting is anticipated
8. Swimming Pool Repairs - All valving improvements have been completed. In addition, the low diving boards ordered to replace those removed have been received and will be installed prior to the opening of the swimming season.
9. South Main Street Hazard Elimination Project - The Kansas Department of Transportation has conducted a survey of the area in the vicinity of Wal-Mart and 23rd Street. The City will have plans for median improvements and a northbound turn lane from the North Wal-Mart exit completed when the survey data becomes available from the State. Upon completion of plans the City plans to perform most of this construction work using both State Hazard Elimination Funds and a local match.

Proclamation - Youth Temperance Education Week

A proclamation was read proclaiming the week of April 21-27, 1985, as Youth Temperance Education Week. Commissioner Lister made a motion that the proclamation be approved and authorizing the mayor to sign the proclamation. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Ordinance No. 2792-85 - Zoning

Mayor McCrea stated that the Royal Manor Motel has requested a change in zoning on part of the land they occupy from R-1 (Single Family Residential) to C-2 (General Commercial). Mayor McCrea then called on Administrative Assistant Cannon to outline the property on the city map and explain the request and process. Ms. Cannon explained that part of the land the Royal Manor Motel occupies is zoned C-2 (General Commercial) and the back portion of the land is zoned R-1 (Single Family Residential). The Royal Manor Motel has requested to have the back portion of the property rezoned from R-1 (Single Family Residential) to C-2 (General Commercial). The land is now being used for commercial purposes and is a nonconforming use. By having the land rezoned to C-2 (General Commercial), it would bring those uses presently there into conformity with the Zoning Ordinance. Ms. Cannon further explained that the Planning Commission had followed the usual public hearing process and there were no reasons for denial coming forth, and because the land would be brought into use conformity with the Zoning Ordinance was an important consideration in the Planning Commission's

recommendation to grant the request for rezoning. The recommendation of the Planning Commission was contingent upon a plat being presented for the entire tract. The tract for this property comes before the City Commission in the next agenda item. Commissioner Bemmels made a motion that an ordinance relating to and regulating the planning and zoning within the City of Ottawa, Kansas, redistricting the certain tract and area within the city and amending the amended zoning map attached to and made a part of Ordinance No. 2713-82 of the City of Ottawa, Kansas, and repealing certain parts of said zoning map of said city as it pertains to rezoning a portion of the Royal Manor property from R-1 (Single Family Residential) to C-2 (General Commercial), be passed. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Final Plat of the Royal Manor Subdivision

Commissioner Lister made a motion that the final plat of the Royal Manor Subdivision located at 1641 S. Main be approved. The motion was seconded by Commissioner Heathman. There being no discussion on the matter, the question was called, and all present voted in favor of the motion.

Proclamation - National Private Property Week

Ms. Barbara Humm appeared before the City Commission requesting that the week of April 28 - May 4, 1985, be proclaimed National Private Property Week. Ms. Humm read the proclamation and Commissioner Thompson made a motion that the week of April 28 - May 4, 1985, be proclaimed National Private Property Week. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Proclamation - Clean Up Week

Mrs. Mary Schneider of the Ottawa Pride Committee appeared before the City Commission and requested that the week of April 27 - May 4, 1985, be proclaimed Clean Up Week. Mrs. Schneider read the proclamation, and Commissioner Lister made a motion that the week of April 27 - May 4, 1985, be proclaimed Clean Up Week. The motion was seconded by Commissioner Bemmels and all present voted in favor of the motion.

Proclamation - National Library Week

The city clerk read a proclamation proclaiming the week of April 14 - 20, 1985 as National Library Week. Commissioner Bemmels made a motion that the week of April 14 - 20, 1985, be proclaimed National Library Week. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Comments of Mayor McCrea

Mayor McCrea, following four years service on the City Commission, extended an invitation to all persons to come to downtown Ottawa to see the improvements that have been made there in the past few years, including the various plantings at the street corners. Mayor McCrea then stated that he would like to enumerate some of the outstanding events that had taken place in the last four years, starting in 1981 with the power plant expansion; the short term contract with the Kansas City Board of Public Utilities for purchase of electric power; the receipt of a plaque from the State of Kansas for excellence in the design of the water plant; and the appointment of the downtown improvement steering committee. For 1982, Mayor McCrea spoke of the update of the Municipal Code; the completion of the utilities warehouse; and a long term contract with the Kansas City Board of Public Utilities for the purchase of electric power. For 1983, he mentioned that the city received funding for a new wastewater treatment facility, issued letters of intent for the issuance of \$11 million in industrial revenue bonds; and the Seventh Street improvement was almost completed. In 1984, the city made a commitment to the Ottawa Industrial Development Corp. to hire an economic development coordinator; IRB's were issued for the Franklin Savings Association and Wal-Mart; and a contract was signed for the final phase of

the Skunk Run storm drainage improvement. Mayor McCrea said that he looked to 1985 as being another year of expansion and development in the City of Ottawa, and he wished to thank all of the commissioners for their support these past four years. Mayor McCrea extended a special thanks to the city manager and his staff, Administrative Assistant, Kristy Cannon, and Executive Secretary, Judy Hasty, along with all of the department heads and the employees of the city. Mayor McCrea then stated that it behooves everyone to keep all avenues of communication open between the city and the citizens of Ottawa.

Presentation of Plaque

Mayor pro tem Bemmels presented Mayor McCrea with a plaque commemorating his year as Mayor of the City of Ottawa, stating that he had been a good mayor for the city, a good leader for the commissioners, and responsive to the people of Ottawa. Commissioner Bemmels stated that it had been a real pleasure working with Mayor McCrea.

Swear in New City Commissioners

The city clerk proceeded to swear in the three new city commissioners for the City of Ottawa: James R. McCrea was sworn in for a four year term on the City Commission; Jerry Thompson was sworn in for a four year term on the City Commission; and Charlene Lister was sworn in for a two year term on the City Commission.

Reorganization of City Commission

Mayor pro tem Bemmels called for nominations for mayor for the 1985 term. Commissioner Lister made a motion that Commissioner Bemmels be elected to the position of mayor for the year 1985. The motion was seconded by Commissioner Heathman. Commissioner McCrea made a motion that nominations cease. Commissioner Thompson seconded the motion. Upon call for the question, all present voted in favor of Mr. McCrea's motion and all present voted in favor of appointing Commissioner Bemmels to the position of mayor for the year 1985, except Commissioner Bemmels who abstained from voting.

Mayor Bemmels then expressed his appreciation to the City Commission for their vote of confidence that he will be capable to lead the City Commission for the next year. Mayor Bemmels said that he had appreciated working with the City Commission these past two years as had he enjoyed working with a very competent city staff. Mayor Bemmels said he was hopeful that the city has many successes in the ensuing year, and he agreed with Commissioner McCrea that it is very necessary that we keep the avenues of communication open with the citizens of Ottawa and if he were to offer a challenge, it would be to work in the best interest of the people of the City of Ottawa.

Mayor Bemmels then announced that the city will be making appointments to various boards and commissions in the next few weeks, and anyone interested in serving on any of the boards and commissions should contact City Hall. The vacancies on the boards and commissions at this time are as follows:

- Library Board - 2 vacancies
- Planning Commission - 2 vacancies
- Recreation Commission - 1 vacancy
- Auditorium Authority - 3 vacancies
- Board of Zoning Appeals - 2 vacancies
- Board of Contractor Examiners - 3 vacancies
- Board of Plumbers Examiners - 3 vacancies
- Band Board - 5 vacancies
- Franklin County United Way Committee - 2 vacancies
- Kansas Municipal Energy Agency - 1 vacancy

Mayor Bemmels then invited all present to stay after the meeting for refreshments.

Mayor Bemmels then called for nominations for the position of mayor pro tem for the year 1985. Commissioner Heathman nominated Commissioner Thompson. The motion was seconded by Commissioner McCrea. Commissioner Lister called for nominations to cease and upon call for the question all present voted in favor of the motion, except Commissioner Thompson, who abstained from voting.

Request of the Chamber of Commerce

Mr. Larry Powell, Executive Director of the Greater Ottawa Chamber of Commerce, asked permission for the Ottawa Retail Association to hold a sidewalk sale in conjunction with the street closing and the Ottawa Auto Affair on Saturday and Sunday, April 27 and 28. Commissioner Lister made a motion that the Ottawa Retail Association be permitted to hold a sidewalk sale on Saturday and Sunday, April 27 and 28, 1985, in conjunction with the Ottawa Auto Affair. The motion was seconded by Commissioner McCrea, and all present voted in favor of the motion.

Mr. Powell also asked permission to use Kanza Park for the Fun Run to be held May 5 in conjunction with the 10 Kilometer Run. The Fun Run is scheduled to begin right after the 10 K run, originating at the National Guard Armory and proceeding north on Elm Street to 15th Street, west on 15th Street to Kanza Park, once around Kanza Park and then returning to the Armory by the same route. Mr. Powell stated that they would like to start the Fun Run about 2:15, and they figured it would take about 45 minutes to complete it. It was further discussed, and Mr. Powell reported, that he had already contacted the Department of Public Safety for the Fun Run and they would be cooperating with this venture. Commissioner Thompson made a motion that the Fun Run be allowed on May 5, 1985, and that Kanza Park could be used for the Fun Run. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - May 1, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held April 17, 1985, were approved as written.

Public Hearing - Community Development Block Grant FY 1985 Application

Mayor Bemmels opened the discussion by stating that a public hearing would be held at this time to receive public input concerning application for the Kansas Department of Economic Development Community Development Block Grant program for FY 1985. Mayor Bemmels then called on the city manager to comment on the subject.

Mr. Drescher stated that the Kansas Economic Development Community Development Block Grant (CDBG) program this year will primarily deal with funding that will aid low-to-moderate income persons and those programs that will improve blighted or slum areas. This year's applications will be limited to a maximum of \$400,000 each and will be separated into categories of Economic Development and Community Improvement grants. The first round of economic development grant applications is due by May 20, 1985, and the only round of community improvement grants is June 17, 1985. This will be the first of two required public hearings. The purpose of this hearing is to invite public input concerning the areas in which CDBG monies might be spent. The second hearing will be after the grant application has been developed.

Mr. Dan Andrews, Director of COF Training Services, appeared before the City Commission asking that COF be given consideration in the economic development area. Mr. Andrews stated that the COF Training Services was established in 1969 and in the ensuing years has upgraded the housing for their clients and there is now a need to upgrade their work facilities and working conditions. COF Training Services is presently located in three separate buildings on Highway K-68 just east of I-35 and there is concern for health, safety and welfare of the individuals working in these three buildings. Mr. Andrews stated that supervision could be improved if all work stations were located in one building. There are concerns for fire and health hazards in the present facilities since vacation of the premises in case of a fire would be difficult and response of the rural fire department by which they are served is slow by comparison to the city's public safety system. The present facilities are on a septic system which frequently surfaces at the roadside and is a health hazard. Mr. Andrews requested the full \$400,000 grant be requested for the COF Training Services to purchase the empty building presently situated in the Ottawa Industrial Park. The purchase of this building would place all work stations under one roof, would provide adequate fire protection and sanitary facilities as well as placing the facility in the industrial park close to many of its customers. Mr. Andrews stated that if the city wished to apply for the grant on behalf of COF, as leverage money the present COF facilities could be sold to help underwrite the purchase the new building.

Mr. Gary Jordan, president of Ottawa/Franklin County Economic Development, Inc. appeared to endorse Mr. Andrews request and further emphasized that by placing the COF facility in the industrial park, it would be closer to many of the companies it serves.

Mr. Charles Heck, 10th and Burrough, complained of dust problems from Tenth Street in front of his property. Mr. Heck stated that the street is unimproved and numerous times he and his neighbors have purchased rock for the street and he would appreciate consideration for oiling or blacktopping the street to control the dust in this area. Mr. Heck spoke of other streets in the city that have been improved with grant monies so he and his

neighbors feel that there should be some consideration given to improving their street.

The city manager then commented that under the community improvement section of the CDBG program, if there are numerous low-to-moderate income persons living in the area, it might possibly qualify for street and storm sewer work.

Mr. Heck then commented that there was a manhole in the middle of Tenth Street that frequently had emitted raw sewage into the ditches and he thought this was a situation that should be corrected. He further stated that he had received letters from the city instructing him to cut weeds in his backyard or the city would cut them and the costs for this cutting would be assessed against his property. Mr. Heck stated that if he receives such letters from the city, he felt every other individual in the city with tall grass should receive the same communication.

Mrs. Tonia Salivini, representing Lifeline and Mid-America Council on Aging, presented to the Governing Body a request for a grant to fund a Lifeline program. The Lifeline program would entail the installation of a base unit at Ransom Memorial Hospital and installation of telephone units in the homes of persons within the community whose advanced age or poor health might require emergency service at any given time. She explained how the system worked and how the various safeguards would be used to summon aid in an emergency. The cost of the hospital unit would be \$7,000 plus \$3,000 for installation. Initially, the home units would be leased to individuals for \$15.00 per month. The initial goal includes funds in the amount of \$10,000 for the base unit installation at Ransom Memorial Hospital. The second goal would be to purchase home units that could be leased to individuals for just \$5.00 per month. According to Mrs. Salivini and Mr. Kenneth Spratt, of Mid-America Council on Aging, that a similar program with 74 home units is now being successfully operated in Parsons.

The city manager then read a letter from Mr. Richard Jackson, Executive Director of ECKAN, concerning possible use for CDBG funds. Mr. Jackson's letter suggested that the city continue the owner-occupied housing rehabilitation program, and to also have a similar rehabilitation program for substandard rental housing, providing the landlord agrees not to raise the rent for five years. He recommended paving dirt and gravel streets, clean-up in various neighborhoods, and purchasing vacant lots to make them available to contractors on which to build housing for low-to-moderate income persons.

Mr. Dresher stated that as the City Commission was aware, a study is presently being conducted of the Possum Run drainage area. The engineering firm of A. C. Kirkwood & Associates is conducting this study and has recently submitted its preliminary findings. The Possum Run drainage area is bounded on the east by Sycamore Street, on the west by the AT&SF railway, begins at approximately Dundee to the north, with drainage being channeled toward the Marais des Cygnes River. Mr. Dresher stated that according to the engineers' preliminary report, the ponding area cannot be greatly enlarged, and to do so would cost \$350,000. This figure does not include the acquisition of property, and there are several parcels which would have to be acquired. The maximum capacity of the enlarged ponding area would accommodate approximately the drainage of a five-year flood. In terms of dollars spent, Mr. Dresher said he did not feel the flooding potential would be greatly decreased by increasing the ponding area. In addition to increasing the ponding area, replacement of a sanitary sewer would be necessary at a cost of approximately \$15,000. Mr. Dresher commented that to increase the pump capacity to 10,000 gallons per minute would cost \$50,000-\$60,000 and to increase the capacity to 20,000 gallons per minute would cost approximately \$100,000. He commented that in planning for flood control, it is desirable to build a structure sufficient to hold drainage from a 25-year flood.

There being no further comments or requests, Commissioner Thompson made a motion that the hearing be closed. The motion was seconded by Commissioner

Lister and upon call for the question, all present voted in favor of the motion.

Resolution No. 400-85 - Rescinding Resolution No. 255

It was explained that Resolution No. 400-85, rescinding Resolution No. 255 was a housekeeping maneuver. Resolution No. 255 was passed a few years ago ordering the improvement of Elm Street from Eighth to Ninth. The ordering of the improvement of Elm Street was the result of a public hearing on the subject. After passage of Resolution No. 255, there was a remonstrance petition received on the project which was deemed to be sufficient and thereby the project never became a reality. Resolution No. 255 had been registered with the Register of Deeds prior to the receipt of the remonstrance petition and it is still on file indicating that there is a lien for street improvement purposes on property within the benefit district of the pavement of Elm Street from Eighth to Ninth Street. By passage of Resolution No. 400-85, the lien against these properties will be removed. Commissioner Lister made a motion that Resolution No. 400-85 which rescinds Resolution No. 255 of the City of Ottawa be passed. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Agreement for Engineering Services for Cypress/Olive Street Storm Drainage and Street Improvement Project

The city manager reported that he had received a proposed contract between the City of Ottawa and Cook, Flatt & Strobel Engineers of Topeka, Kansas, for the design services relative to the Cypress/Olive Street storm drainage and street improvement project. He stated this was pursuant to the action taken by the Governing Body on April 3, 1985, whereby he was instructed to negotiate such a contract. The cost for the services as set forth in the contract is in the amount of \$15,300. Commissioner McCrea made a motion that a contract between the City of Ottawa and Cook, Flatt & Strobel Engineers, Topeka, Kansas, for the design services relative to the Cypress/Olive Street storm drainage and street improvement project in the amount of \$15,300 be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Consider Revision to the Lease Agreement with Ottawa Recreation Commission for Swimming Pool Facility

Mr. Lyle Drescher reported that the lease agreement for the swimming pool facility which the Governing Body had previously approved and sent to the Ottawa Recreation Commission was subject to revision as requested by the Ottawa Recreation Commission. The original agreement set forth that the swimming pool management personnel be fully qualified in operation of the various mechanical aspects of the pool facility. The new agreement as revised sets forth that the qualifications of the pool management personnel will be reviewed by both the city and Recreation Commission. If any training is needed in operation of the mechanical equipment, the City of Ottawa will provide the necessary instruction for operation and maintenance of the various pieces of equipment at the pool facility. With the availability of this instruction, prospective managers who are otherwise qualified, will not be eliminated as potential candidates. Commissioner Thompson made a motion that the mayor be authorized to sign the revised lease agreement between the City of Ottawa and the Ottawa Recreation Commission for the operation of the municipal swimming pool for 1985. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Appointment of Official City Newspaper

Commissioner McCrea reported that the city staff had gathered statistics on the circulation of the two newspapers located in the City of Ottawa. It was reported that the Ottawa Herald has a city circulation of 2,721 papers and the Ottawa Times has a circulation of 1,000 mailings within the city. Commissioner McCrea further stated that the Ottawa Herald, being a daily paper as opposed to the Ottawa Times as a weekly publication, probably better serves the interests of the city, and by having a larger circulation

within the city, it serves to inform more residents of the publication of ordinances, resolutions and other official business of the city. Mr. McCrea commented that according to state statute, the official city paper is to have a general circulation within the area it is serving and he felt the Ottawa Herald had the best circulation within the City of Ottawa. Commissioner McCrea then made a motion that the Ottawa Herald be appointed the official city newspaper for 1985. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Appointments to Boards and Commissions

Mayor Bemmels announced the following appointments to the various boards and commissions of the city:

Library Board - 4-year term: Virginia Loyd and Joe Elder

Planning Commission - 3-year term: Dennis Woolman

Recreation Commission - 4-year term: John Peimann

Auditorium Authority - 3-year term: Charles Gillette, William Burks and Joan Tyson

Board of Zoning Appeals - 3-year term: Virginia Anderson and Roger Bell

Board of Plumber Examiners - 1-year term: Bud Elder, Jerry Servatius and Dean Steanson

Board of Contractor Examiners - 1-year term: Amos Bazil, Gale Lantis and Vincent Skidmore

Band Committee - 1-year term: Lavenna Boyer, George Kramer, David Ludwick, Luther Stevens and Brent Wheeler

United Way of Franklin County - 2-year term: Mark Lambertson and Jack Patty

KMEA Board of Directors for Ottawa's representative - 1-year term: W. D. Bemmels

Consideration of City Investment Schedule

Commissioner McCrea made a motion that the City Investment Schedule dated April 30, 1985, indicating a total of \$5,135,000 invested at an average annual interest rate of 8.79% be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Request for Use of Forest Park by the Ottawa Jaycees

Mr. Gerald Powers, representing the Ottawa Jaycees, appeared before the City Commission and asked permission to use Forest Park on July 4, 1985, for the Jaycees annual Chautauqua Days Celebration. The celebration consists of concessions, children's games and a fireworks display. The request further stated that in the event of rain on July 4, they would like to use Forest Park on July 6, 1985, for the fireworks display. Mr. Powers stated that he had cleared the use of the park with the Ottawa Recreation Commission which does have a ball tournament scheduled during that weekend. Further, Mr. Powers stated that the proper insurance for the event is in order and arrangements have been made by the Jaycees for the clean-up of the park after the event. Commissioner Thompson made a motion that the request of the Ottawa Jaycees be granted and they be allowed to use Forest Park on July 4, 1985, for their annual Chautauqua Days Celebration and in the event of rain on July 4, they be allowed to use Forest Park on the evening of July 6, 1985, for the fireworks display. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Request of Franklin County Agricultural Society

The city manager reported that he had received a letter from the Franklin County Agricultural Society requesting permission to use Forest Park on June 29, 1985, for the purpose of a 4-H Club softball tournament. The request also stated that there would be game booths and concessions operated for the purpose of raising funds for the 1985 Franklin County Fair. Mr. Drescher reported that he had been in touch with Jeanne Rose, who is representing the Franklin County 4-H Clubs, and who advised him that proper insurance is in order; that Don Williams, Director of the Ottawa Recreation Commission, had given permission to use the ball diamonds on this date, and that an agreement had been reached with the individual who provides the concessions in Forest Park that would allow the 4-H Clubs to operate their concessions on this date. Commissioner McCrea made a motion that the Franklin County Agricultural Society be allowed to use Forest Park on June 29, 1985, for the purpose of a 4-H softball tournament. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Request of the Auditorium Director

Mr. George Jaworski, Auditorium Director, requested permission to close Third Street from Main to Hickory from 1:00 p.m. to 3:00 p.m. on Sunday, May 5, 1985, for purpose of sponsoring the Boutique Spring Fashion Show and in celebration of the Red Leg Run and the performance of the Wichita Symphony at 3:30 p.m. It was stated that the Department of Public Safety had been contacted concerning the proposed street closing during this period of time and offered no objection. It was further requested that the commissioners proclaim Sunday, May 5, 1985, as Wichita Symphony at the Pops, Red Leg Run and Boutique Spring Fashion Review Day. Commissioner Lister made a motion that the request to close Third Street from 1:00 p.m. to 3:00 p.m. on May 5, 1985, be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion. Commissioner Thompson made a motion the mayor be authorized to make the requested proclamation. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Announcements

Mayor Bemmels announced that the program "Lady Alive" will be presented at the Municipal Auditorium on May 7, 1985, at 1:00 p.m. The program addresses personal safety, sexual assault and crime prevention and Mayor Bemmels invited those persons interested to please attend.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - May 6, 1985

The City Governing Body met in special session at 3:00 p.m. this date.
Present: Mayor pro tem Thompson and Commissioners Lister and McCrea.
Absent: Commissioner Heathman and Mayor Bemmels.

The purpose of the special meeting is to review and accept the petition for street improvements in the 2300 block of South Cedar, sanitary sewer improvements and storm sewer improvements, and to consider resolutions making findings as to the advisability of the improvements and directing and ordering the improvements.

Review Petition

A petition calling for improvements in the 2300 block of South Cedar and for sanitary sewer improvements and for storm sewer improvements in that area was reviewed. The petition calls for the improvement of Cedar Street from 23rd Street south approximately 282 feet, for sanitary sewer improvements and for storm sewer improvements. The estimated probable costs of the improvements are \$50,000 for street improvements, \$50,000 for sanitary sewer improvements and \$85,000 for storm sewer improvements. The method of assessment is to charge the benefit district for one hundred percent of the costs involved and the city is to pay nothing. The legal description of the benefit district is Lots 1, 2, 3 and 4 of the O.I.C. Subdivision of the City of Ottawa, Franklin County, Kansas. The criteria for the preparation of plans and specifications, the construction of the improvements and the securing of temporary construction financing of the improvements was set forth and is to be borne by the benefit district, subject to the approval of the City of Ottawa. The benefit district is to provide all temporary financing necessary for the project and is to be reimbursed by the city at such time as the city places permanent financing and purchases the improvements from the developer. At such time as the City of Ottawa makes formal acceptance of the improvements, a developers bond will be required in an amount equal to the assessment on any unsold property or lots within the benefit district. The amount of the developers bond may be reduced proportionately by the sale of the assessment on properties sold. It was reported that the petition for the improvements had been timely filed with the city clerk and has been determined to be sufficient by the city attorney. Commissioner Thompson made a motion that the petition for improvements as submitted with an estimated probable cost of \$150,000 be accepted. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Resolution No. 401-85

Commissioner McCrea made a motion that a resolution finding the advisability of improving Cedar Street from a new "T" intersection beginning at the south pavement line of 23rd Street, thence south to the platted north property line of Lot 2 of the Ottawa Investment Company Subdivision; constructing an 8" sanitary sewer to be located in the platted easement along Cedar Street and construction of storm sewer improvements in conjunction with the street improvement and drainage channel traversing through the property, in Ottawa Investment Company Subdivision of Lot No. 44, County Clerks Subdivision No. 1, in the City of Ottawa, Franklin County, Kansas, with an estimated probable cost of \$150,000, be passed. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Resolution No. 402-85

Commissioner Lister made a motion that a resolution directing and ordering the improvement of Cedar Street from a new "T" intersection beginning at the south pavement line of 23rd Street, thence south to the platted north property line of Lot 2 of the Ottawa Investment Company Subdivision; the construction of an 8" sanitary sewer to be located in the platted easement along Cedar Street and the construction of storm sewer improvements in conjunction with the street improvement and drainage channel traversing through the property, in the Ottawa Investment Company Subdivision of Lot

No. 44, County Clerks Subdivision No. 1, in the City of Ottawa, Franklin County, Kansas, with an estimated probable cost of \$150,000 be passed. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

The business for which this special City Commission meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - May 15, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes - Meeting of May 1, 1985

The minutes of the regular meeting of the City Commission held May 1, 1985, were approved as written.

Approval of Minutes - Meeting of May 6, 1985

The minutes of the special City Commission meeting held at 3:00 p.m. May 6, 1985, were approved as written.

Review Auditorium Renovation Bids

Mrs. Susan Sachse, representing the Municipal Auditorium Authority, appeared before the City Commission, stating that on March 20, 1985, the City Governing Body had authorized improvements in the Municipal Auditorium in the amount of \$24,800. \$21,605 was for construction and \$3,195 was for architectural fees. Bids for the construction work were received on May 7, 1985, and Taylor Construction was the apparent low bidder with a bid of \$22,533. Mrs. Sachse further reported that the architect had met with Taylor Construction and had managed to remove \$950 from the proposed improvements, thus bringing the Taylor Construction Co. bid in line with the amount authorized by the City Governing Body.

Commissioner Thompson made a motion that the Auditorium Authority be authorized to enter into a contract with Taylor Construction Co. in an amount not to exceed \$21,605 for improvements in the Municipal Auditorium and that the Auditorium Authority be authorized to pay the architect \$3,195 for his services. The motion was seconded by Commissioner Lister and all present voted in favor of the motion. Commissioner McCrea then commented that the Auditorium Authority and the architect are to be commended for their efforts in the design work and securing of a bid within the amount allowed for the improvement.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, May 7, 1985 at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held April 2, 1985, were approved with corrections.

The Planning Commission continued a Public Hearing to update the Capital Improvement Program of the City of Ottawa. After discussion the Planning Commission voted 7-0 to recommend adoption of this five year CIP update to the City Commission.

The Planning Commission continued a Public Hearing to consider a request submitted by Brian W. and Penny K. Olson to rezone a tract of land generally located at 2141 Princeton Road from R-S (Residential Suburban) to C-S (Highway Service). After discussion of this request with the Olson's and property owners in the area, the Planning Commission voted 7-0 to table this decision for a period of time not to exceed 4 months and to, in the interim, study more carefully the area along Princeton from 23rd Street to 17th.

The Planning Commission continued a Public Hearing to consider amending the Zoning Ordinance of the City of Ottawa to combine permits for development and construction in flood plains. After discussion, the Planning Commission voted 4-2 to recommend to the City Commission that this amendment be approved.

The Planning Commission continued their discussion of land use and zoning in the Cedar and 15th Street area. After discussion, the Planning Commission voted 7-0 to call a public hearing to consider the following rezonings: property generally located at 1526 S. Cedar and 1532 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential); and 15th Street and South Hickory, also known as Cedarhouse, from C-2 (General Commercial) to O-I (Office and Institutional).

There being no further business to come before the Planning Commission, the meeting was adjourned.

Commissioner McCrea inquired as to when the five year Capital Improvement Program will be submitted to the City Commission. The city manager stated that the City Commission should have the Capital Improvement Program for the first meeting in June.

Commissioner McCrea made a motion that the report of the Planning Commission of May 7, 1985, be accepted. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Appointment to City Planning Commission

Mayor Bemmels reported that his appointment to fill a vacancy on the Planning Commission is still under consideration and will not be announced at this time.

Consider a Failure to Recommend by the Planning Commission

The City Commission proceeded to consider a failure to recommend by the Planning Commission regarding a proposed amendment to the Zoning Ordinance to allow multiple family uses in the C-2 (General Commercial) district. This consideration follows a City Commission's nonapproval of an originally proposed amendment on March 20, 1985. Commissioner McCrea made a motion that the City Commission deny the recommendation of the Planning Commission to allow multiple family uses in the C-2 (General Commercial) zoning district. The motion was seconded by Commissioner Heathman. Commissioner McCrea then stated that he felt there was a shortage of the C-2 (General Commercial) zoned property now in existence and to allow multiple family uses in such a district could cause a further shortage. Commissioner Lister stated that she concurred with Commissioner McCrea and further that she did not feel families with children living in the C-2 districts would be compatible with other allowable uses. Upon call for the question, all present voted in favor of the motion.

Status Report on City Projects

The following is a list of current city projects and their status.

1. Airport Runway & Taxiway - LRM Industries began runway patching during the week of April 22. The improvement of the south 1000' of the runway and the 3000' asphalt overlay of the entire runway will be delayed to accommodate the annual Aerobatics contest in July and to insure good weather for the final portions of the runway improvement.
2. EPA Project--Collector System Improvements and Wastewater Treatment Plant - During the first week of April the plant became operational. The plant is approximately 95% complete. The completion of the holding basin will resume late this month or early in June as the weather and condition of soil permits. Construction of collector system improvements is still in progress. The subcontractor with Reed Construction Co. finished boring and placing a new main line under Main Street during the last week in April, and presently boring A.T.&S.F. track crossing at First and Walnut Streets.

3. Cypress and Olive Street Storm Drainage Improvements. Final Plans for this project are in the process of being completed by Cook, Flat & Strobel. A bid letting for this project is anticipated sometime in June.
4. Skunk Run Storm Drainage Improvement Phase IV - The Bonding Company now responsible for completion of this project is in the process of executing a contract for the completion of this work. New seeding for the Middle School field area and park area completed. Continuation of project dependent upon contractual arrangement between bonding company and contractor.
5. Skunk Run Storm Drainage Improvement Phase V - The 11th Street box culvert has been poured and part of the double box at Locust Street between 8th & 9th Streets has also been completed. Excavation for the open channel between Elm and Locust (at 9th Street) has begun.
6. Marais des Cygnes River Bridge - A June bid letting on this project is anticipated.
7. South Main Street Improvement - Final plans are being completed for this project and a June bid letting is anticipated.
8. Auditorium Basement Improvements - A bid letting was held by the Auditorium Authority last week. The apparent low bidder is Taylor Construction. Pending final execution of a contract, the Auditorium Authority expects to begin work in June.
9. South Main Street Hazard Elimination Project - The Kansas Department of Transportation has conducted a survey of the area in the vicinity of Wal-Mart and 23rd Street. The City will have plans for median improvements and a northbound turn lane from the North Wal-Mart exit completed in mid June for state approval. Upon completion of plans, the City will perform most of this construction work using both State Hazard Elimination Funds and a local match.

At the conclusion of the status report Mayor Bemmels asked the city manager if there was any late information concerning when the overpass over the Santa Fe tracks on the north edge of Ottawa would be opened. The city manager stated that as far as he knew the overpass would open around June 1. Commissioner Heathman reported that the viaduct is completed but the approaches are still under construction.

Proclamation - Historic Preservation Week

Mr. John Mark Lambertson presented and read a proclamation before the City Commission proclaiming the week of May 12, 1985, as Historic Preservation Week. Commissioner Lister made a motion that the mayor be authorized to sign the proclamation and the motion was seconded by Commissioner Thompson. All present voted in favor of the motion.

Mayor Bemmels reported that information had been received Tuesday, May 14, 1985, from the Kansas Department of Economic Development indicating that a \$125,000 Community Development Block Grant (CDBG) for the North American Hotel renovation had been approved. The original award had been contingent on matching funds in the form of an Urban Development Action Grant being received. The application for the Urban Development Action Grant was denied funding. However, due to the high point rating of the North American Hotel renovation project, it was found to be eligible for outright CDBG funding.

Call for Special Meeting

Mayor Bemmels announced that a special meeting is being called for 9:35 a.m. May 17, 1985, to hold a public hearing to consider the city's application for \$400,000 in Community Development Block Grant (CDBG) funds to help provide the C.O.F. Services with better work facilities.

Mr. Warren Sellens, representing the Ottawa V.F.W. asked permission to hold a Memorial Day service in Highland Cemetery on May 27, 1985, at 10:00 a.m., which would include the firing of a three-gun salute. Commissioner McCrea made a motion that Mr. Sellens request be granted. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

At the request of the city clerk it was announced that a special meeting would be held at 3:00 p.m. May 28, 1985, for the purpose of opening bids and awarding a contract for the sale of General Obligation bonds of the City of Ottawa in the amount of \$461,849.47.

Mr. John Mark Lambertson again appeared before the City Commission presenting a letter from the Franklin County Historical Society. The Franklin County Historical Society is requesting the City Commission appoint a temporary task force of interested citizens to study the question of historic preservation in Ottawa. The letter stated that the purpose of the committee would be to submit a list of recommendations to the City Commission concerning the preservation, restoration and maintenance of historical structures in the city. It was recommended that such a task force would work in tandem with the city Planning Commission and seek a wide range of opinions, advice and expertise on the subject. It was also recommended that the task force make its report to the City Commission before the end of 1985. The Franklin County Historical Society felt that this study would be a start in looking at what preservation goals would or would not be feasible for the city and the individual property owners. Mayor Bemmels stated that the City Commission would give consideration to the request of the Franklin County Historical Society.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - May 17, 1985

The City Governing Body met in special session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners Mccrea, Heathman, Lister and Thompson. Absent: None.

Public Hearing - Application for Economic Development Grant

Mayor Bemmels opened the meeting, stating that the special meeting was called to conduct a public hearing to consider the City of Ottawa's application for an Economic Development Grant under the Community Development Block Grant (CDBG) program through the Kansas Department of Economic Development (KDED) for the C.O.F. project. Mayor Bemmels then called on Mr. Dan Andrews, Director of the C.O.F. program.

Mr. Andrews stated that he really had nothing further to add to his comments made during a prior public hearing, but he was most pleased that the City of Ottawa was proceeding to request \$400,000 to provide a suitable workplace for the C.O.F. program. Mr. Andrews stated that the Vice President of the C.O.F. Board of Directors, Mr. Gene Hover of Osage County, was present at this public hearing.

Mr. Hover addressed the City Commission, stating that the City of Ottawa should be proud of its involvement in and assistance to a program such as that offered by C.O.F.

Administrative Assistant, Kristy Cannon, then commented on the financial status of the proposed project. The city is requesting \$400,000 from the

Small Cities CDBG program through KDED. The \$400,000 grant is to be matched with \$62,558 from the sale of the present site of the C.O.F. workshop, utility extensions and administrative costs in the amount of \$14,753 and special provisions from the local lending institutions in the amount of \$59,773, for a total project cost of \$537,084. C.O.F. has agreed to recapture of funds on a payback for fifteen years of \$139,500. This is to be accomplished by a payback of \$9,000 per year for fifteen years, and a payment for 1985 in the amount of \$4,500. The C.O.F. hopes to create and retain a total of 95 positions, which would mean adding fourteen adults to the present program. The present site of C.O.F. has been determined to be unsafe for health and sanitary reasons. If a new site is not obtained, it is possible that in the future the present facility could be closed.

Commissioner Lister asked if the recapture was sufficient and it was reported by Ms. Cannon that the recapture is realistically set and is expected to be sufficient. The recapture when paid back to the city may be used for other economic development projects.

There being no further discussion, Commissioner Lister made a motion that the public hearing be closed. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Consideration of Fair Housing Plan

Administrative Assistant Kristy Cannon presented a Fair Housing Plan to the City Commission, which is to be included with the city's application for CDBG funds. The Fair Housing Plan consists of land use goals, housing, economic development, public facilities and capital improvements, employment, and consideration is given to needs of senior citizens. Ms. Cannon explained that it is the same plan under which the city has operated for several years. She stated that the deadline for the application is Monday, May 20, 1985.

Commissioner Thompson commented that he was very excited about the application for the CDBG funds for the C.O.F. program as everyone in the community was involved and very anxious to proceed with the project.

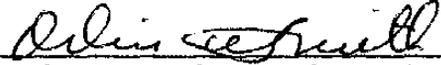
Commissioner McCrea made a motion that the Community Development and Fair Housing Plan be approved and be included with the City of Ottawa's Community Development Block Grant Economic Development application. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Authorize Mayor to Sign Grant Application

Commissioner Lister made a motion that the mayor be authorized to execute the City of Ottawa's Community Development Block Grant Economic Development application. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

In closing the meeting, Mayor Bemmels announced that there would be a special meeting of the City Commission at 3:00 p.m. on Tuesday, May 28, 1985, being held in order to receive bids on and award purchase of General Obligation bonds of the City of Ottawa for central business district, airport and sewer improvements.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - May 28, 1985

The City Governing Body met in special session at 3:00 p.m. this date.
Present: Mayor Bemmels and Commissioners McCrea, Heathman and Thompson.
Absent: Commissioner Lister.

The purpose of the meeting is to open bids for the sale of General Obligation bonds for the Main Street sidewalk improvement project, side street sidewalks and improvement project, the Southwest Main Sewer Extension No. 3 - Part 4, and an airport improvement and expansion project. The total amount of the bonds to be sold is \$461,849.47. Mayor Bemmels opened the meeting and then directed the city clerk to proceed with the reading of the bids for the sale of the bonds.

The bids opened and read by the city clerk are as follows:

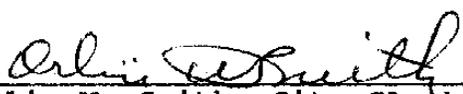
Stern Bros. & Co., Kansas City, MO, an average interest rate of 8.111296, with a net interest cost to the city of \$230,510.83. George K. Baum & Co., Kansas City, MO, an average interest rate of 8.032435, with a net interest cost to the city of \$228,269.70. Commerce Bank of Kansas City, MO, an average interest rate of 8.114936, with a net interest cost to the city of \$230,614.26. United Missouri Bank, Kansas City, MO, an average interest rate of 8.160459, with a net interest cost to the city of \$231,907.92.

At the conclusion of the reading of the foregoing bids, the Mayor recessed the meeting and directed the city clerk to check the bids for accuracy and report back to the meeting as soon as possible.

Upon notification by the city clerk that the bids had been checked, the Mayor reconvened the meeting. The city clerk reported that the lowest bidder had been George K. Baum & Co., of Kansas City, MO, with an average interest rate of 8.032435, but the bid was submitted with a partial descending interest rate as opposed to an ascending interest rate as set forth in the specifications for bidding. It was recommended that the bid of George K. Baum & Co. not be considered. The city clerk then recommended that the bid of Stern Bros. & Co., Kansas City, MO, with an average interest rate of 8.111296 and a net interest cost to the city of \$230,510.83 be accepted.

Commissioner Thompson made a motion that the bid of George K. Baum & Co. of Kansas City, MO, not be considered due to irregularities in submission and that the bid of Stern Bros. & Co. of Kansas City, MO, with an average interest rate of 8.111296 and a net interest cost to the city of \$230,510.83 be accepted and that the mayor be authorized to sign the agreement accepting the proposal of Stern Bros. & Co. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

The business for which the special meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - June 5, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held May 15, 1985, of a special meeting held May 17, 1985, and of a special meeting held May 28, 1985, were all approved by separate actions of the Governing Body.

Presentation of Retirement Plaque

Mayor Bemmels presented a plaque to Mrs. Rose Hanes, commemorating her retirement from the City of Ottawa effective May 31, 1985. Mrs. Hanes had been in continuous employment of the City since 1967.

Ordinance No. 2793-85 - General Obligation Bonds

Mayor Bemmels stated that he would entertain a motion for the sale of general obligation bonds in the amount of \$461,849.47. The bonds were being sold to pay the cost of the improvement of sidewalks in the Central Business District, sewer improvements on W. 15th Street and airport improvements. Commissioner McCrea made a motion that an ordinance authorizing the issuance and delivery of \$461,849.47 principal amount of general obligation sidewalk, sewer and airport improvement bonds, Series A 1985 of the City of Ottawa, Kansas for the purpose of providing funds to pay the cost of certain improvements, providing the form and detail of said bonds, and providing for the levy and collection of an annual tax for the purpose of paying the principal and interest on said bonds as they become due, be passed. The average annual interest rate for said bonds was 8.111296 percent. The motion was seconded by Commissioner Thompson. There being no discussion, the question was called and all present voted in favor of the motion.

Ordinance No. 2794-85 - Flood Plain Development Permit and Building Permit

Commissioner Lister made a motion that an ordinance amending and modifying Ordinance No. 2713-82 to combine the Flood Plain Development Permit and the Building Permit by specifically amending Article VI (F-P) Flood Plain District, Section 5 (Permits), be passed. The motion was seconded by Commissioner Heathman. The city clerk explained that the purpose of the ordinance was to combine the building permit requirements and flood plain development requirements into a single permit form, reducing the paperwork involved for the issuance of such permits. There being no discussion, the motion was called and all present voted in favor of the motion.

Engineering Services Agreement with Cook, Flatt & Strobel, Engineers

Mayor Bemmels stated that the agreement being considered is with Cook, Flatt & Strobel, Engineers, for the preparation of plans and specifications, cost estimates and construction staking for the U.S. 59 - 23rd Street Hazard Elimination project. Mayor Bemmels then called on the city manager to elaborate on the subject. The city manager stated that this project is a Kansas Department of Transportation Hazard Elimination project, but that it is the responsibility of the City to provide the design, plans and specifications and costs estimates for the project. The City desires at this time to enter into an agreement with Cook, Flatt & Strobel, Engineers, for their design services inasmuch as the City staff members are occupied with many other projects at this time and unable to devote necessary time to performing such design services. The cost to the City for these services is \$5,750. The Kansas Department of Transportation will pay ninety percent of the construction costs with the City paying ten percent.

Lizzies, motorcycles, fire wagon, bands and other attractions. The purpose of the parade is to advertise the Shrine Rodeo in Kansas City, proceeds from which are used to support the Crippled Children's Hospital in Kansas City, and other hospitals in the area. It was suggested that the colorguard unit of the National Guard be invited to participate in the parade. Mr. Powell said that he would contact the Abdallah Temple and suggest that they invite the colorguard unit from the National Guard. Commissioner Thompson made a motion that the Abdallah Shrine be permitted to hold a parade in Ottawa on Saturday, June 29, 1985, at 11:30 a.m. with the route as specified. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Report of Planning Commission

The City Planning Commission met in regular session on Tuesday, June 4, 1985 at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held May 7, 1985, were approved with corrections.

The Planning Commission held a public hearing to consider rezoning a tract of land generally located at 515-517 North Cherry from R-1 (Single Family Residential) to R-2 (Multi-family Residential). After hearing comments from surrounding property owners and other interested citizens both in favor and against the proposed rezoning, the public hearing was continued to the next meeting of the Planning Commission.

The Planning Commission held a public hearing to consider rezoning a tract of land generally located at 1526 and 1532 South Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential). After discussion, the public hearing was continued to the next meeting of the Planning Commission.

The Planning Commission held a public hearing consider rezoning a tract of land generally located at the intersection of 15th and Cedar Streets from C-2 (General Commercial) to O-I (Office Institutional) After discussion, the public hearing was continued to the next meeting of the Planning Commission.

The Planning Commission considered an item tabled on April 2, 1985 to rezone a tract of land generally located at 1600 South Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential). After discussion among the Planning Commission and with the owner of the property regarding options for the establishment of a landscape easement to buffer commercial uses on the West side of Cedar from single family uses on the east side of Cedar, the Planning Commission tabled this rezoning to the next meeting, pending the submission of a new plat by the property owner.

The City's Planning Consultant gave a report to the Planning Commission regarding a meeting held May 30, 1985 with property owners along Princeton Street in the area from 17th to 23rd Street. The Planning Commission indicated to interested parties that they would continue this study at their next study session and regular meeting.

The Planning Commission reorganized in the following manner: Chairman: Richard Jackson Vice-Chairman: Doug Underwood. The Planning Commission also appointed the Administrative Assistant to serve as secretary to the Planning Commission.

There being no further business, the meeting was adjourned.

Commissioner Thompson made a motion that the report of the Planning Commission meeting be accepted and entered into the official record. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

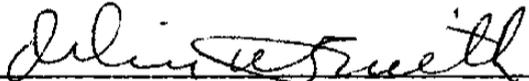
City Investment Schedule

The City Investment Schedule as of May 31, 1985, indicated a total of \$4,800,000 invested at an average interest rate of 8.62 percent. Commissioner Lister made a motion that the City Investment Schedule as of May 31, 1985, be accepted. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Cereal Malt Beverage License Application

The city clerk presented an application for cereal malt beverage license as submitted by the Ottawa Country Club on East Logan Street, naming Walter C. Hardinger as agent. The city clerk reported that the license application had been received at a late date and even though the license form was in order, the necessary records checks had not yet been performed. He therefore asked that the license application be approved subject to the necessary records checks being made and approved. Commissioner Thompson made a motion that the application for cereal malt beverage license as submitted by the Ottawa Country Club, Walter C. Hardinger - Agent, be approved and the mayor authorized to sign the application contingent upon the necessary records checks being made and approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - June 14, 1985

The City Governing Body met in special session at 3:00 p.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Lister and Thompson. Absent: Commissioner Heathman.

The purpose of this meeting as stated is to hold a second public hearing concerning the city's application for Community Improvement funds under the Community Development Block Grant (CDBG) program as administered by the Kansas Department of Economic Development. Mayor Bemmels called on the city manager to explain the purpose of the public hearing and the alternatives of the City of Ottawa concerning its application for Community Improvement funds.

The city manager explained that the City was informed this date that it had not been funded on an Economic Development grant application for \$400,000 to purchase the industrial building at the Northeast Ottawa Industrial Park for the use of COF Training Services, Inc. As a result of denial for funding through the application for Economic Development purposes, the City may now consider applying for \$400,000 to purchase the building through the Community Improvement category of the Small Cities CDBG program. An alternative application for this category would be for housing rehabilitation funds in the amount of \$200,000. The city was informed that its economic development application ranked seventh, and the first five of the applicants were funded. The City was 70 points below fifth place in those rankings. The City was informed that the job creation level and the recapture of funds were low by comparison to the other economic development applicants.

Mr. Dan Andrews, Executive Director of COF Training Services, Inc., spoke before the City Commission, encouraging the City to apply for the \$400,000 in Community Improvement funds for the purchase of the building. He felt the City's application would receive a high rating in the area of service to low- to moderate-income persons. The recapture for the program would be approximately \$137,000, which should enhance the City's position in being funded.

Mr. Earl Devore appeared before the City Commission, stating that the City had been in the housing rehabilitation program for seven or eight years and this effort has been very helpful to many of Ottawa's citizens. However, at the present time it is becoming more difficult to find qualified persons seeking such assistance for housing rehabilitation. Mr. Devore stated that in view of this difficulty, he would recommend that the City apply for \$400,000 for the COF, Training Services, Inc. program.

Mr. Richard Jackson appeared before the City Commission, speaking in favor of applying for additional housing rehabilitation funds. Mr. Jackson stated that the COF request can be submitted two additional times this year, while the housing rehabilitation application can be submitted only at this time. He stated that he disagreed with Mr. Devore and feels there are many qualified individuals who would be interested in receiving housing rehabilitation assistance, but possibly the City's approach to attracting applicants for the funds needs to be revised. Mr. Jackson quoted statistics from the City's recent housing study which pointed out that there are many substandard housing units in the City of Ottawa. In addition, Mr. Jackson said some of the CDBG funds could be used for low-interest loans for housing rehabilitation as opposed to grants. Upon question from Mr. McCrea concerning whether other cities are making loans, Mr. Jackson stated that he was aware that Lawrence and Topeka were making such loans. It was pointed out, however, that these cities are under the entitlement program for larger cities.

Commissioner McCrea made a motion that the public hearing concerning the City's grant for Community Improvement funds be closed. The motion was seconded by Commissioner Lister, and all present voted in favor of the motion.

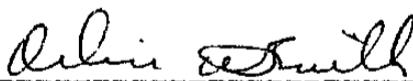
Authorize Mayor to Execute Application for Community Improvement Grant Funds

Commissioner Thompson made a motion that the mayor be authorized to execute the application of the City of Ottawa for Community Improvement Small Cities CDBG funds through the Kansas Department of Economic Development in the amount of \$400,000 for improvements for the COF Training Services, Inc. The motion was seconded by Commissioner McCrea. Commissioner McCrea then stated that there certainly is merit in the housing rehabilitation program, but if the City is having problems in securing qualified applicants for this program, possibly the City should apply for funds to benefit COF instead. Commissioner Thompson stated that he was of the opinion that assisting the COF Training Services, Inc. would benefit the most persons. Through discussion it was the consensus of opinion that the City had housing rehabilitation funds which would probably last for about a year. At that time the City could reapply for funding in the 1986 fiscal year to continue the housing rehabilitation program. Commissioner Lister questioned if there was a time limit on the use of the rehabilitation funds. She was informed that it was eighteen months, but the City should have no problem in using the funds it presently has within that time period. Upon call for the question, all present voted in favor of the motion.

Resolution No. 403-85 - Long Term Maintenance of Community Development Block Grant Funded Activities

A resolution of assurance relative to the long range financing of the operation and maintenance costs of the Community Improvement project as required under the Kansas Small Cities Community Development Block Grant program was discussed. The city manager stated that the COF Training Services, Inc. operation had submitted a five year profit and loss statement which provides for long range financial planning documentation to support the project's capability to operate independently without support of CDBG funding for operation and maintenance of the facility. By passage of this resolution, the City assures that Community Improvement CDBG funds for which application is being made will not be used for financing long range operation and maintenance costs of the COF Training Services, Inc. facility. Commissioner Lister made a motion that a resolution of assurance relative to the long range financing of the operation and maintenance costs of the Community Improvement project as required under Kansas Small Cities Community Development Block Grant program be passed. The motion was seconded by Commissioner Thompson, and upon call for the question all present voted in favor of the motion.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - June 19, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners Heathman, Lister and Thompson. Absent: Commissioner McCrea.

Approval of Minutes

The minutes of the last regular meeting held June 5, 1985, were approved as written.

Ordinance Concerning Sewer Service Charges

Mayor Bemmels announced that an ordinance establishing new sewer service charges and establishing new rules and regulations for the use of the City's sanitary sewers would not be considered at this time inasmuch as approval of it by the Kansas Department of Health and Environment is still pending. Mayor Bemmels did, however, direct the city clerk to give a brief history of the sewer service charges in the City of Ottawa. The city clerk reported that the first sewer service charges were initiated in 1970 as a result of the inability of the general fund to continue underwriting the operation of the sewage utility. In 1970 the City of Ottawa issued no fund warrants in the amount of \$27,000 for the operation of the sewage disposal plant for that year and also initiated the sewer service charges to underwrite the cost of operating, maintaining and repairing the sewer plant in future years. The sewer service charges were increased in 1980 to be effective in 1981 as the then present rates were falling short of the amount needed to maintain and operate the sewage treatment system. Another increase in the rates for the sewer service charges is being considered at this time as it will be necessary to retire a bond debt which will be incurred as a result of the construction of the new sewage treatment facility and the upgrading of the sewer collector system. Commissioner Heathman made a motion that action on an ordinance establishing new sewer service charges and setting forth new regulations for the use of the City's sanitary sewer system be tabled until the next regular meeting of the City Commission. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Resolution No. 404-85 - Authorizing the Issuance of Temporary Notes

Mayor Bemmels called on the city clerk to comment on the resolution being considered. The city clerk stated that the resolution being considered is necessary to authorize the issuance of temporary notes in the amount of \$500,000 to finance the reconstruction of South Main Street from Seventh to Tenth Streets. The amount set forth in the resolution is to pay the cost of the construction, the engineering and the interest incurred on borrowed monies. It was stated by the city clerk that the notes being authorized by the resolution are a registered type note and an agreement appointing the State Treasurer to act as paying agent, bond registrar and transfer agent should be considered following passage of the resolution. The interest set forth by resolution for the temporary notes is 7.75 percent, and the notes are to run for a maximum term of 30 months. Commissioner Lister made a motion that a resolution authorizing the issuance of temporary notes in the amount of \$500,000 at an annual interest rate of 7.75 percent to finance the reconstruction of South Main Street from Seventh to Tenth Streets be passed. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Consider Agreement Appointing State Treasurer to Act as Paying Agent, Bond Registrar and Transfer Agent for Temporary Notes in the Amount of \$500,000

The city clerk reported that the foregoing resolution directs that the State Treasurer of the State of Kansas be appointed as paying agent, bond registrar and transfer agent for these securities. It is deemed advisable to appoint the State Treasurer to these duties inasmuch as the office of the State Treasurer has the personnel and all recordkeeping practices for these

duties already in place. Commissioner Thompson made a motion that an agreement appointing the State Treasurer of Kansas to act as paying agent, bond registrar and transfer agent for the temporary notes authorized by Resolution No. 404-85 be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Consider Authorization for Preparation of Bid Documents for Improvement of South Main from Seventh to Tenth Streets

The city manager reported that he had been in contact with Mr. Gary Shofner, of the engineering firm of Cook, Flatt & Strobel, who had indicated that it is not necessary to authorize preparation of bid documents at this time inasmuch as the city might wish to wait until it had determined the best time to receive bids. In the meantime, city crews must do some construction work in the area. When this work is nearing completion, the authorization for preparation of bid documents could be considered. Commissioner Heathman made a motion that action on the authorization to prepare bid documents for the South Main Street improvement be tabled. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Consider Adoption of 1985 Capital Improvements Program

Mayor Bemmels requested the city manager comment on the 1985 Capital Improvements Program. The city manager stated that the Planning Commission had presented the recommended Capital Improvements Program for 1985 to the City Commission approximately one month ago. As set forth by Kansas statute and the City of Ottawa's Comprehensive Plan, a Capital Improvements Program must be adopted by the Planning Commission and the City Commission in June of each year. The reason for the timing of this required adoption is that the city budget process generally takes place between June and August of each year and by having the Capital Improvements Program in place, it allows for the proper budgeting of expenditures for the capital improvements. Commissioner Lister made a motion that the 1985 Capital Improvements Program as recommended by the City Planning Commission be adopted. The motion was seconded by Commissioner Heathman. Commissioner Lister then commented that it was interesting to note that most of the capital improvements recommended by the Planning Commission for 1985 are presently underway or are in various stages of development. Upon call for the question, all present voted in favor of the motion.

Consider Agreement with United States Fidelity and Guaranty Company

The city manager explained that the agreement between the City and United States Fidelity and Guaranty Company, the surety for Tillery Construction, Inc., acknowledged default of Tillery Construction, Inc. and allowed for the United States Fidelity and Guaranty Company to proceed with the construction under the existing contract with Tillery Construction, Inc. Since the agreement was just received it should not be acted upon until it has been approved by the city attorney. Some sections of the agreement are complicated and not clearly understood at this time. The United States Fidelity and Guaranty Company is presently working with Smoky Hill, Inc. in hopes that they might complete the original contract. The original contract was in the amount of \$432,024.30 and there is a total of \$119,789.39 remaining to be paid on the contract. There is also a question of liquidated damages on the project which will be discussed with the engineering firm of A. C. Kirkwood & Associates during the next study session of the City Commission. Commissioner Lister made a motion that action on the agreement with United States Fidelity and Guaranty Company be tabled until the July 3, 1985, meeting of the City Commission. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Status Report of City Projects

The following is a list of current city projects and their status:

1. Airport Runway & Taxiway - The improvement of the south 1000' of the runway and the 3000' asphalt overlay of the entire runway will be delayed to accommodate the annual aerobatics contest in July and to ensure good weather for the final portions of the runway improvement.
2. EPA Project - Collector System Improvements and Wastewater Treatment Plant - The plant is operational and approximately 95% complete. Construction on the holding basin will resume this month as the weather and condition of soil permits. Construction of collector system improvements is still in progress.
3. Cypress and Olive Street Storm Drainage Improvements - Final plans for this project are in the process of being completed by Cook, Flatt & Strobel. A bid letting for this project is anticipated sometime in July.
4. Skunk Run Storm Drainage Improvement phase IV - Bonding Company (U.S.F.&G.) for Tillery Construction is currently negotiating with a contractor to complete this phase.
5. Skunk Run Storm Drainage Improvement Phase V - The 11th Street box culvert has been poured and part of the double box at Locust Street between 8th & 9th Streets has also been completed. Excavation for the open channel between Elm and Locust (at 9th Street) has begun.
6. Marais des Cygnes River Bridge - All utilities have been relocated and a bid letting is scheduled for June 20.
7. South Main Street Improvement - Final plans are being completed for this project and a August bid letting is anticipated. On June 17, 1985 City Commission held an informational meeting with adjacent property owners to this project. City staff is in process of acquiring temporary easements. Tree removal and utility relocations to begin July 1.
8. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986.
9. Auditorium Basement Improvements - A contract with Taylor Construction was authorized for execution on May 20, 1985.
10. South Main Street Hazard Elimination Project - The Kansas Department of Transportation (KDOT) has conducted a survey of the area in the vicinity of Wal-Mart and 23rd Street. The City will have plans for median improvements and a northbound turn lane from the North Wal-Mart exit. KDOT has established a date for field check and has set project to be in November 1985 state bid lettings.

Possum Run Water Shed Study

Mayor Bemmels reported that the City Commission was in receipt of a report on the Possum Run Water Shed but inasmuch as it had just been received, there would be no action taken at this time.

Request for Sidewalk Sale in the Central Business District

The city manager reported that he had received a letter from the Ottawa Retail Association requesting the closing of Main Street in the 100 and 200 blocks on July 24, 1985, from 6:00 a.m. to 8:00 p.m. for a sidewalk sale. First, Second and Third Streets are to remain open for proper movement of

traffic. The sale is scheduled to be held on the opening day of the Franklin County Fair. In addition to the sidewalk sale, there will be an arts and crafts show staged in the middle of the street of those two blocks. However, the arts and crafts show will be arranged in such a way that emergency vehicles could still enter Main Street in the 100 and 200 blocks. The rental fees for the space for the arts and crafts show will go to the Chamber of Commerce Christmas lighting fund. Mr. Larry Powell, representing the Chamber of Commerce, appeared before the City Commission, acknowledging the request of the Ottawa Retail Association and stating that the closing of the 100 block was more or less contingent upon the sewer collector project being completed on First Street. If the sewer project on First Street is not completed, it may be necessary to leave the 100 block open for traffic. Mr. Powell stated that he had been in contact with the Director of Public Safety, and there seemed to be no problems anticipated with the proposed street closings. Commissioner Thompson made a motion that the Ottawa Retail Association be permitted to hold a sidewalk sale on July 24, 1985, from 6:00 a.m. to 8:00 p.m. and that Main Street be closed in the 100 and 200 blocks. The motion was seconded by Commissioner Lister. It was again discussed that possibly the 100 block will not be closed if the present sewer construction on First Street is not completed. Upon call for the question, all present voted in favor of the motion.

City Manager's Agenda

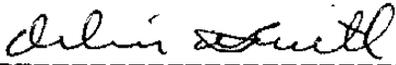
The city manager stated that he had been contacted by the Kansas Department of Economic Development (KDED) concerning the recent rejection of the City's application for Community Development Block Grant funds for Economic Development in the amount of \$400,000 for the purchase of the spec. building at the Industrial Park for COF Training Services, Inc. The city manager stated that KDED reported applications for funding totaled nearly \$5 million with approximately \$1.5 million available for grant awards.

The city manager also stated that the City had been informed by the Kansas Department of Transportation that the City of Ottawa has been funded for the improvement of Main Street from Tenth to Fifteenth in the amount of \$230,000 and those funds will be available after July 1, 1986, coinciding with the state's FY 1987 budget. Likewise, the City has been informed that it has been funded for the improvement of Twenty-third Street between Highways 59 and 50 by the Kansas Department of Transportation in the amount of \$53,000. However, to receive those funds, the City of Ottawa must negotiate with Franklin County concerning the improvements. Certain portions of those roads not presently within the City's corporate limits must be annexed into the City of Ottawa. The City is also working with Franklin County in an attempt to improve 23rd Street from Highway 50 west to Eisenhower Road.

Commissioner Heathman stated that for the Monday study session agenda he would like to include the City's attendance at the National League of Cities convention and the possibility of having City Commission meetings held at night as opposed to morning sessions.

Mr. Larry Powell, representing the Ottawa Chamber of Commerce, extended an invitation to the citizens, the business community and all persons in Ottawa to visit the 200 block of Main Street on the night of June 28, 1985, to view some Christmas lights which will be installed on some of the buildings on the east side of the street. The lights in place at that time will be some of the proposed designs currently under consideration for future downtown Christmas lighting.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - July 3, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor pro tem Thompson and Commissioners McCrea, Heathman, and Lister. Absent: Mayor Bemmels.

Approval of Minutes

The minutes of the special meeting held June 14, 1985, were approved as written. The minutes of the regular meeting held June 19, 1985, were also approved as written.

Ordinance No. 2795-85 - Sewer Regulations and User Fees

Mayor pro tem Thompson called on City Manager Drescher to comment on the ordinance. The city manager stated that the ordinance had been explained and discussed at a prior meeting but action on the ordinance was tabled pending approval by the Kansas Department of Health and Environment. Since the last meeting, the Kansas Department of Health and Environment has given verbal approval of the ordinance and will give final written approval when the ordinance has been passed and published.

Commissioner Lister made a motion that an ordinance providing for certain deletions, amendments and substitutions in Article 1 of Chapter XXIV of the Municipal Code of the City of Ottawa, Kansas, 1982, regulating the use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers and the discharge of waters and waste into the public sewer system, providing penalties for violations thereof, and establishing a user charge system to provide funds for payment of all expenses associated with the city's wastewater treatment works and providing for incorporation of said deletions, amendments and substitutions in the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner McCrea.

Commissioner Heathman requested the city clerk give a history of the city's sewer service charges as had been explained at the meeting of June 19, 1985. The city clerk repeated the explanation given at that meeting. Commissioner McCrea then stated that the cost of sewer plant construction is being met with funds from a grant from the Environmental Protection Agency paying 75% and the City paying 25%. The sewer user charges set forth in the ordinance are intended to pay for operation, maintenance and the debt from the general obligation bonds issued to pay for the City's portion of the construction cost. There being no further discussion, the question was called and all present voted in favor of the motion.

Ordinance No. 2796-85 - Traffic Regulations

Mayor pro tem Thompson called upon Director of Public Safety Skiles to explain the ordinance. Mr. Skiles reviewed the highlights of the ordinance, pointing out the sections which had been changed since the last adoption of the Standard Traffic Code and amendments thereto. Most of the changes pertaining to driving under the influence of intoxicating liquors. Commissioner McCrea made a motion that an ordinance providing for certain deletions, amendments and substitutions in Article 1 of Chapter XIII of the Municipal Code of the City of Ottawa, Kansas, 1982, relating to traffic regulation and providing for incorporation of said deletions, amendments and substitutions into the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Ordinance No. 2797-85 - Regulations Concerning Purchase, Sale, Possession and Consumption of Cereal Malt Beverages

Director of Public Safety Skiles addressed the City Commission concerning the ordinance, pointing out the sections of the ordinance which are changes from the City's current regulations. The ordinance concerns more specifically with the purchase, sale, possession and consumption of cereal

malt beverages, legal age for consumption of cereal malt beverages and penalties for violation of the ordinance.

Commissioner Lister made a motion that an ordinance providing for certain deletions, amendments and substitutions in Chapter IV of Municipal Code of the City of Ottawa, Kansas, 1982, concerning the purchase and sale of cereal malt beverages, relating to the legal age of consumption of cereal malt beverages, adding new Sections No. 4-314 and 4-315 concerning illegal purchase, possession and consumption of cereal malt beverages by those who are not of legal age, repealing the original Sections 4-306, 4-308, 4-309, 4-311 and 4-312, and providing for incorporation of said deletions, amendments and substitutions into the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner McCrea and upon call for the question, all present voted in favor of the motion.

Change Order No. 2 - Wastewater System Improvement--Contract No. 2

City Manager Dresher stated that Change Order No. 2 for Wastewater System Improvements--Contract No. 2 dealt mainly with the replacement of 200 feet of 18" pipe, which were discovered to be defective at the time of manhole construction at the wastewater treatment plant. The replacement of the pipe totals \$6,310.00 and the total amount of the change order is \$6,640.00. Commissioner Heathman made a motion that Change Order No. 2 for Wastewater System Improvements--Contract No. 2 dated December 7, 1983 in the total amount of \$6,640.00 be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Agreement with United States Fidelity and Guaranty Company for Completion of Skunk Run Storm Drainage Improvement--Contract No. 4

It was explained that Tillery Construction, Inc., with whom the City contracted in Contract No. 4 - Channel and Culvert Improvements for the City of Ottawa, Kansas, is no longer able to complete the contract and, therefore, the United States Fidelity and Guaranty Company, as bonding company for the contractor, is agreeing to assume the Tillery contract and complete construction thereunder. Commissioner McCrea made a motion that Agreement between the City and the United States Fidelity and Guaranty Company (USF&G), surety for Tillery Construction, Inc., acknowledging the default of Tillery Construction, Inc. on Contract No. 4 - Channel and Culvert Improvements, and allowing for the USF&G to procure the completion of said contract construction, be approved. The motion was seconded by Commissioner Lister, who commented that inasmuch as Tillery Construction, Inc. has defaulted it becomes the responsibility of the bonding company to complete the project. Upon call for the question, all present voted in favor of the motion.

Request for Use of City Park

Mrs. Deborah Barker, Ottawa Community Arts Council Administrator, requested on behalf of the Ottawa Community Arts Council permission to use City Park on Saturday, July 20, 1985, from 12:00 noon to 5:00 p.m. to host a demonstration by the Kansas City branch of the Society for Creative Anachronism. Mrs. Barker stated that it was a real privilege for Ottawa to be in a position to present this demonstration and she urged the City Commission to approve the request. Commissioner McCrea made a motion that the Ottawa Community Arts Council be permitted to use a portion of City Park on Saturday, July 20, 1985, as described above. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, July 2, 1985 at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held June 2, 1985, were approved as written.

The Planning Commission continued a public hearing to consider rezoning a

tract of land generally located at 515-517 North Cherry from R-1 (Single Family Residential) to R-2 (Multi-family Residential). After hearing comments from surrounding property owners and other interested citizens both in favor and against the proposed rezoning, the Planning Commission voted 7-0 to recommend denial of this rezoning request.

The Planning Commission continued a public hearing to consider rezoning a tract of land generally located at 1526 and 1532 South Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential). After discussion, the Planning Commission voted 7-0 to recommend approval of this rezoning.

The Planning Commission continued a public hearing to consider rezoning a tract of land generally located at the intersection of 15th and Cedar Streets from C-2 (General Commercial) to O-I (Office Institutional). After discussion, the Planning Commission voted 7-0 to recommend approval of this rezoning.

The Planning Commission considered a replat of the Patterson subdivision, submitted by the property owner as an alternative to rezoning part of this subdivision to R-2 (Multi-Family Residential). The proposed re-plat included a landscape easement designed to buffer commercial uses on the West side of Cedar from single family uses on the east side of Cedar. After discussion, the Planning Commission tabled this item in order to consider the next agenda item.

The Planning Commission considered an item tabled on April 2, 1985 to rezone a tract of land generally located at 1600 South Cedar from C-2 (General Commercial) to R-2 (Multi-family Residential). After discussion, the Planning Commission voted 7-0 to recommend that this tract of land be rezoned.

The Planning Commission then reconsidered the re-plat of the Patterson Subdivision and after further discussion, voted 7-0 not to approve this plat.

The Planning Commission continued a discussion of the South Princeton Street study and heard comments from persons in the audience. The Planning Commission reviewed comments received by the staff from the State Department of Transportation regarding the possibility of widening the southbound lane(s) of US 59 and eliminating the northbound lane as a Highway.

The Planning Commission appointed Joyce Hendrix to serve on the City Commission Historic Preservation Task Force.

The Planning Commission received a request from the Board of Zoning Appeals to consider amending the Zoning Ordinance to modify the setback requirement in older sections of Ottawa. The Planning Commission agreed to review this item at their next study session for possible consideration at their next regular meeting.

There being no further business, the meeting was adjourned.

Authorize Cook, Flatt & Strobel, Engineers, to Prepare Bid Documents

City Manager Drescher requested that the City Commission authorize Cook, Flatt & Strobel, Engineers, to prepare bid documents and proceed with advertising for bids on the Cypress/Olive Street and Drainage Improvements. Bids are to be received and opened by the City Commission at 2:00 p.m. Monday, July 29, 1985, with acceptance and award of contract at a special meeting of the City Commission at 9:35 a.m. July 31, 1985. The city manager explained that there are two conditions that must be met by the City before the Kansas Department of Economic Development will approve the project. If the conditions are not met prior to Monday, July 29, 1985, the staff might be required to reschedule the bid letting. Commissioner Lister made a motion that the City Commission authorize Cook, Flatt & Strobel, Engineers, to prepare bid documents and proceed with the advertisement of bids on the

Cypress/Olive Street and Drainage Improvements. Bids are to be received and opened by the City Commission at 2:00 p.m. Monday, July 29, 1985, with acceptance and award of contract to be at a special meeting of the City Commission at 9:35 a.m. Wednesday, July 31, 1985. Further, if the city is not in a position to meet the two additional requirements of the Kansas Department of Economic Development prior to the receipt of bids on July 29, 1985, the staff be authorized to reschedule the bid letting. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Authorize Cook, Flatt & Strobel, Engineers, to Prepare Bid Documents for Improvement of Main Street from Seventh to Tenth Streets

Mayor pro tem Thompson requested comments from the floor concerning the proposed improvement. The City Commission chambers held an overflowing crowd with persons concerned about the proposed removal of trees for the captioned project. Speaking in opposition to the removal of said trees were Mrs. Letha Coulter, Mr. Winton Winter, Shirley Ryssemus, Mary Bancroft, Dale Wien, Ben Park, Wendell Barker, Mrs. Paul Archer, Bill Bennett, and Mrs. Lindsey. These persons expressed concern that removal of approximately 95 trees from the terraces of Main Street from Seventh to Tenth Streets because of this project, would result in loss of shade and the buffer from traffic noise. The City Commission was asked to reconsider the removal of the trees and to find a way to work around the existing trees in construction of the improvement. It was pointed out that in addition to widening Main Street to 49 feet, the City must replace water lines and install a new storm sewer, while the gas company must install new gas mains and the telephone company must replace the existing telephone lines, all of which are and will be buried in the terrace area. The consensus of those objecting to the project was that the improvement of Main Street was acceptable but if widening of the street entailed the tree removal, they would prefer the street be improved but not widened. It was explained by the city manager that in order for the City to qualify for state and federal aid on the project, the street must be widened to 49 feet to accommodate four lanes. It was discussed that possibly some of the tree roots could be cut back to make room for the improvement, and most of the trees could be saved. Mr. Roger Bell of Willis Nursery stated that he felt the root structure on most of the trees could be altered without permanent damage to the trees. Mayor pro tem Thompson stated that he felt the City might be able to work around the trees for the street improvement and the installation of new utilities, if the residents were willing to pay the additional cost by way of additional taxes for bond debt. Those in attendance indicated that they would not object to the additional taxes if the City could save the existing trees.

Commissioner McCrea made a motion that the City Commission authorize Cook, Flatt & Strobel, Engineers, to prepare bid documents and proceed with advertising for bids on the South Main Street Improvement project from Seventh to Tenth Streets. Bids shall be received and opened by the City Commission at 2:00 p.m. Monday, July 29, 1985, with acceptance and award of contract at a special meeting of the City Commission at 9:35 a.m. Wednesday, July 31, 1985. It was specified that no trees are to be removed from the terraces for this project. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Review City Investment Schedule for June

Commissioner McCrea made a motion that the city schedule of investments existing at June 30, 1985 indicating a total of \$4,735,000 is invested at an average interest rate of 8.35 percent be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Application for Cereal Malt Beverage License

The City Commission proceeded to consider cereal malt beverage license application for Cleve Daniel Dent, doing business as Main Street Bait and Tackle at 429 N. Main, for sale of cereal malt beverage in original and unopened containers and not for consumption on premises. The city clerk

stated that the appropriate fee had been paid and all other prerequisites had been met. Commissioner Lister made a motion that the application for issuance of cereal malt beverage license be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Public Transportation Forum

The city manager reported that a public transportation form to be conducted by the Kansas Department of Transportation will be held at 7:30 p.m. July 9, 1985, in the administration building auditorium at Ottawa University.

The city manager further reported that according to recent budget information the city's equalized assessed valuation is \$24,070,435, an increase of \$994,000 over the previous year.

The city manager also announced that construction of the South Main improvement project insofar as the replacement of utilities is concerned will begin Monday, July 8, 1985.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - July 17, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held July 3, 1985, were approved as written.

Ordinance - Rezoning

Mayor Bemmels announced that an ordinance rezoning a tract of land generally located at 1600 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family Dwelling) would not be considered at this time by request of the owner of the property. Commissioner Thompson made a motion that the rezoning of a tract of land located at 1600 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family) be tabled until the meeting of August 21, 1985. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Ordinance No. 2798-85 - Zoning

The City Commission proceeded to consider an ordinance rezoning two tracts of land generally located at 1526 S. Cedar and 1532 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family). The city manager reported that the Planning Commission had recommended the rezoning of these two tracts in that one tract has a duplex presently located on it and the other tract has a single family dwelling on it. Rezoning the two tracts to multi-family dwelling, would make the zoning classification more compatible with the existing uses and with the residential zoning located across the street from the two tracts. Commissioner Lister made a motion that an ordinance relating to and regulating the planning and zoning within the City of Ottawa, Kansas, redistricting the certain tract and area within the city and amending the amended zoning map attached to and made a part of Ordinance No. 2713-82 of the City of Ottawa, Kansas, and repealing certain parts of said amended zoning map of said city by rezoning two tracts of land located at 1526 S. Cedar and 1532 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family). The motion was seconded by Commissioner McCrea and upon call for the question, all present voted in favor of the motion.

Ordinance No 2799-85 - Zoning

An ordinance was introduced rezoning a tract of land generally located at 15th Street and S. Hickory Street from C-2 (General Commercial) to O-I (Office and Institutional). The city manager reported that the Planning Commission had recommended the zoning change as O-I (Office and Institutional) would be more compatible with present uses of the building and would provide a buffer between commercial uses and residential uses which surround this building. Commissioner McCrea made a motion that an ordinance relating to and regulating the planning and zoning within the City of Ottawa, Kansas, redistricting the certain tract and area within the city and amending the amended zoning map attached to and made a part of Ordinance No. 2713-82 of the City of Ottawa, Kansas, and repealing certain parts of said amended zoning map by rezoning a tract of land located at 15th Street and South Hickory Street from C-2 (General Commercial) to O-I (Office and Institutional), be passed. The motion was seconded by Commissioner Lister. Upon call for the question, all present voted in favor of the motion.

Ordinance No. 2800-85 - Annexation

An ordinance annexing a 30-acre tract of land bounded on the south by the country club, on the east by Davis Road, on the north by Wilson Street, and on the west by Cottonwood Street, was considered by the City Commission. The city manager explained that the ordinance is written in such a manner that the tract of land will be officially annexed into the City of Ottawa

three years from the date of passage of this ordinance. Further, if any development should occur on the property within the three-year span of time, the subdivision or development shall conform with all subdivision regulations and zoning regulations of the City of Ottawa. Further, that the city shall have no obligation to provide city services until the land is officially a part of the city, which occurs three years from the date of the passage of the ordinance. The land is currently owned by Mr. and Mrs. Don Yockey. Commissioner Thompson made a motion that an ordinance annexing certain land to the City of Ottawa, Kansas, in conformity with the provisions of K.S.A. 12-520 and repealing Ordinance No. 2762-84 by annexing a 30-acre tract of land bounded on the south by the Ottawa Country Club, on the east by Davis Road, on the north by Wilson Street and on the west by Cottonwood Street, be passed. The motion was seconded by Commissioner Heathman and upon call for the question, all present voted in favor of the motion. Commissioner McCrea commented that the passage of this ordinance completes two prior attempts to annex the land to the city and satisfies the desires of the owners and their attorney.

Consider Recommendation of Planning Commission

The City Commission received a recommendation from the Planning Commission that a request for rezoning property at 515-517 N. Cherry from R-1 (Single Family Residential) to R-2 (Multi-family) be denied. Commissioner McCrea made a motion that the City Commission concur with the recommendation of the Planning Commission for denial of a request for rezoning of property located at 515-517 N. Cherry from R-1 (Single Family Residential) to R-2 (Multi-family). The motion was seconded by Commissioner Thompson.

Mr. Harry Morgan appeared before the City Commission, stating that he lives next to the property for which the rezoning had been requested; that a similar request had been denied by the Planning Commission six or seven years ago and most of the property owners in the area are opposed to the rezoning and had communicated their opposition to the Planning Commission and City Commission.

Mayor Bemmels then stated that a petition opposing the rezoning had been submitted to the city attorney and deemed sufficient. If the City Commission were to vote in favor of rezoning the property, a four-fifths majority of the City Commission would be required. Upon call for the question, all present voted in favor of the motion.

Agreement for Rate Study Concerning Off Peak Electrical Rates

The City Commission took under consideration an engineering study proposal between the City of Ottawa and Covenant Engineering to investigate a possible electric utility rate structure for off peak service to commercial or industrial customers. The city manager stated that Mr. B. J. Kirkwood, of Covenant Engineering, has just completed a rate study for the City of Ottawa and was in an advantageous position to study the possibility of off peak electric rates for commercial or industrial customers. At many times throughout the year, the city is not utilizing the total interconnection capacity with Kansas City Power and Light and the Kansas City Board of Public Utilities, and it is possible that commercial or industrial users might be able to use electricity at such off peak times and the city might be able to offer these users a reduced rate structure. This would apply to not only to new industrial customers but also to existing industries who could gear their production to use energy at such off peak times.

Commissioner Thompson made a motion that the city enter into an agreement with Covenant Engineering to investigate a possible electric utility rate structure for off peak service to commercial and industrial electric customers, for a cost not to exceed \$2,500. If it should appear that the cost would exceed \$2,500, the subject would again come before the City Commission. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Easement Agreement - Franklin Savings Association and C. Alvin Hinderliter

An easement agreement between the City of Ottawa, Franklin Savings Association and C. Alvin and Beth L. Hinderliter for temporary ingress and egress to the Hinderliter property in Block 3, Sheldon and Atkin's Addition, while the South Main Street improvement project is under construction was considered. The city manager explained that Franklin Savings Association has agreed to allow ingress and egress from the Hinderliter property located south of Franklin Savings Association during the period of construction on South Main Street. The city is to prepare the south boundary of the Franklin Savings property and the north boundary of the Hinderliter property for such ingress and egress activity, and is to restore such to its present condition upon completion of the construction project. Commissioner Lister made a motion that an easement agreement between the City of Ottawa, Franklin Savings Association and C. Alvin and Beth L. Hinderliter for temporary ingress and egress to the Hinderliter property described as the east portion of Lots 2, 4, 6, 8, 10 and 12, Block 3, Sheldon and Atkin's Addition, during the construction of the South Main Street improvement project be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

License Agreement to Construct Electric Transmission Lines Across Atchison, Topeka & Santa Fe Railway Property

The City Commission considered a standard license agreement between the City of Ottawa and the Atchison, Topeka and Santa Fe Railway Company for authorization to construct a city power line over the AT&SF tracks south of U.S. Highway 59 and north of 23rd Street with a license fee of \$400. The purpose of the power line construction is to provide a secondary circuit to Circuit 9 serving the southern part of Ottawa. The city manager explained that Circuit 9 does not presently have a secondary power supply. In the event Circuit 9 power is interrupted for any reason, there is no other way to provide power to residents and businesses within that circuit area. If an electric transmission line is constructed as proposed in the license agreement, Circuit 7, located just south of Circuit 9, could serve Circuit 9 during a power interruption. Commissioner Thompson made a motion that a standard license agreement between the City of Ottawa and Atchison, Topeka and Santa Fe Railway Company for authorization to construct a city power line over their tracks south of U. S. Highway 59 and north of 23rd Street for a license fee of \$400, be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Announcement of Welcome Back to School Picnic

Mayor Bemmels stated that the city was in receipt of a letter from the Ottawa Chamber of Commerce stating that the Greater Ottawa Chamber of Commerce, Unified School District No. 290, and Ottawa University will cohost a picnic and social time in Forest Park on August 27, 1985 at 6:00 p.m. to welcome new and returning school personnel and to greet old and new businesspersons.

Announcement of Viaduct Opening and Request for Parade

Mayor Bemmels announced that the Santa Fe Railroad overpass bridge on U. S. 59 north of Ottawa is scheduled to reopen at 1:30 p.m. July 19, 1985. The bridge is to be officially opened by a ribbon cutting ceremony. Mayor Bemmels stated that the city had also received a request for a parade from the North Side Business Alliance to coincide with the bridge opening.

Mr. Doug Durbin, representing the North Side Business Alliance, appeared before the City Commission and asked permission to have the parade from the viaduct on the north edge of the City south on Main Street to Tecumseh Street. Commissioner Lister asked Mr. Durbin if it would be feasible to terminate the parade at Logan Street rather than Tecumseh Street and thus not interfere with the K-68 traffic. Mr. Durbin stated that it would be acceptable to terminate the parade at Logan Street. Commissioner Thompson

made a motion that the North Side Business Alliance be permitted to conduct a parade from the viaduct north of the city south on Main Street to Logan Street on July 19, 1985, immediately following the ribbon cutting ceremony celebrating the viaduct opening. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Grant Right-of-Way to Franklin County for Highway Purposes

The city manager explained that the purpose of the agreement before the City Commission is to grant right-of-way to Franklin County for highway purposes to replace the bridge across the Marais des Cygnes River near the city's Miller Dam. The new bridge is to be constructed along the existing bridge and the county needs .75 acre of land presently owned by the City of Ottawa. The agreement further states that the city will retain right of ingress and egress to the Miller Dam. Commissioner McCrea made a motion that an agreement granting right-of-way to Franklin County for highway purposes, .75 acre near the city's Miller Dam along the Marais des Cygnes River in order to rebuild a road and a river bridge, be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Resolution No. 405-85 - Agreement with Kansas Department of Transportation

Mayor Bemmels called on the city manager to comment on the resolution authorizing the execution of Agreement 55-85 between the City of Ottawa and the Kansas Department of Transportation for the improvement of U.S. 59 and 23rd Street, a safety project for the construction of left turn lanes and pavement marking installation on Federal Aid Systems at the intersection of U.S. 59 and 23rd Street in Ottawa. The city manager explained that in order for the city to receive federal aid funds for hazard elimination, the city must enter into an agreement with the Kansas Department of Transportation for the project. The city is to pay ten percent of the construction cost and the state will pay the remaining ninety percent. The city is responsible for the design engineering and then the State of Kansas will let the construction contract and supervise the construction. The project includes left turn lanes on Highway 59 at 23rd Street and a left turn lane just north of 23rd Street at the Wal-Mart parking lot exit. Commissioner Lister made a motion that a resolution authorizing the execution of Agreement No. 55-85 between the City of Ottawa and the Kansas Department of Transportation for the improvement of U.S. 59 and 23rd Street be passed. The motion was seconded by Commissioner McCrea. Upon call for the question, all present voted in favor of the motion.

Report on Status of City Projects

The following is a list of current city projects and their status:

1. Airport Runway & Taxiway - The annual Aerobatics competition will be held July 18-21 at the Ottawa Municipal Airport. Runway patching was completed earlier this spring, and the final portion of this project which includes improvement of the south 1000 feet of the runway and a 3000 foot asphalt overlay of the entire runway will begin at the end of July.
2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - The plant is operational and approximately 95% complete. Construction on the holding basin is scheduled to be completed by July 31. Collector System and Lift Station improvements is still in progress with a projected completion date of September 1.
3. Cypress and Olive Street Storm Drainage Improvements - Final plans for this project have been completed and a bid letting is scheduled for July 29. City staff is in the process of preparing easements necessary for project completion.

4. Skunk Run Storm Drainage Improvement Phase IV - On July 3 the City Commission approved an agreement with U.S.F. & G. (bonding company) who has contracted with Smoky Hill Construction to complete the remaining portions of Skunk Run. Completion of this phase is the responsibility of Tillery Construction's bonding company, U.S.F. & G.
5. Skunk Run Storm Drainage Improvement Phase V - The 11th Street box culvert has been completed and Locust Street is open. 10th Street is currently closed and the contractor has removed old drainage pipes from the 10th street culvert. During the week of July 8 the contractor poured the floor of the new box culvert under 10th and began framing the wall of the new box.
6. Marais des Cygnes River Bridge - The city has been advised by the state that the contract has been awarded. A preconstruction conference has been scheduled for July 19. The state has also advised that construction on the bridge will begin 4-6 weeks following the preconstruction conference.
7. South Main Street Improvement (7th to 10th) - All temporary construction easements have been obtained. The Water Distribution Division began relocating the water line along the East side of Main Street during the week of July 8. A bid letting for this project is scheduled for July 29, work is expected to begin within 2-3 weeks following the bid letting.
8. South Main Street Improvement (10th to 15th) - Geometric funding has been - approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. On July 3, 1985 the City Commission authorized the City Manager to have plans and specifications prepared for this phase of the Main Street Improvement in order to be ready for the 1987 construction season.
9. Auditorium Basement Improvements - A contract with Taylor Construction was authorized for execution on May 20, 1985. Construction is in progress according to schedule.
10. South Main Street Hazard Elimination Project - A field check with KDOT and engineers has been completed. Final plans and specifications are being prepared with a State bid letting scheduled for January 1986.
11. 1985 Street Rehabilitation Program - The city will be sealing and overlaying streets and replacing curb and gutter and various locations in the City during the rest of July and the month of August. City Staff is currently negotiating proposals for these projects to begin in late July.

At the conclusion of the report, the city manager commented that the auditorium improvements should be completed by mid August. He also reported that the contractor who will construct the new Marais des Cygnes River bridge plans to start in October by demolition of the old structure, with delivery of steel expected in January and February, and hopefully the new bridge will be opened some time in April of 1986. The city manager also stated that a bid letting for the Cypress/Olive drainage project and the South Main Street improvements is scheduled for July 29, 1985. It was also mentioned that on Wednesday, July 31, 1985, at 9:35 a.m. the City Commission will meet to award the contracts for those two construction projects.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - July 31, 1985

The City Governing Body met in special session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Consider Bids Received for Improvement of South Main Street - 7th to 10th

The city manager reported that the city had received bids for the improvement of South Main Street from 7th to 10th Street, Project 1985-1, on July 29, 1985. There were two bids received for the project, one from Killough, Inc., Ottawa, in the amount of \$402,047.47 and a bid from LRM, Inc., Lawrence, in the amount of \$446,793.88. The engineer's estimate for the project was \$435,710.75. The consulting engineering firm of Cook, Flatt & Strobel has reviewed the bids and has recommended that the contract be awarded to Killough, Inc. of Ottawa for a total cost of \$402,047.47. The city manager also reported that Alternate A to the bid specifications, which entailed the recycling of the present asphaltic surface, was not completed by either company bidding on the project as the project is too small to make it feasible to bring in recycling equipment. Therefore, the bids are for new asphaltic concrete pavement and overlay. Commissioner Thompson made a motion that the mayor be authorized to sign a contract with Killough, Inc. of Ottawa, Kansas, in the amount of \$402,047.47 for the improvement of South Main Street from 7th to 10th Street, Project No. 1985-1. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Consider Bids Received for Cypress/Olive Street Drainage Project, No. 1985-2

The city manager reported that the city received bids for the Cypress/Olive Street drainage project, Project No. 1985-2, on July 29, 1985. There were three firms entering bids as follows: Smoky Hill, Inc., Salina, Kansas - \$126,823.60; Hermann's Excavating, Topeka, Kansas - \$136,070.16; B. A. Durst, Inc., Topeka, Kansas - \$152,146.00. The engineer's estimate on the project was \$125,603.00. It was determined that Smoky Hill, Inc. of Salina was the lowest bidder; however, their bid did exceed the engineer's estimate by \$1,220.60, which made it impossible for the city to consider a contract with the lowest bidder. Subsequently, the city has negotiated with Smoky Hill, Inc., who has agreed to delete Item A-2 for two standard manholes in the amount of \$1600, thereby reducing their bid to within the range of the engineer's estimate. The engineer discovered a minor extension error in Item B of the bid, which would increase the contract cost by \$6.20. It was the recommendation of the engineers that a contract be awarded to Smoky Hill, Inc. in the amount of \$125,229.80, which includes both the deletion of Item A-2 and the addition for the \$6.20 error. Under the terms of the negotiation, the city is to furnish and install the two standard manholes. Commissioner McCrea made a motion that the mayor be authorized to sign a contract with Smoky Hill, Inc. of Salina, Kansas, in the amount of \$125,229.80 for the construction of the Cypress/Olive Street drainage project, Project No. 1985-2. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Discussion following action on this contract indicated that construction on Cypress/Olive drainage project should begin about September 1, 1985.

Request for Placement of Gospel Tent

The City Commission entertained a request from Mr. Bob Williams, pastor of the World Outreach Center. Mr. Williams asked permission to place a 60' x 90' tent on the west side of the old Wal-Mart store on Princeton Street August 8-25, 1985, in order to hold tent gospel meetings. The letter stated that there should be no problems with parking and that they have complied with fire permits and city ordinances in the past. It was reported that the tent placement had been approved by the Director of the Department of Public Safety. Commissioner Thompson made a motion that Mr. Williams be granted

permission to place the 60' x 90' tent just west of the old Wal-Mart store for the period of August 8-25, 1985. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Consider Petition for Annexation

The City Commission received a petition for annexation of a tract: Beginning at a point 330.00 feet west of the N.E. corner of the N.W. 1/4 of Section 11, Township 17, Range 19; thence South 00 deg. 09 min, 33 sec. east 495.00 feet; thence West 132.00 feet; thence North 00 deg, 09 min. 33 sec. West 495.00 feet to a point on the North line of Section 11; thence East 132.00 feet to the point of beginning, containing 1.50 acres more or less, in Franklin County, Kansas, submitted by James R. Lewis d/b/a Sunflower Care Centers, Inc. and George Archer, Alva Watts, John Foster and S. Thomas Woodmus, Trustees of the Ottawa Congregation of Jehovah's Witnesses. Mr. Kenneth Richardson, representing the Ottawa Congregation of Jehovah's Witnesses, appeared before the City Commission, stating that the congregation is anxious for the annexation of the tract, and further requested that the City Commission take action on a plat, which will be considered by the Planning Commission at its meeting on August 6, 1985, at the City Commission meeting of August 7, 1985. It was discussed by the City Commission that they would become familiar with the plat at their next study session on August 5, and provided the Planning Commission recommends acceptance of the plat, the City Commission would consider taking action on the plat at the August 7 meeting.

Ordinance No. 2801-85 - Annexation

Commissioner Lister made a motion that an ordinance annexing certain land to the City of Ottawa, Kansas, in conformity with the provisions of K.S.A. 12-520 described as: Beginning at a point 330.00 feet west of the N.E. corner of the N.W. 1/4 of Section 11, Township 17, Range 19; thence South 00 deg. 09 min, 33 sec. east 495.00 feet; thence West 132.00 feet; thence North 00 deg, 09 min. 33 sec. West 495.00 feet to a point on the North line of Section 11; thence East 132.00 feet to the point of beginning, containing 1.50 acres more or less, in Franklin County, Kansas, be passed. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

The business for which the special meeting was called having been considered, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - August 7, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held July 17, 1985 and the minutes of a special meeting held July 31, 1985 were approved as written.

Engineering Services Agreement with Cook, Flatt & Strobel

The Governing Body considered an agreement between the City of Ottawa and Cook, Flatt & Strobel, Engineers, for inspection services on the improvement of South Main Street from 7th to 10th, Project 1985-01. Under the terms of the agreement, the firm of Cook, Flatt & Strobel will act on behalf of the City for the inspection of the project as construction proceeds, for a fee not to exceed \$30,950, including a fixed fee of \$1,440. Commissioner Thompson made a motion that an engineering agreement with Cook, Flatt & Strobel for inspection services on the improvement of South Main Street from 7th to 10th, Project 1985-01, for a maximum fee of \$30,950, including a fixed fee of \$1,440, be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Ordinance No. 2802-85 - Amending Municipal Code and Electrical Code

The City Governing Body considered an ordinance which would amend the electrical code by changing the length of term served by members of the Board of Electrical Examiners and would allow the use of a nonmetallic tubing as conduit in certain applications. The city manager explained that the city inspector had recommended changing the specified length of term to reflect one-year terms with no more than two successive terms permitted. The municipal code now specifies a two-year term and allows no reappointment to a successive term. It was felt that more individuals would consider accepting one-year appointments to the Board. The city manager further explained that the ordinance would allow for the use of nonmetallic tubing as conduit for wiring in certain building applications. Such tubing, which is approved by the National Electric Code, is less expensive and easier to use in totally enclosed areas. Commissioner Lister made a motion that an ordinance providing for a certain amendment in Chapter VI of the Municipal Code of the City of Ottawa, Kansas, 1982, specifically Sections 6-303(a) and 6-309(f) of said code, and providing for incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner Thompson, and all present voted in favor of the motion.

Ordinance No. 2803-85 - Creating a Capital Improvements Fund

Commissioner McCrea made a motion that an ordinance creating a Capital Improvements Fund, setting forth the policy objectives relating to said fund, setting forth the uses for which monies in said fund can be expended, establishing a plan of operation for implementation of this ordinance, setting forth the financing of said implementation, providing for investment of monies in said fund, by providing a certain amendment in Chapter II of the Municipal Code of the City of Ottawa, Kansas, 1982, specifically by adding a new Article 4A to said Chapter of said Code, and providing for incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner Lister. The city manager explained that Senate Bill No. 75 of the 1985 Legislature authorized cities to establish a capital improvements fund by which improvements within the city might be made and paid for from the fund as opposed to using debt financing. Senate Bill 75 provides that the fund must be established by ordinance of the city and that funds transferred to, and expenditures from, the capital improvements fund must be budgeted annually. The option for funding the capital improvements fund could be from a local option sales tax, revenue sharing or a tax levy exempted from

the tax lid by a charter ordinance. The ordinance before the City Governing Body at this time also provides that one-half of the increased operating costs for the first five years resulting for any new operation created through an expenditure from the capital improvements fund may also be paid from the capital improvements fund. Another provision of the ordinance requires that the city have a Capital Improvements Plan, such as the plan in existence here in Ottawa for many years.

Mr. Sherwin Snyder, 1012 S. Elm, appeared before the City Commission to commend the commission for considering the establishment of a capital improvements fund. Mr. Snyder said he had felt for several years that such a fund was necessary for the City of Ottawa. He did state, however, that he did not feel a sales tax was appropriate to finance such a fund, but he favored a charter ordinance to permit a tax levy or a transfer from the city's general fund and utility funds.

There being no further discussion, the question was called and all present voted in favor of the motion.

Ordinance No. 2804-85 - Creating an Accumulated Depreciation Equipment Reserve Fund

Commissioner Thompson made a motion that an ordinance creating an Accumulated Depreciation Equipment Reserve Fund, setting forth the policy objectives relating to said fund, setting forth procedures for transferring monies to said fund, providing for investment of monies in said fund, setting forth the procedures for expending monies from said fund, establishing a plan of operation for implementation of this ordinance, the financing of said implementation, setting forth procedures for establishing an Equipment Inventory and an Equipment Replacement Program, by providing a certain amendment in Chapter II of the Municipal Code of the City of Ottawa, Kansas, 1982, specifically by adding a new Article 4B to said chapter of said code, and providing for incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1982, be passed. The motion was seconded by Commissioner Heathman. The city manager explained that Senate Bill No. 59 of the 1985 Legislature session authorizes cities to establish such a fund to purchase major equipment. The amounts transferred to, and the expenditures made from, the equipment reserve fund are to be budgeted annually. Such transfers may be made from the general fund, revenue sharing or utility funds. The guidelines set forth in the ordinance specify that any piece of equipment with a cost in excess of \$20,000 and having a life of at least five years may be purchased from the fund. The city is presently budgeting in 1986 a transfer of \$15,000 into the fund. All monies transferred from the Department of Public Safety would be spent on public safety equipment and likewise for other city departments.

Commissioner McCrea asked if monies existing in the fund would receive a proportionate share of interest earned thereon. It was explained that the monies would be properly invested and interest would be shared proportionately. Commissioner Lister commented that she thought the establishment of the fund was very appropriate at this time as the city has in the past purchased major equipment from the revenue sharing fund and it appears that this revenue source may not be available in the future. Upon call for the question, all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, August 6, 1985, at 7:00 p.m. at City Hall. Members Present: Chairman Jackson and members Hendrix, Keith, Searls, and Koch. Absent: Members Underwood and Woolman.

The Planning Commission approved the minutes of the last regular meeting held July 2, 1985.

The Planning Commission held a public hearing to consider rezoning a tract

of land generally located at 1445 S. Main from R-1 (Single Family Residential) to C-2 (General Commercial). After hearing comments both in favor of and against the rezoning, the public hearing was continued to the next meeting.

The Planning Commission continued a discussion of a land use evaluation of South Princeton Street between 17th and 23rd Streets. The planning consultant reviewed details of a meeting with some of the property owners in this area and comments received from the state department of transportation regarding options that might be available to deal with traffic concerns in the area. There were no additional comments from the audience.

In a related matter, the Planning Commission then reconsidered an item tabled on May 4, 1985 to rezone a tract of land generally located at 2141 S. Princeton from R-S (Residential Suburban) to C-S (Highway Service Commercial). After discussion, the Planning Commission voted 5-0 to recommend that this rezoning request be denied.

The Planning Commission considered a preliminary plat of the Lewis Subdivision and reviewed staff comments concerning the plat. The subdivider appeared before the Planning Commission to request favorable consideration of this preliminary plat. After discussion, the Planning Commission voted 5-0 to approve the preliminary plat.

The Planning Commission considered a final plat of the Lewis Subdivision. After discussion, the Planning Commission voted 5-0 to suspend its bylaws to allow for approval of the final plat. The Planning Commission then voted 5-0 to approve the final plat of the Lewis Subdivision.

The Planning Commission considered a preliminary plat of the McCurdy Subdivision and reviewed staff comments concerning the plat. The subdivider appeared before the Planning Commission to request favorable consideration of this preliminary plat. After discussion, the Planning Commission voted 5-0 to approve the preliminary plat.

The Planning Commission considered a final plat of the McCurdy Subdivision. After discussion, the Planning Commission voted 5-0 to suspend its bylaws to allow for approval of the final plat. The Planning Commission then voted 5-0 to approve the final plat of the McCurdy Subdivision.

The Planning Commission considered calling a public hearing to allow for the reduction of front yard setbacks in older sections of Ottawa. After discussion, the Planning Commission took no action on this item.

The Planning Commission considered calling a public hearing to amend the Zoning Ordinance to require a storm cellar in Mobile Home Parks (M-P, Mobile Home Park). After discussion, the Planning Commission took no action on this matter.

The Planning Commission considered calling a public hearing to amend the Zoning Ordinance to reduce minimum square footage requirements for M-P (Mobile Home Park) developments. After discussion of this issue with the property owner who made this request, the Planning Commission took no action on this matter.

Due to the late hour, the Planning Commission agreed to continue discussion of the North Ottawa Neighborhood Plan to its next study session.

There being no further business, the meeting was adjourned.

Approval of Final Plat of Lewis Subdivision

The City Commission considered the final plat of the Lewis Subdivision. Upon the recommendation for approval of said plat made by the Planning Commission, as stated in its report, Commissioner Thompson made a motion that the final plat of the Lewis Subdivision, West 15th Street, to the City of Ottawa, Kansas, be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Approval of Final Plat of McCurdy Subdivision

The city manager indicated the location of the McCurdy Subdivision on the city map, and stated that the platted property has a high pressure pipeline running through it and building setbacks were required to be 25 feet from the pipeline. He further stated that most utilities are located along the front of the property on Lincoln Street, and there are adequate utility easements on the south side of the property to allow city access. The administrative assistant pointed out that the Planning Commission had approved the plats of the McCurdy Subdivision subject to certain conditions. Those conditions included that measurements of the pipeline be more accurately reflected on the plat, that the legal description stated on the plat be more accurately defined, and that the certificate of the county treasurer and the city attorney which had been omitted from the plat be completed. One other requirement for approval of the plat was that the plat state that the entire tract is located within the flood plain and any development must comply with city regulations within a flood plain. Commissioner McCrea made a motion that the final plat of the McCurdy Subdivision, 1200 Lincoln Street, to the City of Ottawa, Kansas, be approved subject to the conditions imposed by the Planning Commission as set forth above. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Review of City Investment Schedule

Commissioner Lister made a motion that the schedule of investments existing as of July 31, 1985, indicating a total of \$5,535,000 invested at an average interest rate of 8.05 percent, be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Governing Body Agenda

Mayor Bemmels announced appointments to the Historic Preservation Task Force as follows: Chris Campbell of the Convention and Tourism Committee, Barbara Humm of the Franklin County Board of Realtors, Eloise Andrews of the Franklin County Historical Society, Dale Weien of the Greater Ottawa Chamber of Commerce, Joyce Hendrix of the City Planning Commission, Stephanie Allegre of the Ottawa Retail Association, Marion Rieth of Ottawa University, Louise Dietz of the Pride Committee, and Deborah Barker as an at-large appointment. Commissioner Lister made a motion that all of the named appointees to the Historic Preservation Task Force be approved, to serve for a term of one year. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

City Manager's Agenda

The city manager announced that a public hearing will be held Monday, August 12, 1985, at 3:00 p.m. to consider the City of Ottawa's proposed 1986 Budget. He further stated that copies of the proposed budget will be available for public inspection by late afternoon this date.

The city manager also announced that a number of power outages had been experienced Sunday afternoon and repairs are underway pending the delivery of 3300 feet of electric cable.

Public's Agenda

Mr. Sherwin Snyder, 1012 S. Elm, again appeared before the City Commission stating he was hopeful the city would not replace the light fixtures with wooden poles and cobra arms as part of the South Main improvement project. He stated that the city had gone to great length to secure proper lighting for the historic downtown area and he did not feel the historic nature of the City of Ottawa ended at Tecumseh Street or at Fifth Street, but extended from one city limit to the other. He suggested that the City Commission search for a lighting fixture that would retain the city's historic character. Mr. Snyder also commented that he had noticed the new bridge in the north part of Ottawa was not lighted at this time and he hoped that the city could obtain appropriate fixtures to light the bridge.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - August 12, 1985

The City Governing Body met in special session at 3:00 p. m. this date in order to hold a hearing on the proposed 1986 budget for the City of Ottawa and to enact an ordinance appropriating all funds for 1986. Present: Mayor Bemmels and Commissioners McCrea, Heathman, and Lister. Absent: Commissioner Thompson.

Mayor Bemmels opened the meeting by stating that the purpose of the meeting was for a hearing and review of the proposed 1986 budget for the City of Ottawa. He called upon the city manager to comment and review the proposed budget.

The city manager stated that the City of Ottawa was very fortunate in that the equalized assessed valuation within the city had increased in the amount of \$994,049 over 1985. The total proposed budget for 1986 is \$16,384,198 as compared to the 1985 budget of \$12,545,616. Taxes levied to underwrite the 1986 budget will be \$1,176,332, which is an increase of \$102,566 over 1985. The mill levy for the City of Ottawa will be 48.88 mills, which is a 2.35 mill increase over 1985. The ratio of taxes as opposed to other items of revenue for the 1986 budget is 7.2% and in 1985 it was 7.8%. The general fund mill levy will increase from 14.77 mills to 16.48 mills, which is a 2.78 mill increase over 1985. The reason for the general fund mill increase are the hiring of a part time person to work in the Dept. of Public Safety as a court clerk, the mandate of the Fair Labor Standards Act which requires overtime be paid to police and firefighters, increases in liability insurance and the establishment of an equipment depreciation and replacement fund. The employee benefit fund will increase by 1.37 mills due to the increases in Social Security, unemployment taxes and a 4% cost of living increase budgeted for city employees. The total mill levy increase for the employee benefit fund and the general fund is 4.15 mills. The city has budgeted \$431,000 for street rehabilitation in 1986 and the revenue sharing fund does reflect debt payments through 1987 to retire the no fund warrants which were used to purchase the aerial ladder firetruck. As authorized by Senate Bill No. 75, the city has by ordinance established a capital improvements fund and as authorized by Senate Bill No. 79, the city has established an equipment depreciation and replacement fund which would be the equivalent of .62 mills.

Commissioner Heathman asked about the salary line items which were marked unallocated. The city manager explained that there are unallocated line items in the salary budget which can be used for the unforeseen, such as the need for an additional person, and at present the unallocated line item is being used to pay overtime in the public safety department due to the new Fair Labor Standards Act enforcement.

Mayor Bemmels commented that the city must budget for the unforeseen and if the budgeted unallocated funds are not spent, they will be reflected in the unencumbered cash carried to the next year's operating budget.

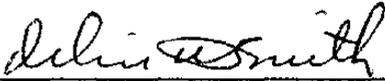
The city manager stated that in the past the city has been required to hold a special budget hearing for the revenue sharing budget. The guidelines have been changed to allow the revenue sharing hearing to be held concurrently with the city budget hearing. In reviewing the revenue sharing budget for 1986, it was noted that the special equipment item for public safety has not been budgeted, debt reduction is budgeted at \$57,325; major equipment for the public works department at \$30,900; special expenses for the auditorium at \$2,500; humane society contribution at \$1,500; other contractual services at \$4,460; Ottawa Industrial Development at \$2,500; airport construction at \$7,000; and reserve for debt for 1987 for the final payment on the firetruck at \$55,675. Many of these items show a substantial reduction from the 1985 budget. To date the city had not received requests for funds from any groups or agencies.

Ordinance No. 2805-85 - Appropriations for 1986

Commissioner Lister made a motion that the proposed budget for 1986 be approved and that an ordinance appropriating the amounts set up in each fund in the budget for the year 1986 providing for the payment of all claims and charges against the accounts provided for therein and approving and ratifying the payment of all claims against the accounts for the year 1986 in the total amount of \$16,384,198 be passed. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Commissioner McCrea made a motion that the public hearing be closed and the meeting be adjourned. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

The business for which this meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Clerk's note:

Following the hearing on the proposed 1986 budget for the City of Ottawa, a request was received from the Franklin County Agricultural Society for revenue sharing funds in the total amount of \$9,500 as follows: bleacher board replacement - \$3,000; bathroom remodeling for handicapped - \$1,500; campground hookups - \$2,000; and livestock building modifications and update - \$3,000.

City Hall - Ottawa, Kansas - August 21, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor Bemmels and Commissioners McCrea, Lister and Thompson.
Absent: Commissioner Heathman.

Approval of Minutes

The minutes of the last regular meeting held August 7, 1985 and of the special meeting held August 12, 1985 were approved as written.

Official Welcome to Sumire Matsuo

Mayor Bemmels gave official welcome to Sumire Matsuo, an exchange student from Kudamatsu, Province of Yamaguchi, Japan. In extending the official welcome to the City of Ottawa, Mayor Bemmels presented Sumire Matsuo with a picture of the City Commission, a collection of maps and postcards, a letter from the Mayor, a tractor trophy signifying a farming community, a key to the City and a T-shirt from the City of Ottawa to be presented to the mayor of Kudamatsu. Sumire, who has been in the United States for one month as part of the summer 4-H clubs LABO program, presented Mayor Bemmels with a map, postcards and other gifts from the mayor of Kudamatsu.

Consider Rezoning of a Tract of Land at 1600 S. Cedar

The Governing Body proceeded to consider rezoning a tract of land generally located at 1600 S. Cedar from C-2 (General Commercial) to R-2 (Multi-family) as recommended by the Planning Commission. Mr. Tom Gleason, Jr., attorney representing the owner of the property, appeared before the City Commission and stated that the owner due to a change in work scheduling was unable to appear before the City Commission this morning and asked that action on this item be tabled to the next regular meeting of the City Commission. Mr. Gleason explained that if the land is rezoned at this time, the owner will be forced to develop the property sooner than anticipated and the resulting development might not be as compatible with other uses in the area. The City Commissioners asked Mr. Gleason if his client had information which might materially affect their decision. Mr. Gleason stated that he could not answer for his client but that he felt his client should be heard on this matter.

Commissioner McCrea made a motion that action on the rezoning of the property located at 1600 S. Cedar be tabled until the meeting of September 4, 1985, and that action be taken at that meeting. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Consider Recommendation by Planning Commission for Denial of Rezoning of 2141 S. Princeton

In consideration of the recommendation of the Planning Commission, it was pointed out that the property in question is immediately north of the Hallmark Inn on Princeton Street. In reviewing some of the reasons for denial by the Planning Commission, the main reason for denial was that rezoning of this property to C-2 could be the beginning of strip development along Princeton Street. The City's Comprehensive Plan does not encourage strip development. One of the reasons for approval of rezoning as stated by the Planning Commission is that land located along a main artery or highway should be for commercial use and not for residential use. Commissioner Thompson made a motion that the City Commission accept the recommendation of the Planning Commission and the request to rezone the property at 2141 S. Princeton Street from R-S (Residential Suburban) to C-2 (Highway Service) be denied. The motion was seconded by Commissioner McCrea. Upon call for the question Mayor Bemmels and Commissioners Thompson and Heathman voted in favor of the motion. Commissioner Lister abstained from voting.

Amendment No. 7 to Engineering Services Contract for Sewerage System Improvements

The City Commission proceeded to consider Amendment No. 7 to the Engineering Services Contract between the City and A. C. Kirkwood & Associates for Sewerage System Improvements. The amendment provides for extension of inspection services to a maximum of twenty-one months at a total cost not to exceed \$131,310 plus a fixed fee of \$12,856. The city manager explained that due to weather conditions and other problems the sewerage system improvements project is taking much longer than originally anticipated. The term of the original contract for engineering services extended from March 5, 1984 to March 5, 1985. Amendment No. 7 extends the contract to November 5, 1985 and increases the inspection fees in the amount of \$45,600 plus a fixed fee of \$12,856. Commissioner McCrea asked the city manager if the contractor is now paying liquidated damages due to construction time extending beyond the time specified in the contract. The city manager answered that the contractor is presently paying liquidated damages and the funds received therefrom would offset the increase in costs for inspection services. The city manager further stated that the problem has been submitted to the Environmental Protection Agency and possibly the city may receive some relief in payment of the additional inspection fees. Commissioner Lister made a motion that Amendment No. 7 to the engineering services contract between the City of Ottawa and A. C. Kirkwood & Associates providing for inspection services to be extended to a maximum of twenty-one months at a total cost not to exceed \$131,310 plus a fixed fee of \$12,856 be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Consider Agreement to Perform Advance Bond Refunding Study

Commissioner McCrea made a motion that an agreement between the City of Ottawa and Zahner and Company providing authorization for Zahner and Company and their associates to perform an advance bond refunding study at no financial cost to the City of Ottawa be approved and that the mayor be authorized to sign the agreement. The motion was seconded by Commissioner Lister. The city manager reported that he and the city clerk had been in contact with Zahner and Company concerning the possibility of an advance refunding bond issue for the City's revenue debt for the electric fund and the water fund. Preliminary indications are that the City will save a considerable amount of money, plus consolidating the two issues into a single issue. Other items that might be advantageous to the City through the advance refunding bond issue is a restructuring of the revenue debt and debt service requirements. If the City Commission should approve the agreement, the City is under no financial obligation to Zahner and Company and is under no obligation to proceed with the advance refunding bonds if it does not prove advantageous to do so. Upon call for the question, all present voted in favor of the motion.

Report on Status of City Projects

The following is a list of current city projects and their status:

1. South Main Street Improvement (7th to 10th)- All temporary construction easements have been obtained. The Water Distribution Division is proceeding with the replacement of the water line along the East side of Main Street and will also install a new water line on the west side of the street. A bid letting for this project was held on July 29, and the contract was awarded to Killough, Inc. in the amount of \$402,047.47. A preconstruction conference was held on August 8, 1985 and a notice to proceed effective August 25.
2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - The plant is operational and approximately 95% complete. Construction on the holding basin and collector System and Lift Station improvements is still in progress with a projected completion date of September 31.

3. Cypress and Olive Street Storm Drainage Improvements - Bid awarded to Smoky Hill, Inc. July 31, 1985, in amount of \$125,229.80. Preconstruction conference to be held August 20, 1985. City staff is in the process of acquiring easements necessary for project completion.
4. Skunk Run Storm Drainage Improvement Phase IV - Smokey Hill Construction Company is in the process of acquiring easement extensions from property owners along this portion of the channel and will proceed with completion of this phase when those easements have been acquired.
5. Skunk Run Storm Drainage Improvement Phase V - 10th Street is currently closed and the contractor is in the process of constructing a new box culvert under 10th Street.
6. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. Plans and specifications are being prepared for this phase of the Main Street Improvement in order to be ready to begin construction as soon after July 1, 1987 as possible.
7. Marais des Cygnes River Bridge - The contractor for this State Project is Edward Kramer & Sons. A preconstruction conference was held on July 19 at City Hall. The proposed project schedule (subject to availability of materials and weather is as follows:

TOTAL CONTRACT DAYS: 120

October 1:	Start
Mid October:	Remove existing bridge
November-December:	Construction of Sub-structure
January-February:	Construction of Deck
March-April:	Construction of Slabs/Approaches/Rails and overlay of detour
End April:	Project complete

8. Auditorium Basement Improvements - All improvements to the south half of the Auditorium Basement have been completed and the facility is currently exhibiting the "Kansas Landscape" art show.
9. South Main Street Hazard Elimination Project - A field check with KDOT and engineers has been completed. Final plans and specifications are being prepared and a State bid letting scheduled for January 1986.
10. 1985 Street Rehabilitation Program - The city has been sealing and overlaying streets and replacing curb and gutter and various locations in the City during the past several weeks. These improvements have been funded by local sales tax revenues.
11. 11th Street Improvement - City staff has prepared cost estimates for this improvement and has been in contact with property owners in the proposed benefit district. Advisability resolution being prepared for September hearing date.
12. Airport Runway & Taxiway - The final portion of this project, improvement of the south 1000 feet of the runway and a 3000 foot asphalt overlay of the entire runway has resumed this month.
13. KDOT "KLINK" and Geometric Improvement Projects on highway connecting links being prepared for September 1 submittal. FY87 and FY88 funding projects being considered. City consider overlays to East K-68 and North Main (U.S. 59).
14. Off-Peak Industrial Electric Rate Study - Covenant Engineering proceeding with rate review. Information to become available in September.

City Manager's Agenda

The city manager extended an apology to those attending the City Commission meeting this morning if they encountered problems getting to the City Hall building and finding adequate parking space. The City is in the process of sealing numerous streets in and around City Hall. Weather conditions were ideal for the sealing and the contractor moved in this morning without advance notice to begin the work. If the city had received advance notice, the City staff could have provided advance notice to Ottawa citizens.

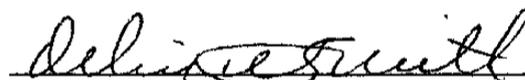
Awards of Pride Committee

Mr. Jim Richardson, Co-Chairman of the City of Ottawa Pride Committee, presented an award to Mr. Don Brown of the McDonalds Corporation and Mr. Al Mages for their efforts in helping to keep the city clear of litter. Mr. Richardson reported that the employees of the McDonalds restaurant not only keep their own area clean but have been policing the ditches around the businesses in that area. Mr. Mages, who is retired, makes a practice of collecting litter as he bicycles in various parts of town.

Presentation by the Franklin County Historical Society

Mr. John Mark Lambertson, a director of the Franklin County Historical Society, presented Mayor Bemmels and the City of Ottawa with a picture called "The Birds Eye View of the City of Ottawa as Depicted in 1872". Mr. Lambertson stated that there are three known originals of the picture and the picture being presented to the City of Ottawa was a copy of one of the originals. Mayor Bemmels accepted the picture on behalf of the City of Ottawa.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - September 4, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held August 21, 1985 were approved as written.

Ordinance No. 2806-85 - Zoning

Commissioner McCrea made a motion that an ordinance rezoning a tract of land generally located at 1600 S. Cedar from C-2 (General Commercial) to R-2 (Multi Family) as recommended by the Planning Commission be passed. The motion was seconded by Commissioner Heathman.

Mr. Tom Gleason, Jr., attorney representing Doug Patterson, owner of the subject tract of land, appeared before the City Commission. Mr. Gleason presented several arguments supporting his belief that the land should not be rezoned as proposed. An argument presented by Mr. Gleason was that if the land remained zoned C-2 and access to the land was permitted only from the west, there would be no traffic on Cedar Street as a result of any development. He presented an item of case law which he stated, if applied in reverse, would indicate that the land should not be rezoned to multi family dwelling.

Mr. Patterson then addressed the City Commission, stating he felt the land should be left commercial and as stated by Mr. Gleason, if access to the land for commercial purposes was permitted only from the west, there would be no traffic in the residential area as a result of the commercial zoning. Mr. Patterson further commented that he would be willing to dedicate a strip of land along the east side of the tract for landscaping purposes which would shield the residential properties from any commercial development. Upon question by Commissioner McCrea, however, it was pointed out that the future developer of the land would be responsible for the landscaping of the dedicated tract and the city could not enforce the development of the landscaping tract. Commissioner McCrea pointed out that Mr. Patterson had stated, in an earlier discussion regarding a zoning question concerning land immediately north of the now subject tract of land, his belief that R-2 was the proper buffer from commercial to residential. This statement appears to be in reverse of Mr. Patterson's present statements that a properly landscaped commercial tract of land would be the best buffer. Commissioner Lister commented that the decision to rezone the tract immediately north of the now subject tract to R-2 was based on land use and should also be considered on the zoning question before the City Commission today.

Mrs. Joyce Hendrix, representing the City Planning Commission, appeared before the City Commission and stated that the Planning Commission does not want commercial zoning on Cedar Street adjacent to an R-2 zoning district. Mrs. Hendrix stated that there were many residents in the area who originally opposed the change in zoning, but many of the residents did not know that the area was now commercially zoned and what types of uses that included. She further stated that the Planning Commission was not sure how effective a landscape buffer might be as opposed to a buffer zoned R-2.

Mr. Gleason responded to Mrs. Hendrix's remarks by stating that R-2 zoning is a buffer and, therefore, R-2 does not require a buffer when placed next to commercially zoned areas. It was pointed out both by Mr. Gleason and Mr. Patterson that if the land is rezoned for residential purposes, Mr. Patterson might be forced to quickly develop a residential project not as pleasing as a commercial project might be.

There being no further comments, the question was called. All present voted in favor of the motion.

Change Order No. 2 - Airport Project ADAP No. 5-20-0066-01

The city manager presented Change Order No. 2 to the Airport Runway Overlay Project to the City Commission. The change order adds two additional days to the number of construction days allowed by the contract, and allows for an increase in the contract price in the amount of \$6,923.80. The additional time and increase in contract price were brought about by additional runway work needed for filling cracks in the existing runway surface due to delays in getting the project underway. The total contract price after Change Order No. 2 is \$159,765.47. Commissioner Thompson made a motion that Change Order No. 2 to the Airport Runway Overlay Project Contract be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Resolution to Approve Redemption of United States Government Bonds and Treasury Notes

The city manager commented that the City of Ottawa is presently in the process of upgrading its investment procedure for idle funds. To do so it is necessary to cash and redeem certain treasury bonds and notes held by the city, and a resolution of approval must be passed by the City Commission. The notes and bonds to be redeemed are generally low-interest bearing and in small denominations, making them difficult to work with in the city's present investment procedure. Commissioner Lister made a motion that a resolution providing for the redemption of miscellaneous Series E and H government bonds purchased as cemetery reserve fund securities and conversion of the funds to certificates of deposit for conformity with the city's interest policy be passed. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Amendments to the Airport Fixed-Base Operator's Lease and Airport Services Agreement

The city manager introduced the amendments to the Airport Fixed-Base Operator's Lease and the Airport Services Agreement, stating that due to difficulty encountered by the airport manager in securing insurance for his operation at the previously agreed upon limit of \$350,000 per occurrence for hangarkeeper's legal liability, it is proposed that the limit for this coverage be reduced by \$300,000. Mr. Dresher stated that the insurer willing to cover the fixed-base operator will do so in amounts of even thousands. In order to comply with the existing city contractual requirement of \$350,000, the fixed-base operator would have to secure coverage in the amount of \$400,000 and the cost thereof was prohibitive. Mr. Dresher further stated that based on the value of the planes now hangared at the Ottawa Municipal Airport, coverage for this exposure in the amount of \$300,000 would be adequate at this time. An annual survey of the average aggregate value of hangared aircraft will be necessary in order to be certain the city's interest is adequately protected. Commissioner McCrea made a motion that the amendments to the Airport Fixed-Base Operator's Lease and the Airport Services Agreement lowering the limit for hangarkeeper's legal liability from \$350,000 per occurrence to \$300,000 per occurrence, be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Business from Guests

Mayor Bemmels recognized the guests in the City Commission Chambers. Mr. W. P. Shepherd, representing the Ottawa Horseshoe Pitching Club, thanked the City Commission for the improvements that have been made in the horseshoe pitching area at Forest Park. A state-wide tournament had been held here this past weekend, and he reported that all in attendance were very pleased with Ottawa's facilities. He further stated that it had been decided by their association to hold the 1986 annual tournament in Ottawa.

Proclamation - Boy Scout Month

Mayor Bemmels called on Mr. Mark Journs, Boy Scout Executive for this area, to read the proclamation proclaiming the month of September as Boy Scout Month. At the conclusion of the reading, Commissioner Lister made a motion that the proclamation be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, September 3, 1985 at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held August 6, 1985, were approved with corrections.

The Planning Commission held a public hearing to consider rezoning of a tract of land generally located at 1638 South Main Street from C-2 (General Commercial) to I-1 (Light Industrial) and I-1 (Light Industrial) to C-2 (General Commercial). After discussion, the Planning Commission continued this public hearing to its next regular meeting.

The Planning Commission continued a public hearing to consider rezoning of a tract of land generally located at 1445 South Main Street from R-1 (Single Family Residential) to C-2 (General Commercial). After discussion the Planning Commission voted 7-0 to recommend that this rezoning request be denied.

In a related discussion, the Planning Commission and property owners in the vicinity of 1445 South Main who were in attendance agreed that a study similar to the South Princeton Street study should be initiated for the 1400 block of South Main Street. The Planning Commission suggested that the property owners in the area schedule a meeting with the staff to begin discussing options for this area.

The Planning Commission continued a discussion of the North Ottawa Neighborhood Plan and discussed portions of a preliminary draft of the Goals and Objectives section of the Plan.

There being no further business, the meeting was adjourned.

There were no comments following the report.

Review of City Investment Schedule

Commissioner McCrea made a motion that the city schedule of investments existing as of August 31, 1985, indicating a total of \$6,235,000 invested at an average annual interest rate of 7.79 percent be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Governing Body Agenda

Mayor Bemmels stated that the city had received a letter from Governor John Carlin notifying the city of the Kansas Department of Economic Development Small Cities Block Grant award to the City of Ottawa in the amount of \$400,000 for the COF Training Center project.

Mayor Bemmels also acknowledged a letter from Milan Lambertson, Ottawa Ministerial Association, CWS/CROP walkathon coordinator, informing that a walkathon for Church World Service CROP will take place Sunday, September 29, 1985, at 2:00 p.m. The letter stated that the walk will begin at the Ottawa University Gymnasium, proceed east on 11th Street to Mulberry, south to 15th Street and east beyond the I-35 overpass. By returning along the same route, a total of ten kilometers will be covered.

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

Orlin W. Smith
Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - September 11, 1985

The City Governing Body met in special session at 3:00 p.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

The purpose of the meeting was to consider a resolution of intent to issue Industrial Revenue Bonds in the amount of \$500,000 for the Ottawa Truck Corporation, to call a public hearing for 3:00 p.m. September 26, 1985, to further consider the issuance of Industrial Revenue Bonds in the amount of \$2,000,000 for the Ottawa Truck Corporation, to consider a resolution making findings as to the necessity for condemnation of certain properties and to consider an ordinance calling for the condemnation of certain properties necessary for storm drainage improvement purposes.

Resolution No. 407-85 - Intent to Issue Industrial Revenue Bonds

Mayor Bemmels stated that at this time the City Commission would consider the resolution of intent to issue Industrial Revenue Bonds in the amount of \$500,000 for the Ottawa Truck Corporation, and that an additional \$1.5 million in Industrial Revenue Bonds may be issued for the Ottawa Truck Corporation to restructure an existing Industrial Revenue Bond debt. A resolution of intent is not necessary for the issuance of the \$1.5 million in Industrial Revenue Bonds inasmuch as the original resolution of intent, Resolution No. 100 passed May 7, 1975, is still in force for the refunding bonds. In addition, a public hearing will be called for 3:00 p.m. September 26, 1985, to further consider the issuance of Industrial Revenue Bonds in a total amount of \$2,000,000 and to receive any public comment on the proposed issuance.

Mr. Burwyn B. Bender, President of Ottawa Truck Corporation, and Mr. Brian E. Gill, Vice President in charge of finance for Ottawa Truck Corporation, were present at this meeting. Mr. Bender stated that the \$500,000 in Industrial Revenue Bonds is to be used to build additional plant facilities to construct a new type of vehicle and to allow the company to diversify into other areas aside from specialized vehicles. Mr. Bender also stated that the \$1.5 million in Industrial Revenue Bonds to retire the current issue of Industrial Revenue Bonds is necessary to restructure debt payment requirements of the Ottawa Truck Corporation.

There being no questions and no further comment, Commissioner Thompson made a motion that a Resolution of Intent to issue \$500,000 in Industrial Revenue Bonds for the purpose of expansion of the existing Ottawa Truck Corporation facilities to accommodate new products and to further announce that a public hearing on said issue shall be held Thursday, September 26, 1985 at 3:00 p.m. in the City Commission Chambers of the City Hall, Ottawa, Kansas, be passed. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Resolution No. 406-85 - Condemnation of Property

The city manager explained that in conjunction with the construction of the Cypress/Olive Street storm drainage improvement project, it was necessary to obtain certain easements. To date the city has obtained all but two of the necessary easements. The resolution before the commission at this time makes a finding of the necessity for condemnation to acquire the remaining easements. Consideration of an ordinance will follow adoption of this resolution which authorizes the city to proceed with the necessary condemnation. The remaining easements being sought by condemnation are located at 915 Olive Street and 946 Ash Street. Commissioner Lister made a motion that a resolution authorizing and providing for the acquisition of real property, consisting of permanent and temporary easements at 915 Olive Street and 946 Ash Street, for the purpose of controlling storm drainage in conjunction with the Cypress/Olive Street storm drainage improvement project be passed. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Ordinance No. 2807-85 - Acquisition of Real Property

Commissioner McCrea made a motion that an ordinance authorizing and providing for the acquisition of real property located at 915 Olive Street and 946 Ash Street for the purpose of controlling storm drainage in conjunction with certain permanent and temporary easements necessary for the Cypress/Olive Street storm drainage improvement, be passed. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

The purpose for which this meeting had been called being completed, the meeting was adjourned.



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - September 18, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor Bemmels and Commissioners McCrea, and Lister Thompson.
Absent: Commissioner Heathman.

Approval of Minutes

The minutes of the last regular meeting held September 4, 1985 and the minutes of the special meeting held September 11, 1985, were approved as written.

Consider Rezoning of Property Located at 1445 S. Main

Mayor Bemmels stated that at this time the City Commission would consider the recommendation of the Planning Commission to deny a change of zoning from R-1 (Single Family Dwelling) to C-2 (General Commercial) for property located at 1445 S. Main. Following the public hearing held by the Planning Commission on September 3, 1985, the Planning Commission voted 7-0 to recommend to the City Commission that the request for rezoning be denied. Administrative Assistant Kristy Cannon reported that late yesterday the City had received a petition containing the signatures of eleven property owners protesting the proposed change in zoning. There had not been sufficient time for the city attorney to verify its sufficiency. She explained that if the City Commission was not in agreement with the recommendation of the Planning Commission, the matter should be returned to the Planning Commission with a recommendation from the City Commission.

Commissioner Lister made a motion that the City Commission comply with the recommendation of the Planning Commission and that the request to change the zoning for the property at 1445 S. Main from R-1 (Single Family Dwelling) to C-2 (General Commercial) be denied. There being no further discussion, the question was called and all present voted in favor of the motion.

Resolution No. 408-85 - Calling Public Hearing for Street Improvements

Commissioner McCrea made a motion that a resolution directing and ordering a public hearing be held October 16, 1985 at 9:35 a.m. to determine the advisability of improving Eleventh Street from the east line of Elm Street in the Eleventh Street Subdivision, thence east 878 feet more or less to a point 30 feet east of the east right of way line produced of the Atchison, Topeka & Santa Fe Railroad, at an estimated probable cost of \$179,407.48, be passed. The motion was seconded by Commissioner Lister. The city manager explained that the passage of this resolution is the first step in the process whereby the Governing Body initiates a street improvement. The resolution sets forth the nature of the improvement, stating that the estimated probable cost is \$179,407.48, with 50.82% of the total cost to be assessed to the property owners within the benefit district and the city-at-large to pay 49.18%. Commissioner McCrea stated that he hopes that on the day of the hearing the City Commission room will be full of people directly involved in the improvement and the benefit district, and further stated that this is the Governing Body taking the initiative to cause a public improvement within the city. There being no further discussion, the question was called and all present voted in favor of the motion.

Request to Provide Entertainment in City Park

Mayor Bemmels stated that the City Commission had received a letter from Mr. Dale Reese, who sought permission to provide music in City Park on Wednesday evenings. Mayor Bemmels stated, however, that the issue was considered to be administrative in nature and the request will be handled through the city manager's office.

Proclamation - Constitution Week

A proclamation was read proclaiming the week of September 17-23, 1985 as Constitution Week in the City of Ottawa. Commissioner McCrea made a motion

that the proclamation be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Project Status Report

The following is a list of current city projects and their status:

1. South Main Street Improvement (7th to 10th) - Killough, Inc. is proceeding with storm sewer construction. Storm sewer is near completion from Skunk Run to 7th Street with inlet construction entire length of project. City is proceeding with water main construction on west side of S. Main.
2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - The plant is operational and approximately 95% complete. Construction on the holding basin is still in progress with a projected completion date of September 31. Collector System and lift station improvements very near 100% completion.
3. Cypress/Olive Street Storm Drainage Improvements - Permanent and temporary easements acquired except for two properties on which condemnation actions were taken by City Commission September 11, 1985. Contractor plans to begin construction approximately October 1, 1985.
4. Skunk Run Storm Drainage Improvement Phase IV - Smoky Hill, Inc. is in the process of acquiring easement extensions from property owners along this portion of the channel, and is proceeding with pouring of concrete channel bottom.
5. Skunk Run Storm Drainage Improvement Phase V - Smoky Hill, Inc. has completed work under 10th Street and 10th Street was reopened to traffic on September 10. Eleventh Street is now closed and new storm sewer pipe is now being constructed under 11th Street. Also under construction is the east wall of the open box culvert between 9th and 10th Streets. The bottom and west wall of the trapezoidal channel are complete, and work is progressing on the east wall, between 10th and 11th Streets. The main channel has been diverted to point down new channel. Pipe between main channel and inlet on Hanes Drive has been installed. Except for tree removal, no major construction work has yet been done between Locust and Pecan.
6. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. Plans and specifications are being prepared for this phase of the Main Street improvement in order to be ready to begin construction as soon after July 1, 1986 as possible.
7. Marais des Cygnes River Bridge - The contractor for this state project is Edward Kramer & Sons. A preconstruction conference was held on July 19 at City Hall. The proposed project schedule (subject to availability of materials and weather) is as follows:

TOTAL CONTRACT DAYS: 120

October 1:	Start
Mid October:	Remove existing bridge
November-December:	Construction of Sub-structure
January-February:	Construction of Deck
March-April:	Construction of Slabs/Approaches/Rails and overlay of detour
End April:	Project complete

8. Auditorium Basement Improvements - All improvements to the south half of the Auditorium Basement have been completed and the facility has

been currently exhibiting the "Kansas Landscape" art show.

9. South Main Street Hazard Elimination Project - A field check with KDOT and engineers has been completed. Final plans and specifications are being prepared and a State bid letting scheduled for January 1986.
10. 1985 Street Rehabilitation Program - The city has been sealing and overlaying streets and replacing curb and gutter and various locations in the City during the past several weeks. These improvements have been funded by local sales tax revenues.
11. 11th Street Improvement - City staff has prepared cost estimates for this improvement and has been in contact with property owners in the proposed benefit district. Advisability resolution has been prepared for October 16, 1985 public hearing
12. Airport Runway & Taxiway - The final portion of this project, improvement of the south 1000 feet of the runway and a 3000 foot asphalt overlay of the entire runway has been completed with final grading and cleanup underway.
13. KDOT "KLINK" and Geometric Improvement Projects on highway connecting links - Applications have been submitted for the FY87 and FY88 funding years.
14. Off-Peak Industrial Electric Rate Study - Covenant Engineering proceeding with rate review. Information to become available in October.

Commissioner McCrea asked if there was a penalty clause in the contract for the construction of the new Marais des Cygnes River bridge if not completed in the 120 days specified by the contractor. The city manager answered that there was a penalty clause in the contract, but the 120 days as stated in the report is only as stated in the contractor's bid for the project.

Commissioner McCrea asked how much progress had been made on the 1985 street rehabilitation project at this time. The city manager reported that as of the first of next week the 1985 street rehabilitation program should be 90% complete.

Department of Public Safety Open House

Mayor Bemmels announced that the Department of Public Safety, 720 W. Second, will hold an open house on Saturday, September 28, 1985 from 1:00-4:00 p.m. The open house will include tours of the facility, explanation of the departmental functions, demonstrations of the aerial ladder firetruck, fingerprinting for the Ident-a-kid program, an opportunity to meet Officer McGruff and rides in the "convincer" which is a demonstration to illustrate the need for the use of seatbelts in motor vehicles. Mayor Bemmels stated that the public is invited and everyone is encouraged to attend.

City Manager's Report on Christmas Lighting

The city manager reported that the city electric utility crews are today completing installation of the Christmas lighting on the west side of the 400 block of Main Street. The crews will continue installation as time permits, hopefully being complete by Thanksgiving.

Grant Agreement for North American Hotel Project

The city manager requested that the Governing Body approve a grant agreement with the Kansas Department of Economic Development (KDED) in the amount of \$125,000 to be used for the North American Hotel renovation project. He stated that the city staff is hoping to resolve a problem which surfaced yesterday subsequent to receipt of an opinion by the Department of Labor whereby any portion of a project being funded by federal monies necessitates imposition of the Davis-Bacon wage and hour law on the entire project.

It has previously been the interpretation of the Department of Housing and Urban Development (HUD) and KDED that as long as federal monies are spent on project segments other than labor, the Davis-Bacon law would not be imposed. The city manager stated that he and his administrative assistant met yesterday with the project developer who placed the project on hold until it is clear how the opinion will be enforced in this instance. If the Davis-Bacon act is enforced, it was estimated by the city manager to increase by one-third the total project costs for renovation of the hotel building. The economic feasibility of this project would be severely impacted by imposition of the Davis-Bacon wage rates. The city manager stated that he had written and telephoned KDED in response to the new interpretation, stressing that the Davis-Bacon act should not apply to those projects that have advanced beyond the planning and design stage and have already been funded. The City Commission was encouraged to approve and sign the grant agreement so that if the developer decides to proceed with the project the City will be in a position to do so.

Commissioner Lister made a motion that a grant agreement between the City of Ottawa and the Kansas Department of Economic Development in the amount of \$125,000 for renovation of the North American Hotel, be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Proclamation - National Arts Week

Mayor Bemmels called on Mrs. Deborah Barker to present the proclamation. Mrs. Barker read a proclamation proclaiming the week of September 22-29, 1985 as National Arts Week. She then commented that during the week there will be an organ concert by Dr. Sherwin Snyder, the U.S. Marine Band will perform at the auditorium, there will be art exhibits by Ottawa schools, and the arts council and historical society will conduct the annual tour of victorian architecture in the City of Ottawa. She further announced that the first \$5,000 of a grant awarded to the City of Ottawa for remodel of the auditorium basement has been received. Commissioner Thompson made a motion that the National Arts Week proclamation be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Public's Agenda

Mr. Joe Blake, Jr. of Ottawa appeared before the City Commission and asked how soon the repairs of damage suffered June 19, 1985 to the main airport hangar would be accomplished. The city manager reported that difficulties in the contractor scheduling and delivery of proper materials had caused the delay but it was expected to be done in the next couple of weeks. Because the area suffered wide-spread damage, insurance adjustors were unable to act as timely as the city would have liked.

Mr. Sherrel Schroeder of the Ottawa Cable TV Inc. appeared before the City Commission to explain that repairs to many of their lines within the city were scheduled to be made within the next few weeks. These repairs should improve area television reception.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - September 26, 1985

The City Governing Body met in special session at 3:00 p.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Mayor Bemmels announced that the purpose of the meeting was to hold a public hearing concerning the intent by Ottawa Truck Corporation to issue \$500,000 in Industrial Revenue Bonds for the purpose of expansion of the existing Ottawa Truck Corporation facilities. The public hearing was duly called by resolution of the Governing Body dated September 11, 1985.

Mr. Burwyn B. Bender, President of Ottawa Truck Corporation, and Mr. Brian E. Gill, Financial Vice-President of Ottawa Truck Corporation, were present for the public hearing. With their presence, information pertaining to the proposed expansion of the Ottawa Truck Corporation and the proposed issue of industrial revenue bonds was available for all concerned.

There being no questions or discussion, Commissioner Thompson made a motion that the public hearing be closed. The motion was seconded by Commissioner McCrea and upon call for the question, all present voted in favor of the motion.

The business for which the special meeting was called having been completed, the meeting was adjourned.


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - October 2, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held September 18, 1985, and of the special meeting held September 26, 1985, were approved as written.

Change Order No. 3 - Wastewater System Improvements Contract No. 2

Mayor Bemmels introduced Change Order No. 3 - Wastewater System Improvements Contract No. 2 and then called on the city manager to comment on the change order. The city manager explained that most of the items on the change order are relatively small in nature and that many of the items were made necessary by uncovering existing situations that could not have been known at the time the plans and specifications for the improvements were being developed. An additional item on the change order allows the contractor seventeen additional calendar days for construction due to weather related delays in 1984 and an additional eighteen calendar days are being allowed to the contractor as a result of the unknown situations which were discovered in the construction of the facility. The total amount of the change order is the addition of \$15,603.00 to the total contract price for a total contract amount of \$1,907,622.00. It was pointed out that seventy-five percent of the additional cost effected by Change Order No. 3 will be paid from the federal grant for the construction of the facility. Commissioner McCrea made a motion that Change Order No. 3 allowing additional time to the contractor for the completion of the project and increasing the total project cost by \$15,603.00 be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Request for Parade

Miss Kathy Player, Parade Chairperson for the homecoming parade for Ottawa High School and Ottawa University, appeared before the City Commission and requested permission to hold a homecoming parade on Wednesday evening, October 9, 1985 at 6:30 p.m. The parade is to proceed from City Park north on Main Street to the Kansas State Bank. The request included having a police escort for the parade and having Hickory Street blocked from 5th to Park Street. Mr. Oren Skiles, Director of Public Safety was present and stated that there would be no problem in providing police escort and blocking Hickory Street from 5th to Park Street for the parade. Commissioner Thompson made a motion that the parade as requested by Kathy Player be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, October 1, 1985 at 7:00 p.m. in City Hall. All members were present.

The minutes of the last meeting held September 3, 1985, were approved as written.

The Planning Commission continued a public hearing to consider rezoning of a tract of land generally located at 1638 South Main Street from C-2 (General Commercial) to I-1 (Light Industrial) and I-1 (Light Industrial) to C-2 (General Commercial). After discussion the Planning Commission voted 7-0 to recommend that this rezoning request be approved.

The Planning Commission continued a discussion of the North Ottawa Neighborhood Plan and discussed a future land use map for the area.

There being no further business, the meeting was adjourned.

At the conclusion of the Planning Commission report, Commissioner McCrea made a motion that the report be approved and entered into the official record of the City. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Review City Investment Schedule

The City Investment Schedule for September 1985 was reviewed by the City Commission. Commissioner Thompson made a motion that the City Investment Schedule for September 1985 indicating a total of \$6,235,000 invested at an average annual interest rate of 7.89% be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Proclamation - Seat Belt Awareness Month

Mr. Oren Skiles, Director of Public Safety, introduced Lt. Richard Towe and Corporal Richard Geist, who then presented a proclamation, read by Lt. Towe, proclaiming the month of October 1985 as Seat Belt Awareness Month. Commissioner McCrea made a motion that the proclamation as read be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Agenda of the Governing Body

Mayor Bemmels announced that the City of Ottawa, for the improvements to its Central Business District, had been the recipient of the Public Improvement Award given by the Kansas Consulting Engineers Association at the 75th annual meeting of the League of Kansas Municipalities held recently in Topeka. Mayor Bemmels stated that the City was honored by and appreciative of this award, particularly since the City of Ottawa has in prior years also received this award, made to cities with populations greater than 10,000, for Ottawa's power plant improvement and its water treatment plant. It was further stated that next year the City of Ottawa would possibly submit an application for the 1986 award on behalf of its sewage treatment facility.

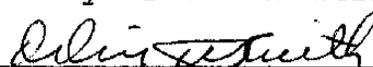
City Manager's Agenda

The city manager announced that the City been informed by the Kansas Department of Economic Development (KDED) that the City should proceed with the renovation of the North American Hotel project. This announcement was made following KDED's decision that the project would not be subject to the Davis Bacon Act. The city manager stated that the opinion previously rendered by someone in the Department of Labor that would have subjected such projects to these wage regulations, was being treated as just an opinion and not a mandate of the courts.

Cereal Malt Beverage License National Marketing Company of Kansas, Inc.

The city clerk submitted an application for cereal malt beverage license to sell cereal malt beverage in original and unopened containers as submitted by the National Marketing Company of Kansas, Inc. for their business located at 1621 S. Main. The license application sets forth that Cynthia Kramer is to be the manager and agent. It was reported by the city clerk that all necessary record checks have been made and approved, the city attorney has given his approval of the application and all fees have been paid. Commissioner Thompson made a motion that the application for license to sell cereal malt beverage in original and unopened containers as submitted by National Marketing Company of Kansas, Inc., 1621 S. Main, be approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - October 16, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor Bemmels and Commissioners McCrea, Lister and Thompson.
Absent: Commissioner Heathman.

Approval of Minutes

The minutes of the last regular meeting held October 2, 1985 were approved as written.

Public Hearing - Advisability of Improving Eleventh Street

Mayor Bemmels announced that the City Commission would at this time hold a public hearing on the advisability of improving 11th Street from the east line of Elm Street in 11th Street Subdivision, thence east 878 feet more or less to a point 30 feet east of the east right of way line, produced, of the Atchison, Topeka and Santa Fe Railroad in the City of Ottawa, Franklin County, Kansas. Mayor Bemmels then called upon the city manager to explain the details of the project.

The city manager stated that the project as described by the mayor is for the construction of a street approximately 878 feet long with paving 31 feet wide from back of curbing to back of curbing. The cost estimates for the improvement are on the basis of a 6" reinforced concrete street but an alternate for the use of asphaltic concrete has also been included in the specifications. The cost of the 6" reinforced concrete street as estimated is \$179,407.48 with the benefit district paying \$91,171.74 (50.8% of total cost), and the City-at-large paying \$88,235.74 (49.2% of total cost). It is estimated that it will cost approximately \$20,000 more for a concrete street than a comparable asphaltic concrete street. The project is as set forth in the City's Capital Improvements Program for 1985.

Commissioner Thompson then stated that for the third consecutive year the improvement of this section of 11th Street is number one on the list of the six-year Capital Improvement Program.

Mr. George Chaney, who resides within the proposed benefit district, questioned the need for the street and who is to pay for the street. The city manager answered that the benefit district pays 100% of the cost of a normal width residential street and the city-at-large pays for any extra width, intersections and storm sewers. The city manager further explained that the need for the street is as set forth in the Capital Improvements Program on which hearings are held before the City Planning Commission each year. Mr. Chaney stated that according to the cost estimates he had received, his cost would be \$17,695.00 and he could see no return of benefits equal to that amount. He said he would like to see the street paved but he did not feel that the benefit to his property would be great enough to justify his cost. He felt that the city-at-large wants the street improvement and should pay for the entire project. The city manager then commented that approximately 50% of the property within the benefit district is owned by the city-at-large so the city-at-large will be paying approximately 50% of the benefit district cost.

Mrs. Connie Wright, who also resides within the proposed benefit district, stated that she felt the city-at-large should pay a larger share of the total cost of the street. The question re whether the street as designed is a standard width residential street was asked, and the city manager answered that the street is a standard width.

Mr. Larry Gray, 1103 S. Elm, stated that some property owners had received last summer estimated costs for their property for the street and he wondered why he had not received similar information. Commissioner Thompson answered that he had requested that certain larger property owners within the area be mailed their approximate cost and Mr. Gray was not one of those property owners. Mr. Gray further commented that at the time of the design of the final phase of the Skunk Run improvement, it was stated by members of

the City Commission that if there were any grant funds left when the Skunk Run project was completed, they could possibly be used to help pay for the street improvement. Mr. Gray asked if any such funds would be available. It was explained by the City Commission that the bids for the final phase of Skunk Run were much higher than anticipated and there would be no funds left for the improvement of 11th Street. Mr. Gray also asked if it would be possible to get Community Development Block Grant funds to assist in the cost of the street, to which it was answered that Community Development Block Grant (CDBG) funds are not available for such purposes. Mr. Gray stated that inasmuch as there were no cross streets in this particular area, he felt an undue burden might be placed on the property owners fronting on 11th Street and very few people would benefit from such an improvement. It was pointed out that even though there are no cross streets in this area, the benefit district is set forth within statutory limits and everyone would pay their appropriate share. The city clerk pointed out that there are people residing in the 1000 block of Locust Street who would like to have their street paved as soon 11th Street is completed.

Mrs. Dorothy Chaney answered the city clerk's remarks by stating that there were people living in that particular area for whom payment of such an improvement might create quite a hardship.

Commissioner Thompson made a motion that the public hearing be closed. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Resolution No. 409-85 - Making Findings as to the Advisability of Improving a Portion of 11th Street

Commissioner Thompson made a motion that a resolution making findings as to the advisability of improving 11th Street from the east line of Elm Street in 11th Street Subdivision, thence east 878 feet more or less to a point 30 feet east of the east right of way line, produced, of the Atchison, Topeka and Santa Fe Railroad in the City of Ottawa, Franklin County, Kansas, be passed. The motion was seconded by Commissioner Lister. The City Commission expressed concern that they wished federal funds might be available to assist in the improvement of the street, but Revenue Sharing monies are likely to be cut 25% in the next federal fiscal year and the CDBG program will be cut approximately 11% in the next federal fiscal year.

Mr. George Chaney further stated that it again appears as if the city-at-large wants the street improved and he felt that they should pay for the improvement.

There being no further discussion, the question was called and all present voted in favor of the motion.

Resolution No. 410-85 - Ordering and Directing the Improvement of a Portion of 11th Street

Commissioner Lister made a motion that a resolution directing and ordering the improvement of 11th Street from the east line of Elm Street in 11th Street Subdivision, thence east 878 feet more or less to a point 30 feet east of the east right of way line, produced, of the Atchison, Topeka and Santa Fe Railroad in the City of Ottawa, Franklin County, Kansas, be passed. The motion was seconded by Commissioner McCrea, who stated that he would like to have the width of 11th Street both east and west of the proposed project checked. He felt that it would not be necessary to build a 31-foot width street if the other segments of the street are narrower. Upon call for the question, all present voted in favor of the motion.

Mayor Bemmels stated that the property owners may petition against the proposed improvement if they so desire, but a sufficient petition requires 51% or more of the owners of the total front footage within the benefit district and 51% of the total of the owners of the property within the benefit district.

Ordinance No. 2808-85 - Rezoning

Commissioner McCrea made a motion that an ordinance relating to and regulating the planning and zoning within the City of Ottawa, Kansas, redistricting the certain tract and area within the city and amending the amended zoning map attached to and made a part of Ordinance No. 2713-82 of the City of Ottawa, Kansas, and repealing certain parts of said amended zoning map of said city by removing a portion of land generally located at 1638 S. Main Street from C-2 (General Commercial) and I-1 (Light Industrial) to C-2 (General Commercial) and I-1 (Light Industrial), be passed. The motion was seconded by Commissioner Thompson. It was explained that this tract of land is presently split east to west between I-1 and C-2 zoning districts. It is desirable to have the land split north and south between C-2 and I-1 for the purpose of proper development in the area. Upon call for the question, all present voted in favor of the motion.

Request for Parade Permit

Mr. Rex Cummings, representing the Ottawa Retail Association, requested permission to hold a Christmas parade on Saturday, December 7, 1985, on the Main Street of Ottawa. The parade, beginning at 8:00 a.m., is to proceed from the 100 block of South Hickory west to Main Street, and south on Main Street to 5th Street, at which point the parade will disband. Commissioner McCrea made a motion that the Ottawa Retail Association be permitted to hold a parade as outlined above. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Mr. Cummings then asked permission for the Ottawa Jaycees to hold a spook and costume parade October 30, 1985, at 5:00 p.m. The parade is to proceed from 5th & Main to 2nd & Main where costumes will be judged and prizes awarded. Following the parade, there will be a free show at the Plaza Theater. Commissioner Thompson made a motion that the Ottawa Jaycees be permitted to hold a spook and costume parade as above described. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Request for Parade

Mr. Warren Sellens, Post Commander of VFW Post 5901, requested permission to hold a Veterans Day parade on November 11, 1985, beginning at 1:00 p.m. The parade is to begin at 1st and Main and proceed south to 17th Street to the National Guard Armory. The City Commission questioned the advisability of parading to 17th Street inasmuch as Main Street is presently under construction. The City Commission did agree, however, to permit the parade to run from 1st and Main to 5th and Main. The City Commission recommended that Mr. Sellens check with the County Commission for permission to hold their proposed flag raising ceremony on the courthouse lawn. The City Commission did give permission for the firing of a three gun salute for the flag raising ceremony. Commissioner Lister made a motion that the VFW Post 5901 be permitted to hold a parade as above described and that the National Guard be permitted to fire a three gun salute for their flag raising ceremony. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

Presentation of Awards by Pride Committee

Mrs. Mary Schneider, representing the Ottawa Pride Committee, announced that the Ottawa Pride Committee had received two awards for their efforts the past year. The first award was fourth place in the the governor's community achievement category. Ottawa competed with other Kansas cities with populations of 5000 or greater that are enrolled in the Pride program. The second award was a certificate for merit for the downtown revitalization program in which the Pride Committee was active in soliciting donations for the Christmas lights. Mrs. Schneider stated that she thought it would be appropriate if the awards were displayed in the City Hall.

In addition, Mrs. Schneider unveiled a sign that is to be displayed at the entrances to the city, making people aware that Ottawa is a member of the Pride program.

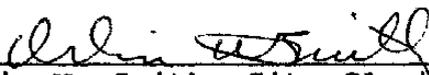
Report on Status of City Projects

The following is a list of current city projects and their status:

1. South Main Street Improvement (7th to 10th) - Killough, Inc. is proceeding with storm sewer construction. Storm sewer is near completion from Skunk Run to 10th Street with inlet construction entire length of project in progress. Killough, Inc. is anticipating that curb and gutter installation will begin within a week. Larger trees posing some problems with storm sewer and curb and gutter work. City is proceeding with water main construction on west side of S. Main.
2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - The plant is operational. Construction on the holding basin is still in progress. Collector System and lift station improvements completed and final inspection held.
3. Cypress/Olive Street Storm Drainage Improvements - Contractor, Smoky Hill, Inc., commenced construction October 7, 1985. Condemnation actions proceeding with hearings set for October 14 and 15, 1985.
4. Skunk Run Storm Drainage Improvement Phase IV - Smoky Hill, Inc. is proceeding with pouring of concrete channel.
5. Skunk Run Storm Drainage Improvement Phase V - Smoky Hill, Inc. has begun construction work between Locust and Pecan. Work is being completed in channel at 11th Street location with grading and backfilling proceeding 9th to 11th.
6. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. Plans and specifications are being prepared for this phase of the Main Street improvement in order to be ready to begin construction as soon after July 1, 1986 as possible.
7. Marais des Cygnes River Bridge - Preparation of detour route being made including an asphalt overlay of Eisenhower Rd. 7th to 19th. Following detour route preparation and signing, contractor can commence removal of existing bridge.
8. South Main Street Hazard Elimination Project - A field check with KDOT and engineers has been completed. Final plans and specifications are being prepared and a State bid letting scheduled for January 1986.
9. 1985 Street Rehabilitation Program - Street sealing and overlaying as well as replacement of curb and gutter completed at various locations throughout the City.
10. 11th Street Improvement - City staff has prepared cost estimates for this improvement and has been in contact with property owners in the proposed benefit district. Advisability resolution has been prepared for October 16, 1985 public hearing
11. Airport Runway & Taxiway - The final portion of this project, improvement of the south 1000 feet of the runway and a 3000 foot asphalt overlay of the entire runway has been completed with final grading and cleanup underway.
12. KDOT "KLINK" and Geometric Improvement Projects on highway connecting links - Applications have been submitted for the FY87 and FY88 funding years.

13. Off-Peak Industrial Electric Rate Study - Covenant Engineering has submitted proposal for staff review.
14. North American Hotel Grant Project. The grant agreement for this project is pending approval from the Kansas Department of Economic Development. The developer is currently proceeding with development agreements and finalizing plans for the project.
15. COF Community Improvement Grant. - City staff attended a Block Grant workshop on October 8 and 9. The City has submitted all necessary information for the Grant Agreement.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - October 18, 1985

The City Governing Body met in special session at 3:00 p.m. this date for the purpose of considering an ordinance authorizing the issuance of waterworks and electric system revenue refunding bonds in the amount of \$9,047,000. Present: Mayor pro tem Thompson and Commissioners McCrea and Heathman. Absent: Mayor Bemmels and Commissioner Lister.

Mayor pro tem Thompson opened the meeting and called for a motion for passage of the proposed ordinance.

Ordinance No. 2809-85 - Refunding Bonds

Commissioner McCrea made a motion that an ordinance authorizing the issuance of \$9,047,000 principal amount of waterworks and electric systems revenue refunding bonds, series 1985, of the City of Ottawa, Kansas, for the purpose of providing the funds to refund the city's outstanding waterworks and electric systems revenue bonds and to pay the costs of issuance of said refunding bonds; prescribing the form and details of said refunding bonds; providing for the collection, segregation and application of the revenues of the waterworks and electric systems for the purposes authorized by law, including paying the cost of operation and maintenance of the waterworks and electric systems, paying the principal of and interest on said refunding bonds, providing adequate depreciation and reserve funds, making certain covenants and agreements with respect thereto, approving an escrow deposit agreement and approving an official statement, be passed. The motion was seconded by Commissioner Heathman. Mayor pro tem Thompson then called upon Mr. Bill Tschudy of Zahner & Company to explain the proposed savings to the City of Ottawa by refunding the current water and electric bond issues.

Mr. Tschudy stated that some months ago he had prepared for the City a cash flow analysis which indicated a potential savings to the City of \$1,632,804, or a present value savings of \$261,890. Since Mr. Tschudy's analysis, the bond market has changed in the City's favor, and the City will now realize a net savings of \$1,787,216 by refunding the current water and electric issues. The City's current debt for the two combined issues is \$20,160,287 and the new debt created by the refunding bonds will be \$17,717,409. Mr. Tschudy further explained that the City's current debt will become a AAA rated issue as a result of the refunding and the City's new debt will also be rated AAA as a result of the insurance being purchased for the issue. The present value savings of the new issue is \$305,824.03.

Mr. George Marstall, former Ottawa City Commissioner, asked if, as a result of the refunding issues, the water and light funds would be combined. Mr. Tschudy announced that as per a request from the city clerk, the water and electric funds will remain separated, but payments for the principal and interest on the new issue will be prorated according to the amount of each issue presently outstanding. Mr. Marstall also stated that he was concerned whether a real savings existed in the transaction. He was assured that the City will realize the savings as earlier announced in the meeting. Mr. Marstall asked what were the termination dates of the current issues. He was answered that the present water bond issue expires in 2003 and the current electric issue expires in 2005.

Commissioner Lister questioned whether the cost of the issue would remain the same as earlier proposed as a result of the City's increased net savings. Mr. Tschudy answered that the cost of the issuance would not change except that the insurance is costing less than originally anticipated. The cost of insurance had been earlier estimated to be 1.1 percent of the issue, but in reality the insurance cost only .82 percent of the issue.

Commissioner McCrea questioned whether the AAA bond rating was the best that could be obtained by a city. Mr. Tschudy answered that the AAA rating was the best obtainable and that most cities have an A or an A-1 rating on their bond issues.

There being no further discussion, the question was called. All present voted in favor of the motion.

The purpose for which the meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - November 6, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held October 16, 1985 and of a special meeting held October 18, 1985 were approved as written.

Presentation of Service Awards

Mayor Bemmels recognized and presented service awards commemorating ten years of service with the City of Ottawa to the following employees: Mr. Oren Skiles, Director of Public Safety; Mr. Robert E. Mason, Power Plant Operator; Mr. Earl Schmitt, Equipment Operator; and Michael E. Wilson, Chief Operator of Wastewater Treatment Plant. The service awards are made available through the League of Kansas of Municipalities.

Consider Approval of Grant Agreement Between State of Kansas Department of Economic Development and the City of Ottawa

Mayor Bemmels introduced the subject and then asked the city manager to provide information concerning the agreement. The city manager explained that the City of Ottawa had been awarded a grant in the amount of \$400,000 from the State of Kansas, Department of Economic Development for FY 1985 Small Cities Community Development Block Grant for Community Improvement for the benefit of C.O.F. Training Services, Inc. The city manager stated that the City of Ottawa had submitted all documentation necessary for the approval of the grant and through recent telephone conversations with the Department of Economic Development it was indicated that the grant agreement would be sent to the City of Ottawa in a few days for execution. In order to expedite the project, it was recommended that the City Commission authorize the Mayor to execute the agreement upon its receipt by the City.

Commissioner McCrea made a motion that the Mayor be authorized to sign a grant agreement between the State of Kansas Department of Economic Development and the City of Ottawa for FY 1985 Small Cities Community Development Block Grant for Community Improvement in the amount of \$400,000 for the benefit of C.O.F. Training Services, Inc. The motion was seconded by Commissioner Thompson. Commissioner McCrea then stated he felt it was necessary to authorize the Mayor to sign the agreement in the interest of expediting the project. As a point of clarification, Commissioner Heathman asked if it was correct that the City would within sixteen years recapture \$139,500 of the grant funds allocated to C.O.F. Training Services, Inc. The city manager explained that this was correct; however, negotiations are still in progress and the recapture may be accomplished in less than sixteen years. The recaptured funds may be used for economic development, but to do so the City must follow the Title I guidelines for such recapture of funds. It was suggested by Commissioner McCrea that the City establish guidelines for use of the funds recaptured from both the C.O.F. project and the renovation of the North American Hotel to ensure compliance with the Title I regulations. There being no further discussion, the question was called and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Planning Commission met in regular session on Tuesday, November 4, 1985, at 7:00 p.m. in the City Commission chambers. Members present: Chairman Jackson and Members Hendrix, Underwood, Searls, and Koch. Member Woolman was present for the first agenda item. Absent: Member Keith.

The Planning Commission called a public hearing to zone the area outside the City limits and within three miles to R-S (Residential Suburban). The Planning Commission also voted 6-0 to authorize the Chairman to notify the

county of the intent to zone outside the city limits and to recommend to the City Commission that the Mayor join in this action to notify.

The Planning Commission considered calling a public hearing to amend the temporary sign section of the Zoning Ordinance. After discussion of several deficiencies that have been noted in this section, the Planning Commission voted 6-0 not to call a public hearing but instead to continue discussion at their next study session.

The Planning Commission briefly discussed the North Ottawa Neighborhood Plan and agreed to continue this discussion at their next study session.

There being no further business, the meeting was adjourned.

At the conclusion of the report of the Planning Commission meeting, Administrative Assistant Kristy Cannon stated that the Planning Commission had asked the City Commission to join in its notification to the Franklin County Commission that the City plans to zone outside the city limits. She explained that the statutes provide that the City shall notify the county of such intent, but does not state what group or person should make such notification. It seems advisable for the notification to be made jointly by the City Commission and the Planning Commission.

Commissioner Thompson made a motion that the report of the Planning Commission meeting be entered into the official record of the City, and that the City Commission join with the Planning Commission in notifying the Franklin County Commission of the City's intent to zone the area immediately outside the city limits. The motion was seconded by Commissioner Lister and upon call for the question, all present voted in favor of the motion.

Review City Investment Schedule

The City Investment Schedule existing as of October 31, 1985, indicated the City had a total of \$4,935,000 invested in certificates of deposit at an average interest rate of 8.08 percent, and that the City had \$500,409 in a super now account earning interest at the rate of 6.25 percent.

Commissioner Thompson made a motion that the schedule of investments existing as of October 31, 1985, be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Cereal Malt Beverage License Application

The city clerk presented an application for cereal malt beverage license for National Marketing Company of Kansas, Inc. for Stop 'n Save Service Station located at 1621 S. Main. The city clerk reported that the application for license is as a result in change of manager, and all prerequisites for issue of license have been met and appropriate fee paid.

Commissioner Lister made a motion that an application for cereal malt beverage license as submitted by National Marketing Company of Kansas, Inc. located at 1621 S. Main for sale of cereal malt in original and unopened containers not for consumption on the premises be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Report of Mayor Bemmels

Mayor Bemmels reported that he was in receipt of a letter from the President of El Salvador, stating that due to the turmoil in his country, people are in need of many items to sustain themselves. Items needed include sewing machines, hospital beds and wheelchairs. The Mayor stated that if anyone had such items they wished to donate to El Salvador, he was sure arrangements could be made for transportation of the items.

The meeting of the City Commission was recessed at 10:00 a.m. until 10:30 a.m. to open bids for sale of \$900,000 in sewerage improvement general obligation bonds.

Receipt of Bids for Sale of General Obligation Bonds

At 10:30 a.m. Mayor Bemmels reconvened the meeting and called on the city clerk to read aloud the bids received for the purchase of the general obligation bonds in the amount of \$900,000. The bids received are as follows: Mid Continent Municipal Investment Inc., Wichita, KS, average interest rate of 8.8967 and a net interest cost of \$936,822.50; Commerce Bank, Kansas City, MO, average interest rate of 8.931173 and a net interest cost of \$940,452.50; United Missouri Bank, Kansas City, MO, average interest rate of 8.933713 and a net interest cost of \$940,720.00; George K. Baum, Kansas City, MO, average interest rate of 8.939126 and a net interest cost of \$941,290.00; Kansas State Bank, Ottawa, KS, average interest rate of 9.39138, a premium of \$37.00 and a net interest cost of \$988,987.00; Stern Bros., Kansas City, MO, average interest rate of 8.889554 and a net interest cost of \$936,070.00.

At the conclusion of reading the bids, the meeting was recessed so the low bid could be checked for accuracy prior to action awarding sale of bonds by the Governing Body.

Mayor Bemmels reconvened the meeting and it was reported by the city clerk that the low bid of 8.889554 percent submitted by Stern Bros. of Kansas City, MO was disqualified because part of the interest rate contained in their bid were descending rather than ascending as required in bid specifications. It was recommended that the sale of the bonds be awarded to Mid Continent Municipal Investment Inc. of Wichita, KS, for an average interest rate of 8.8967 percent and a net interest cost of \$936,822.50. The city clerk reported that with the disqualification of the Stern Bros. bid, the bid of Mid Continent Municipal Investment Inc. of Wichita was the next low bidder and the bid had been checked for accuracy and found to be in proper form.

Commissioner McCrea made a motion that the sale of the sewerage improvement general obligation bonds in the amount of \$900,000 be awarded to Mid Continent Municipal Investment Inc. of Wichita, KS at an average interest rate of 8.8967 percent and a net interest cost of \$936,822.50, and that the bid submitted by Stern Bros, Kansas City, MO, be rejected due to the stated descending interest rate. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Ordinance No. 2810-85 - Authorization for Sale of Bonds

Commissioner Lister made a motion that an ordinance authorizing the issuance and delivery of \$900,000 principal amount of general obligation sewerage improvement bonds Series "B" 1985 of the City of Ottawa, Kansas, for the purpose of providing funds to pay the cost of certain improvements, prescribing the form and detail of said bonds, and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due, be passed. The motion was seconded by Commissioner McCrea and upon call for the question, all present voted in favor of the motion.

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


Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - November 20, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Heathman, Lister and Thompson. Absent: None.

Approval of Minutes

The minutes of the last regular meeting held November 6, 1985 were approved as written.

Request for Extension of Time on Community Development Block Grant Program

Mayor Bemmels introduced the subject, stating the agreed upon completion date for the City's FY 1984 Community Improvement Community Development Block Grant (CDBG) had been reached September 30, 1985. The City is required to submit a request to the Kansas Department of Economic Development (KDED) for an extension of time in which to complete the grant programs. Mayor Bemmels then called on the Administrative Assistant to further comment on the subject.

Kristy Cannon explained that the amendment for time extension was necessary in order to receive the grant funds remaining to be spent and complete the programs included in the grant award. Ms. Cannon explained that due to the complexity of the program, including many grant administration requirements and easement acquisition proceedings, it was not possible to achieve a bid letting on the Cypress/Olive Storm Drainage Improvement until late summer of 1985, leaving very little time to accomplish the improvements before the expiration of the grant schedule. Ms. Cannon proposed submitting to KDED a request for extension of time to September 30, 1986. Commissioner Thompson made a motion that a letter of request to the Kansas Department of Economic Development for an extension of time to September 30, 1986 in order to complete the City's FY 1984 Community Improvement Community Development Block Grant program be authorized. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Engineering Agreement for Skunk Run Basin Drainage Study

Mayor Bemmels explained that due to the recent flooding problems in the empounding area for the Skunk Run Basin, the City is considering an engineering study by A. C. Kirkwood & Associates to determine a possible solution for the problem. It was further explained that A. C. Kirkwood & Associates has done a partial study of the area in conjunction with the engineering for the reconstruction of the Skunk Run drainage channel and the construction of the new wastewater treatment facility.

Commissioner Lister made a motion that the City enter into an agreement with A. C. Kirkwood & Associates for a study of the Skunk Run Basin Drainage problem for a fee not to exceed \$5,000 unless further authorization is made by the City Commission. The motion was seconded by Commissioner McCrea, who then suggested that the study also encompass the Kanza Park storm drainage area and the possibility of installing gates to retain water in the park area until stormwater accumulated in the Skunk Run empounding area during severe storms could be pumped out. It was decided, however, that inasmuch as the proposed agreement does not encompass this area, this might be considered at a later date. Upon call for the question, all present voted in favor of the motion.

Report of Status of City Projects

The following is a list of current city projects and their status:

1. South Main Street Improvement (7th to 10th) - Storm sewer nearly completed with work continuing on street crossings at 8th, 9th and 10th. Curb and gutter completed on east side of Main with intersection

radii, drives and sidewalks planned for completion prior to commencing work on west side of street. All utility work completed.

2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - Construction on the holding basin is still in progress; however, remaining construction is now dependent on weather conditions.
3. Cypress/Olive Street Storm Drainage Improvements - Contractor, Smoky Hill, Inc., commenced construction October 7, 1985. Storm drainage work in progress on both lines A & B.
4. Skunk Run Storm Drainage Improvement Phase IV - Smoky Hill, Inc. is proceeding with pouring of concrete channel along the A.T.&S.F. right-of-way south of Seventh Street.
5. Skunk Run Storm Drainage Improvement Phase V - Smoky Hill, Inc. has nearly completed, except for grading, backfilling and minor improvements to Eleventh Street.
6. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. Plans and specifications are being prepared for this phase of the Main Street improvement in order to be ready to begin construction as soon after July 1, 1986 as possible.
7. Marais des Cygnes River Bridge - Contractor has commenced removal of bridge.
8. South Main Street Hazard Elimination Project - Final plans and specifications are being reviewed by KDOT and a State bid letting is scheduled for January 1986. Original plans have been modified to eliminate the cross-over lane from Wal-Mart parking lot to north U.S.59.
9. 1985 Street Rehabilitation Program - Completed.
10. 11th Street Improvement - Public hearing held October 16, 1985, with petition of protest filed within protest period; petition found sufficient. No further action on project.
11. Airport Runway & Taxiway - The final inspection completed and finalization of project underway.
12. KDOT "KLINK" and Geometric Improvement Projects on highway connecting links - Applications have been submitted and received by KDOT for the FY87 and FY88 funding years.
13. Off-Peak Industrial Electric Rate Study - Covenant Engineering has submitted proposal for staff review.
14. North American Hotel Grant Project. The grant agreement for this project has been approved by the Kansas Department of Economic Development. The developer is currently working on financial arrangements for the project.
15. COF Community Improvement Grant. - The Grant Agreement with all supporting documents has been approved, executed by the City and forwarded to KDED for final execution and authorization. Preliminary work is underway by utility crews in anticipation of project construction which should begin shortly.

Proclamation - Care and Share Month

Mr. Richard Jackson, Director of ECKAN, appeared before the City Commission requesting they proclaim November 20 through December 21, 1985, as Care and

Share Month. Mr. Jackson stated that during this month food for needy families will be collected, to be distributed for the holiday season and throughout the year. Mr. Jackson then read the proposed proclamation. Commissioner McCrea made a motion that a proclamation proclaiming November 20 through December 21, 1985, to be Care and Share Month be approved. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Mayor Bemmels then issued a challenge to the Franklin County residents living outside the City of Ottawa and the Franklin County Commission to also collect food for the needy through this period of time.

Remonstrance Petition - Eleventh Street Improvements

Mayor Bemmels announced that a petition remonstrating against the proposed improvement of Eleventh Street east from Elm to the Atchison, Topeka and Santa Fe Railroad tracks, had been received within the prescribed legal time limit. The City Attorney found the petition to be sufficient and, therefore, the project will not be undertaken at this time.

Proposal for Audit of the City's 1985 Operations

Administrative Assistant Kristy Cannon stated that the City had received a proposal from the accounting firm of Schulte, Klein, Gaeddert & Agler, Chartered, for the audit of the City's 1985 operations. The proposal states that the examination will be made in accordance with generally accepted auditing standards and the Kansas Minimum Standards Audit Program approved by the State Municipal Accounting Board. Also to be audited are the various grant and construction programs which are being wholly or partially financed by the state or federal government. The cost of the audit is estimated to be approximately the same as it was last year, in the neighborhood of \$23,000. If the proposal is accepted, the firm will begin preliminary audit work in the next few weeks, with the general audit to commence after April 15, 1986, with the completed report delivered to the City by June 30, 1986. Commissioner Thompson made a motion that the proposal submitted by Schulte, Klein, Gaeddert & Agler for the audit of the City's 1985 operations be accepted and approved. The motion was seconded by Commissioner McCrea and all present voted in favor of the motion.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - December 4, 1985

The City Governing Body met in regular session at 9:35 a.m. this date.
Present: Mayor Bemmels and Commissioners McCrea, Heathman, and Thompson.
Absent: Commissioner Lister.

Approval of Minutes

The minutes of the last regular meeting held November 20, 1985 were approved as written.

Public Hearing - Request for Amendment of FY 1984 CDBG Program

A public hearing was held at this time to consider comments on the City staff's request that the Kansas Department of Economic Development (KDED) allow an amendment to the City's FY 1984 Community Improvement Community Development Block Grant (CDBG) to reallocate CDBG rehabilitation leveraged loan funds to rehabilitation grant funds. The City is requesting that \$30,000 designated as leveraged loan funds be reallocated for rehabilitation grants, making a total grant allocation of \$80,000. The City Manager reported that the City has received no applications for leveraged loans from qualified persons, thus leaving the \$30,000 allocated for that purpose unused at this time. The City believes the \$30,000 should be reallocated to provide additional grants for housing rehabilitation. Commissioner Lister commented that she thought the \$30,000 would be better spent in grants than in the leveraged loan category. Commissioner Thompson stated that the housing rehabilitation program had been very beneficial to the citizens of Ottawa and he would like to see the \$30,000 reallocated to increase the grant allocation. There was no one present in the audience who wished to comment on the proposal. It was further reported that it is the intent of the City to have the City's utility meter readers deliver brochures advertising the availability of the housing rehabilitation program to those homes within the designated target areas.

Commissioner McCrea made a motion that the public hearing be closed. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Commissioner McCrea made a motion that the City staff be authorized to prepare the necessary documentation in support of the City's request to reallocate \$30,000 from rehabilitation leveraged loans to rehabilitation grant funds within the City's FY 1984 Community Improvement Community Development Block Grant, and that it be submitted to KDED. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Report of Planning Commission Meeting

The Planning Commission met in regular session on Tuesday, December 3, 1985, at 7:00 p.m. Members present: Chairman Jackson and Members Hendrix, Searls, Keith and Koch. Absent: Members Underwood and Woolman.

The Planning Commission held a Public Hearing to consider rezoning the area outside the City limits and within three miles of same to R-S (Residential Suburban). After discussion, the Planning Commission voted 4-1 to continue the public hearing to the April 1986 meeting of the Planning Commission.

The Planning Commission voted 5-0 to call a public hearing to consider amending three regulations of the sign section of the Zoning Ordinance. The sign regulations to be discussed include temporary signs, small sign permits, and allowable signs for nonconforming uses.

The Planning Commission voted 5-0 to call a public hearing to consider amending the M-H section of the Zoning Ordinance to allow for the reduction of rear yard setbacks to ten feet in existing platted blocks with lot depths of less than 150 feet.

The Planning Commission continued their study of the North Ottawa Plan and discussed a proposed neighborhood revitalization section for the plan.

The Planning Commission voted 5-0 to recommend that the City Commission approve a Planning Services Agreement for January 1, 1986 to December 31, 1986, with Foresight Solutions.

There being no further business the meeting was adjourned.

At the conclusion of the report of the Planning Commission meeting, Commissioner McCrea asked why the Planning Commission had continued until April the public hearing on the zoning of the area immediately outside the City. It was reported by Administrative Assistant Kristy Cannon that the Planning Commission wished to observe and reappraise the zoning developments outside the City during this period of time.

Commissioner Thompson made a motion that the report of the Planning Commission meeting be accepted and entered into the official City record. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Review of Investment Schedule

The City Commission proceeded to review the schedule of investments existing as of November 30, 1985. It was reported that as of this date, the City had a total of \$4,935,000 invested in certificates of deposit at an average interest rate of 7.92%, and that the City has \$1,049,265 in a super now account at an interest rate of 6.25%. It was stated that the reason for the large balance in the super now account is that in excess of \$900,000 of that amount is pledged for the retirement of temporary notes which must be paid no later than December 27, 1985; however, the monies must be pledged well in advance of that date.

Commissioner Lister made a motion that the schedule of investments existing as of November 30, 1985 indicating a total of \$4,935,000 invested at an average interest rate of 7.92% and \$1,049,265 in a super now account at an interest rate of 6.25% be approved. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Governing Body Agenda

Mayor Bemmels announced that the City is in receipt of the executed grant agreements from Kansas Department of Economic Development for the City's 1984 Community Development Block Grant - Economic Development for the North American Hotel renovation, and for the City's 1985 Community Development Block Grant - Community Improvement for acquisition of a new facility for C.O.F. Training Services, Inc.

City Manager's Agenda

The City Manager announced that the City's Utility Assistance is in effect as of December 1, 1985. To be eligible, applicants must be recipients of SSI (Supplemental Security Income) from the Social Security Administration. For qualified persons, the City will pay 50% of their residence electric utility cost for the months of December, January, February and March. All utility bills must be paid to date.

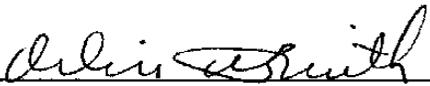
Public's Agenda

Mrs. Marty Ralston, 618 W. 15th, appeared before the City Commission objecting to snow being pushed back in resident's driveways by the City snowplows after the driveways and sidewalks have already been shoveled. Mrs. Ralston stated that recently they had shoveled their sidewalks and

driveway on W. 15th and the city snowplows through snow back in the driveway and on the sidewalk. It was explained that the City does not have sufficient manpower to scoop driveways and sidewalks following a pass by the City snowplows. The alternative to not having snow pushed back in the driveways would be not to plow the streets at all.

NOTE: Commissioner Lister was in attendance at this meeting immediately following the approval of the minutes of the meeting held November 20, 1985.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - December 18, 1985

The City Governing Body met in regular session at 9:35 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Thompson, Lister and Heathman. Absent: none.

Approval of Minutes

The minutes of the last regular meeting held December 4, 1985 were approved as written.

Presentation by Mr. Ben Park

Mr. Ben Park appeared before the City Commission representing the Franklin County Tourism and Convention Bureau. He stated that he wished to present the City Commission with a poster that the Franklin County Tourism and Convention Bureau had put together, highlighting the unique features of downtown Ottawa. The poster consisted of photographs of the Historically restored Victorian storefronts of several buildings on Main Street in downtown Ottawa. Mr. Park stated further that he wished to thank the City Commission for their help and cooperation in the revitalization of the City's Central Business District.

Public Hearing - Requesting Extension of time for completion of the City's FY1984 Community Development Block Grant Program

Mayor Bemmels opened the public hearing and called on the City Manager to comment on this request. The City Manager stated that on November 20, 1985, the Governing Body authorized his staff to request an extension of time for completion of housing rehabilitation and storm drainage activities funded by the FY1984 Block Grant, from September 30, 1985 to September 30, 1986. He noted that it was later discovered that the Department of Housing and Urban Development requires a public hearing before such a request can be made. The City Manager stated that the City has not had sufficient time to complete the activities of the grant program and it will be necessary to request the extension of time in order to complete all phases of the projects.

There being no further comment, Commissioner McCrea made a motion that the hearing be closed. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Commissioner Lister made a motion that the City submit a request for an extension of time from September 30, 1985 to September 30, 1986 to complete the projects included in the FY1984 Community Development Block Grant Program for Community Improvement. The motion was seconded by Commissioner Thompson. All present voted in favor of the motion.

Change Order No. 3 to Airport Construction

Mayor Bemmels called on the City Manager to explain the details of the proposed change order. The City Manager explained that Change Order No. 3 is the final change order for AIP Project No. 3-20-0066-01 and ADAP Project No. 5-20-0066-01. The change order consists of final price adjustments based on quantities used in construction. The taxiway improvement has an increase of \$24,568.48 and the runway improvements show a decrease of \$8,557.45 for a net increase in the contract of \$16,011.03. The change order also extends the number of calendar days allowed for construction from 124 days to 153 days. The reason for the extension of the time allowance for construction is due to inclement weather and soil conditions. The change order, when approved by the City Commission, must then be forwarded to the Federal Aviation Administration for its approval.

Commissioner Thompson made a motion that Change Order No. 3 affecting AIP Project No. 3-20-0066-01 and ADAP Project No. 5-20-0066-01 increasing the cost of the two combined projects by a total of \$16,011.03 and increasing the number of allowed working days from 124 calendar days to 153 calendar

days be approved. The motion was seconded by Commissioner McCrea. Upon call for the question all present voted in favor of the motion.

Supplement No. 2 to agreement for engineering services - Airport ADAP project

Mayor Bemmels called on the City Manager to explain the details of this Supplement No. 2. The City Manager explained that Supplement No.2 is a supplement to the engineering services agreement for inspection services for the ADAP project at the municipal airport. This supplement increases the total compensation for inspection services, due to the longer construction period than originally anticipated. Supplement No. 2 is revised to indicate a total of \$28,544.00. Final approval of the supplement must be contingent upon the F.A.A.'s approval of Change Order No. 3 pertaining to this project. Commissioner McCrea made a motion that Supplement No. 2 to agreement for engineering services for improvements to the Ottawa Municipal Airport, ADAP Project No. 5-20-0066-01 between the City of Ottawa and Bucher Willis & Ratliff Consulting Engineers in the amount of \$28,544.00 be approved contingent upon the approval of Change Order No. 3 by F.A.A.. The motion was seconded by Commissioner Heathman. All present voted in favor of the motion.

Supplement No. 3. to agreement for inspection services - Airport AIP Project

The City Manager explained that supplement No. 3 to agreement for inspection services in conjunction with improvements to the Ottawa Municipal Airport AIP project No. 3-20-0066-01 is similar to the prior agenda item. The fees for inspection services on the taxiway extension are increased due to an additional amount of time being required for that phase of the construction. Under this supplement, the engineering services agreement is amended to read \$68,413.00 for inspection services. Commissioner Lister made a motion that Supplement No. 3. to agreement for inspection services for improvements to the Ottawa Municipal Airport, AIP Project No. 3-20-0066-01 between the City of Ottawa and Bucher, Willis & Ratliff Consulting Engineers in the amount of \$68,413.00 be approved contingent upon the approval of Change Order No. 3 by F.A.A. The motion was seconded by Commissioner Heathman. All present voted in favor of the motion.

Consider an agreement with Cook, Flatt & Strobel, Consulting Engineers, for bridge inspections.

At the request of Mayor Bemmels, the City Manager explained that the Federal Bridge Inspection program requires all off-system, or F.A.U. bridges to be inspected every two years. The City of Ottawa has three such bridges, one on east 15th, one on west 15th and one on Lincoln Street. All bridges with a span of 20 feet or more must be inspected. The engineering firm will provide a report of the inspection and any recommendations for repair or improvement to the City of Ottawa and the Kansas Department of Transportation.

Commissioner Heathman moved that the Commission approve an agreement with Cook, Flatt & Strobel, Consulting Engineers, for inspection of bridges within the City, for an amount not to exceed \$345.00. The motion was seconded by Commissioner Thompson.

Commissioner McCrea asked whether there are KDOT funds available for bridge improvements in the event the inspection results in recommendations for repair and/or improvement. The City Manager replied that although he was not sure, KDOT probably does not have funds allocated for this type of improvement and that any repairs would have to be borne by the City of Ottawa.

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

Change Order No. 1 to Contract No. 1 - Collection System Improvements

At the request of the Mayor, the City Manager explained that Change Order No. 1 to Contract No. 1 - Collection System Improvements will reduce the total amount of the construction by \$42,850.00 and extend the number of construction days by 38. The reason for the reduction in the overall cost of the contract is that the contractor used considerably more time than was originally allowed and was charged liquidated damages for additional time used. The net result of the liquidated damages reduced the total contract amount by \$42,850.00. This change order also extends the number of working days due to inclement weather and unusual trenching conditions.

Commissioner McCrea moved that Change Order No. 1 to Contract No. 1 - Collection System Improvements reducing the amount of the contract by \$42,850.00 and extending the number of construction days by 38 be approved and that the Mayor be authorized to sign said change order. The motion was seconded by Commissioner Thompson and all present voted in favor of the motion.

Agreement with the Franklin County Humane Society

Mayor Bemmels introduced an agreement between the City of Ottawa and Franklin County Humane Society for the period from January 1, 1986 to December 31, 1986. The agreement specifies that the City of Ottawa is to pay the Humane Society \$10,079.00 for services and \$3,111.00 for a donation. The amounts agreed upon will be paid on a monthly basis at the rate of \$1,099.17 per month.

Commissioner Heathman moved that the City of Ottawa enter into an agreement with the Franklin County Humane Society for 1986, in the amount(s) of \$10,079.00 for services and \$3,111.00 for a donation, paid monthly at the rate of \$1,099.17. The motion was seconded by Commissioner Lister and all present voted in favor of the motion.

Agreement with Foresight Solutions, Inc.

An agreement for planning services between the City of Ottawa and Foresight Solutions, Inc. was introduced. The Agreement specifies that the City will engage Foresight Solutions, Inc. for planning consulting services during 1986, January 1, 1986 to December 31, 1986. The fee for such services is not to exceed \$7,000 unless specifically approved by the City Commission.

Commissioner Thompson moved that the City enter into an agreement with Foresight Solutions, Inc. for Planning Services from January 1, 1986 to December 31, 1986 in an amount not to exceed \$7,000 unless specifically approved by the City Commission. The motion was seconded by Commissioner Heathman. All present voted in favor of the motion.

Ordinance No. 2811-85 defining territorial boundaries

An Ordinance defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas and repealing Ordinance No. 2785-84 of the City of Ottawa, Kansas was introduced. The City Clerk explained that Kansas Statute requires that all cities define their boundaries as of December 31 of each year, and that such ordinance be filed with the register of deeds. The ordinance before the City Commission satisfies the statutory requirements.

Commissioner Lister moved that an Ordinance defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas and repealing Ordinance No. 2785-84 of the City of Ottawa, Kansas be approved. The motion was seconded by Commissioner McCrea. All present voted in favor of the motion.

Commitment for acquisition of a building for lease to C.O.F. Training Services, Inc.

At the request of the Mayor, the City Manager explained that the next step in the acquisition of the spec building at the Ottawa Industrial Park is for the City to notify the owner of the building, the Ottawa/Franklin County Economic Development Inc., of its intent to purchase the building and the property. At this time it is requested that the City Commission authorize the City Manager to proceed with this notification.

Commissioner McCrea moved that the City Manager be authorized to sign a letter of intent to acquire the Spec building and property in accordance with the Uniform Land Acquisition Act described as:

The south 131 feet plus of Lot 2, being all south of south easement line of railroad spur to Our Own Hardware Company Tract, in the S.W. corner of Sec. 19, Twp. 16 S., Rng. 20 E., also, the north 120 feet of Lot 3, all in Block "A", in the Northeast Ottawa Industrial Park, in the City of Ottawa, Franklin County, Kansas,

to be used as a new facility for COF Training Services, Inc.

The motion was seconded by Commissioner Lister. The City Manager further explained that in late February or March, the City will appoint appraisers to appraise the property. The complete guidelines for the acquisition of this property under the Uniform Act are on file in the office of the City Manager.

Commissioner Heathman asked if the total cost of the complete building and land was all encompassed in the \$537,000 figure previously given. The City Manager replied that this amount encompasses all aspects of the acquisition. The City will also provide \$10,000 of in-kind services, consisting of administration and utility extension.

Upon call for the question, all present voted in favor of the motion except Commissioner Thompson, who abstained from voting on this motion.

Applications for Cereal Malt Beverage License for 1986

The following applications were submitted for Cereal Malt Beverage license for 1986:

Pence Food Center South, 1428 S. Main, Package Sales
Pence Food Center North, 305 N. Main, Package Sales
Paxson's AF Super, 602 S. Maple, Package Sales
Andy's Service, 1115 W. 7th, Package Sales
National Marketing Inc., 1621 S. Main, Package Sales
KKK Limited, 1002 N. Main, Package Sales
Safeway Stores, 901 S. Main, Package Sales
White's Grocery, 720 W. 7th, Package Sales
South Conoco Service Station, I-35 & 59 Highway, Package Sales
Working Man's Friend, 304 E. Logan, Package Sales
All Services, Inc. 216 E. 23rd, Package Sales
Elks Lodges #803, 114 1/2 W. 2nd, Consumption on Premises
Pizza Village, 330 S. Main, Consumption on Premises
Hickory Inn, 120 E. Dundee, Consumption on Premises
Pizza Hut, Inc. 118 W. 15th, Consumption on Premises
Taco Tico, 1608 S. Main, Consumption on Premises
Hide-a-Way, 1644 S. Main, Consumption on Premises
Eagles #2700, 517 E. 15th, Consumption on Premises
Blue Room, 231 N. Main, Consumption on Premises
William L. Jung, 2040 Princeton, Consumption on Premises
Pizza Time, 2304 Princeton, Consumption on Premises
Saddleback Lounge, 111 N. Main, Consumption on Premises

Commissioner Thompson moved that all applications for Cereal Malt beverages be approved. The motion was seconded by Commissioner Heathman. All present voted in favor of the motion.

Status Report of Current City Projects

The following is a list of current city projects and their status:

1. South Main Street Improvement (7th to 10th) - Street crossings at 8th, 9th and 10th nearly completed. Curb and gutter completed on east side of Main. All utility work completed. Project shut down for winter November 26, 1985. All utility work and curb and gutter (east side) completed. Inclement weather has prevented proper winterization and cleanup. Additional cleanup of detour to be completed when weather improves.
2. E.P.A. Project - Collector System Improvements and Wastewater Treatment Plant - Construction on the holding basin is still in progress; however, remaining construction is now dependent on weather conditions. Collection System Improvements (Contract 1) is completed and will be finalized by December 31, 1985.
3. Cypress/Olive Street Storm Drainage Improvements - Storm drainage work in progress on both lines A & B. Winter weather has halted most construction at this time.
4. Skunk Run Storm Drainage Improvement Phase IV - Smoky Hill, Inc. is proceeding with pouring of concrete channel along the A.T.&S.F. right-of-way south of Seventh Street. Winter weather has halted most construction at this time.
5. Skunk Run Storm Drainage Improvement Phase V - Smoky Hill, Inc. has nearly completed, except for grading, backfilling and minor improvements to Eleventh Street. Finish work and seeding to be completed in spring.
6. South Main Street Improvement (10th to 15th) - Geometric funding has been approved by KDOT in amount of \$230,000 in the FY 1987 funding cycle. Funds will be available July 1, 1986. Plans and specifications are prepared and have been provided KDOT for approval.
7. Marais des Cygnes River Bridge - Contractor has commenced removal of bridge and bridge abutments.
8. South Main Street Hazard Elimination Project - Final plans and specifications have been reviewed by KDOT and a State bid letting is scheduled for January 1986.
9. Airport Runway & Taxiway - The final inspection completed and finalization of project underway.
10. KDOT "KLINK" and Geometric Improvement Projects on highway connecting links - Applications have been submitted and received by KDOT for the FY87 and FY88 funding years.
11. Off-Peak Industrial Electric Rate Study - Covenant Engineering has submitted proposal for staff review. Staff is presently completing tests on rate structure to ensure feasibility prior to presentation.
12. North American Hotel Grant Project. The grant agreement for this project has been approved by the Kansas Department of Economic Development. The developer is currently working on financial arrangements for the project.

13. COF Community Improvement Grant. - The Grant Agreement with all supporting documents has been approved and executed by the City and forwarded to KDED. Work has begun on the renovation of the spec building and utility crews have completed most utility improvements.
14. Skunk Run Basin Study. - City has entered into an agreement with A. C. Kirkwood & Associates for a study to review the Skunk Run holding basin characteristics relating to flood elevations and flood pool capacities. A report and recommendations are to be completed and presented to the City Commission in early January 1986.

Announce Change of Regular meeting times in January

Mayor Bemmels announced that the January 1986 meeting dates for the City Commission would be moved from the 1st and 3rd Wednesdays of the month to the 2nd & 4th Wednesdays of the month. The reason for this change is that the first Wednesday of the month falls on New Year's Day, which is a legal holiday.

Report on NLC Convention

Mayor Bemmels announced that the report on the NLC Convention would not be given until the month of January as the City Commissioners had not had time to prepare such a report.

Notice of Special Meeting

Mayor Bemmels announced that a special City Commission meeting will be held on Friday, December 20, 1985 at 10:00 a.m. to receive bids on \$900,000 in G.O. Bonds for the wastewater treatment improvements. Bids for the sale of these bonds were received on November 6; however, due to an error in the publication of the notice of bond sale, the City must re-advertise and again receive bids for these bonds.

Request for funds from Ottawa/Franklin County Economic Development, Inc.

Commissioner Thompson reported that the City Commission had received a request for additional funds from Ottawa/Franklin County Economic Development, Inc. The request for additional funds is for the hiring of an Economic Development Director and other expenses necessary to supplement the economic development budget for this new position. Commissioner Thompson stated it is the consensus of the City Commission that economic development is a necessity for the City of Ottawa and therefore the City Commission has agreed to provide an additional \$15,000 to Ottawa/Franklin County Economic Development, Inc. in 1986. The funds will come from the utility administration fund, which Commissioner Thompson thought was an appropriate fund to provide for additional economic development revenue, as any economic development which occurs in the city will benefit the City's utilities.

Statement of Street Conditions

Mayor Bemmels announced that whereas it is impossible for City crews to plow snow and sand all streets in the City, he requested that citizens who note particularly hazardous intersections call City Hall to notify the staff of that hazard.

City Manager's Agenda

The City Manager reported that the City's request to transfer \$30,000 in the FY1984 Community Development Block Grant from Housing Rehabilitation loans to Housing Rehabilitation grants had been approved by the granting agency, the Kansas Department of Economic Development.

The City Manager also reported that the City of Ottawa is working with the Kansas Department of Transportation in an effort to obtain Connecting Link -

Geometric Funds for the improvement of South Main from 10th to 15th prior to the beginning of the state's fiscal year 1987 (July 1, 1986), in order to enable the City to proceed with the bid letting and start of construction in the spring, rather than starting the project at the end of the summer. The City Manager noted that the deteriorated condition of South Main from 10th to 15th makes it necessary to begin construction as soon as possible.

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



Orlin W. Smith, City Clerk

City Hall - Ottawa, Kansas - December 20, 1985

The City Governing Body met in special session at 10:00 a.m. this date. Present: Mayor Bemmels and Commissioners McCrea, Thompson, Lister and Heathman. Absent: none.

The purpose of the meeting is to receive bids for the sale of general obligation bonds in the amount of \$900,000 and to approve applications for 1986 licenses to sell cereal malt beverages.

Mayor Bemmels called the meeting to order and called upon the City Clerk to report on the bids received.

The City Clerk reported that there were no bids received for the sale of the bonds, but that the City Commission may choose to honor a bid received for the sale of the bonds on November 6, 1985. The low bidder for the sale of bonds on that date was Mid-Continent Municipal Investments, Inc. of Wichita. The bid submitted by Mid-Continent Municipal Investments, Inc. on that date called for a net cost to the City of \$936,822.50 with an average annual interest rate of 8.8967%. Mid-Continent Municipal Investments, Inc. had authorized the City to accept their low bid of November 6, 1985 if the city desired.

The City is receiving bids on the sale of General Obligation Bonds for the second time today because at the time of the first letting, sufficient time was not allowed between the publication for the sale of bonds and the receipt of the bids.

Resolution No. 411-85 - Ratifying Acceptance of Bid for Sale of Bonds

Commissioner Lister made a motion that a resolution ratifying and confirming the acceptance of the bid of Mid-Continent Municipal Investments, Inc. for the purchase of \$900,000 General Obligation bonds, Series "B" 1985, of the City of Ottawa, Kansas be passed. The motion was seconded by Commissioner Thompson. All present voted in favor of the motion.

Applications for Cereal Malt Beverage License for 1986

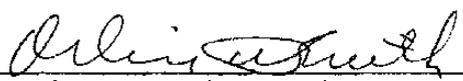
The following applications were submitted for Cereal Malt Beverage license for 1986:

Ottawa Country Club, Inc., East Logan Street, for consumption on premises

Waymires' Pricechopper, South Highway 59, for sale in original, unopened containers only.

Commissioner Thompson moved that all applications for license to sell Cereal Malt beverages be approved. The motion was seconded by Commissioner Heathman. All present voted in favor of the motion.

The business for which the meeting was called having been completed, the meeting was adjourned. The entire text of the meeting is on tape in the office of the city clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk