

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
January 5, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Gillette, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from Mr. Andrew Huschka, a Youth-In-Government member, who stated that he would be applying to the National League of Cities Council on Youth Education Committee, which is an 18-month term. The National League requested that the City Governing Body support the successful candidate in this position, both in writing and by financially supporting the committee member in attending two meetings, one in Nashville and one in Washington. He further stated that the National League of Cities would be paying for 5 committee meetings.

Thereupon, Mr. Brett Staneslow, a Youth-In-Government member, stated he would also be applying. However, it was pointed out that in all likelihood only one from the City of Ottawa would be appointed. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to support the applications of these young men to the aforementioned Youth Education Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Items for Discussion

Peoples National Bank Request

Thereupon, the Governing Body heard from Mr. Dale Dietrich, of Peoples National Bank, who requested a waiver in the distance requirement for alcoholic consumption for an awards ceremony to be held at the Sacred Heart Church meeting room. Mr. Dieterich explained that this is an annual event that Peoples Bank conducts to recognize their employees and asked that the caterer for this event be allowed to serve alcoholic beverage. He also asked that a cash bar be allowed later during this event. City Attorney Bob Bezek stated that he believed the City's Ordinance 3457-03 speaks to this issue and provides an opportunity for a waiver after a Public

January 5, 2004

Hearing held by the Governing Body. However, he further stated he would have to research the cash bar issue since it had not been discussed previously. The Governing Body agreed to place this item and a Public Hearing on the Regular Meeting Agenda for January 7, 2004.

Proclamation-Martin Luther King

Thereupon, the Governing Body reviewed a proclamation declaring January 18, 2004, as Dr. Martin Luther King, Jr. Day in the City of Ottawa, Kansas, and agreed to place this item on the Regular Meeting Agenda for January 7, 2004.

2004 Goals and Objectives

Thereupon, the Governing Body reviewed a list of 17 goals that the City Manager proposed to be accomplished during the Year 2004 and into the Year 2005.

2004 Goals (in no certain order)

1. Develop process, recruit and select Police Chief
2. Increase use and programming of Channel 20
3. Develop a transportation master plan and implement program for paving gravel streets
4. Maintain spending limits for 2004 and show turn around in 2005 budget
5. Update the municipal code
6. Finish and implement rate study recommendations
7. Adoption of comprehensive plan update, zoning and subdivision regulations
8. Creation and adoption of Interjurisdictional zoning agreement with Franklin County
9. Monitor, assist and ensure departments attain goals
10. Continue implementing electric master plan recommendations
11. Update pay plan market rate comparison data
12. Projects:
 - Pool filter
 - PSRT
 - WWTP
 - Repair Fire training tower
 - City Hall vestibule and signage
13. Work to finalize cable communications franchise
14. Make substantial inroads in attracting and retaining major employers
15. Work on renegotiating all rural water contracts

January 5, 2004

16. Depending on results, help address former middle school site/building
17. Report on the alternatives for electric power

The Governing Body discussed this issue and agreed that the Storm Water Master Plan should be included and other issues tie into the accomplishment of some of these goals.

Items for Next Regular City Commission Agenda

Review of Minutes

Thereupon, the Governing Body reviewed the minutes from Work Study Session December 15, 22, 2003, and the Regular Meeting Minutes of December 17, 2003. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda with corrections.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Gillette to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

January 5, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
January 7, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Gillette, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda, which included the agenda approval and the minutes for Regular Meetings on December 3, 17, 2003, and Work Study Session on December 15, 22, 2003. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Proclamation

Thereupon, the Mayor read a proclamation declaring Sunday, January 18, 2004, as Dr. Martin Luther King, Jr. Day in the City of Ottawa, Kansas.

Thereupon, representatives from Ottawa University accepted the proclamation on behalf of Ottawa University. Mayor Richard Jackson commended OU and Dr. Neal for keeping the “King” memory alive.

Public Hearing- Request for Waiver of Distance Requirements

Thereupon, the Mayor opened a Public Hearing to consider a request for a waiver from distance requirements related to the issuance of a temporary catering alcohol license, which was submitted by RU Hungry, Inc. on behalf of Peoples National Bank. Peoples National Bank enlisted this catering company to provide food and refreshments at the Sacred Heart Parish property at 426 S. Cedar for its annual employee banquet. Under current City law the Governing Body can waive the 200’ distance location requirement from an accredited school or organized

January 7, 2004

church following public notice and hearing and a finding that the proximity of the establishment is not adverse to the public welfare or safety.

Thereupon, the Governing Body heard from Dale Dietrich, President at Peoples National Bank, 5th and Main who stated that the event is anticipated to last from 6:30-10:30 p.m., on January 17, 2004.

Thereupon, Mr. Brett Staneslow, 601 East Wilson asked if there would be a cash bar at the event. Thereupon, Mr. Dietrich stated there will not be.

Thereupon, Mr. Dan Dunbar representing RU Hungry, 6th & Wakarusa, Lawrence, Kansas, formally requested the waiver in accordance with City Municipal Code, Chapter IV, Section 503, Subsection 2, and asked that such a waiver be granted for a one-time event. It was noted that RU Hungry, Inc. is in good standing with the state and has received a permit from the state for this event.

There being no further comments on this issue the Mayor closed the Public Hearing.

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve the request without restrictions. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Henningsen aye, Commissioner Ramsey nay, Commissioner Fleer nay, and Mayor Jackson aye. Thereupon, the Mayor declared the request duly approved by a 3-2 vote.

Reports by Youth Delegates

Thereupon, the Governing Body heard from Mr. Brett Staneslow and Ms. Erin Rogers who thanked the Governing Body for allowing them the opportunity to attend the National League of Cities in Nashville, Tennessee, last December. It was noted that the support of the Governing Body for the Youth-In-Government Program is sincerely appreciated.

Thereupon, Mr. Brett Staneslow thanked the Mayor for the letter of recommendation to the National League of Cities Youth Education Council Committee.

January 7, 2004

Announcements

Thereupon, the Mayor announced that City Hall will be closed on January 19, 2003, in honor of Dr. Martin Luther King, Jr.

**NEXT REGULAR CITY COMMISSION MEETING:
9:30 A.M., JANUARY 21, 2004**

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:21 p.m.

Scott D. Bird, City Clerk

January 7, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
January 12, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Gillette, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items for Discussion

Request for Funding: Youth-In-Government

Thereupon, the Governing Body heard from Brett Staneslow, representing the Youth-In-Government delegates, who requested \$1,500 match for the upcoming Youth-In-Government camp. The Mayor stated that the \$1,500 last year was only a one time match towards this effort and the City has only budgeted \$3,000 to the entire Youth-In-Government Program as opposed to \$5,000 budgeted in 2003. After discussion the Governing Body agreed that matching funds would not be forthcoming.

Thereupon, Commissioner Ramsey stepped out of the room at 4:12 p.m.

Commercial Group, Inc.

Thereupon, the Governing Body heard from Mr. Don Cooper, Commercial Group, Inc., who asked the Governing Body consider a resolution for the authorization of a 36 unit rental development designed for senior, multi-family or mixed senior and multi-family housing to be located in the area of 17th Street on a 5 acre tract of property.

Thereupon, Commissioner Ramsey returned at 4:15 p.m.

The resolution is required for Section 42 Housing Tax Credit and Mr. Cooper asked the Governing Body to consider this resolution. The Governing Body agreed to place this item on the next Regular Meeting scheduled for January 21, 2004.

January 12, 2004

GAAP Based Accounting

Thereupon, the Governing Body heard from City Clerk Scott Bird who recommended authorization to request a waiver on the statutory requirement to use GAAP based accounting for the reporting of fiscal year 2004. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for January 21, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed minutes for the January 7, 2004, Regular Meeting and the Work Study Session for January 5, 2004, and agreed to place these items on the Regular Meeting Agenda.

Open Meeting

Thereupon, City Manager Weldon Padgett presented the Community Builder Award, which had been presented to the City at the Chamber Annual Banquet, January 10, 2004, in recognition of the City's hard work and commitment over the last year.

The City Manager also stated he was in the process of reviewing recruitment ideas for a new Police Chief and would use a large cross selection of people for a profile development of what the community would like to see in a Police Chief. He further informed the Governing Body he was asking Commissioner Ramsey to direct one of the teams regarding this issue and would be visiting with all of the Governing Body members in the near future.

The City Manager congratulated the downtown workers for their recent recognition by the Chamber of Commerce and the fine job they do by keeping the downtown area neat, and tidy and in full bloom.

Thereupon, Commissioner Fleer asked when the new sewer plant would go on-line. Director of Utilities Jim Bradley stated he hoped late this year.

Thereupon, Commissioner Ramsey suggested that if the City is looking to purchase vehicles we look at the State's disposition list.

Thereupon, Commissioner Gillette inquired of the City Hall Day at the Capitol and asked that reservations be made.

January 12, 2004

Announcements

Thereupon, the Mayor announced:

1. January 19, 2004: City Offices Closed for MLK Holiday (No Work Study Session) and the Mayor invited everyone to the 2 p.m. celebration at Ottawa University on Sunday, January 18, 2004.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

January 12, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
January 21, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Gillette, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Commissioner Gillette.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included the agenda approval and the minutes for Regular Meetings on January 7, 2004, and Work Study Session on January 5, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Proclamations

Proclamation-Malaysia Day

Thereupon, the Mayor read a proclamation declaring Friday, January 23, 2004, as Malaysia Day in the City of Ottawa, Kansas. Dr. Murle Mordy, of Ottawa University, accepted the proclamation on behalf of the 34 Malaysia students who have been taking classes at Ottawa University.

Proclamation-Open Government

Thereupon, the Mayor read a proclamation supporting open government and noting that this proclamation will be presented to the Ottawa Herald during the month of February 2004.

GAAP Waiver

Thereupon, there was presented a resolution authorizing the City of Ottawa, Kansas to request the Director of Accounts and Reports to waive the statutory requirement to use GAAP based accounting for the reporting of fiscal year 2004.
January 21, 2004

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that the City Auditor, City Manager and City Clerk recommend the adoption of this resolution, which will exempt the City from GAAP-based accounting, or more specifically to exempt the City from GASB-34 requirements, which would add financial and administrative burden to the City while providing no foreseeable benefits. The City will continue to make its financial reports in accordance with State law, more specifically the cash basis and budget laws. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution 1271-04.

Section 42 Rental Housing

Thereupon, there was presented a resolution acknowledging the possible development of a tract of approximately five acres for senior, multi-family or mixed senior and multi-family housing, subject to applicable city ordinances, building codes, development review and building permit process. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Flear, to adopt the resolution.

During discussion it was explained that Commercial Group, Inc. had requested this resolution to authorize a Section 42 rental housing development project to be located in Ottawa on approximately five acres located within the corporate limits of the city. The resolution will be in effect until December 31, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1272-04.

Reports by City Manager

Thereupon, the City Manager explained that bids had been received for the 23rd Street Sewer Interceptor project and he was very pleased to announce that they came in significantly lower than anticipated.

Reports by Mayor

Thereupon, the Mayor reported that the \$110,000 incurred during the BPU lawsuit was a combined total for all cities. He further announced that Thursday, January 29, 2004, is City Hall Day at the Capitol in Topeka and the Commissioners would be participating in this program.

January 21, 2004

Announcements

Thereupon, the Mayor announced:

1. January 21, 2004: Joint City/County/School Meeting at Noon, hosted by Franklin County.

NEXT REGULAR MEETING: FEBRUARY 4, 2004, AT 7 P.M.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:47 a.m.

Scott D. Bird, City Clerk

January 21, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
January 26, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Gillette, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items for Discussion

Thereupon, the Governing Body discussed with Staff options and costs related to Cedar Street construction and phasing. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, for Phase I of Cedar Street construction to include 1st-8th Street. The motion was considered and upon being put, passed by the following vote: Commissioner Henningsen aye, Commissioner Ramsey aye, Commissioner Fleer aye, Commissioner Gillette nay, and Mayor Jackson aye. Thereupon, the Mayor declared Phase I of Cedar Street construction to include 1st-8th Street duly approved.

The Governing Body requested Staff to clarify with KDOT any other options the City might have if the total amount of the project came in lower, more specifically if 8th-9th Street could be included in the original commitment as a second option if project cost was lower. They asked for updated information to be brought back to the next Study Session on February 2, 2004.

Items to be Placed on Next Regular City Commission Agenda

Proclamation-Boy Scout Week

Thereupon, the Governing Body reviewed a proclamation declaring February 1-7, 2004, as Boy Scouts of America Week in the City of Ottawa, Kansas, and agreed to place this item on the Regular Meeting Agenda for February 4, 2004.

Resolution-Final Plat Westwood Addition Phase I

Thereupon, the Governing Body reviewed with Planning & Codes Administration Director Wynndee Lee a proposed resolution pertaining to the Final Plat for

January 26, 2004

Westwood Addition Phase I. The Planning Commission has approved the final plat by a vote of 5-0 with conditions.

During discussion it was explained the conditions to be resolved are an issue related to storm water improvements at 19th and Eisenhower and revision to the homeowners association document, related to maintenance of the detention basins. Thereupon, the Governing Body agreed to place the resolution on the Regular Meeting Agenda for February 4, 2004.

Review of Minutes

Thereupon, the Governing Body agreed to place the Regular Meeting Minutes from January 21, 2004, and Study Session Minutes of January 12, 2004, Work Study Session on the Regular Meeting Agenda for February 4, 2004.

Other Items from City Commission or Staff

Thereupon, Planning and Codes Administration Director Wynndee Lee distributed copies of draft documents on the Comprehensive Plan and the Flood Hazard Mitigation Plan to the Governing Body. Ms. Lee explained final documents probably would be brought back to the Governing Body in March for final approval in April.

Thereupon, City Manager Weldon Padgett explained City Staff is looking at broadband over power lines internet service for the City of Ottawa. He stated Staff would be meeting with Allegiance Communication LLC representatives this week and Staff has compiled a list of items for discussion.

Thereupon, the City Manager asked Public Works Director Andy Haney to announce the award the airport had been notified of which would be awarded in March. Andy Haney announced that the award was from the Missouri/Kansas Chapter, American Concrete Paving Association, 2003 Concrete Paving Awards. The category the airport won was for Concrete Overlays-Airport Category.

Thereupon, the Mayor discussed League News and stated a list of Legislative Issues for the City needs to be put together.

Thereupon, Commissioner Ramsey announced he has been asked to serve a two-year term on the Small City Council. Commissioner Ramsey has agreed to serve.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

January 26, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 2, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items for Discussion

Thereupon, City Manager Weldon Padgett and Utility Director Jim Bradley discussed with the Governing Body concerns about the current electric distribution system at the Power Plant. Thereupon, the Governing Body agreed by consensus to allow Staff to move forward on this project and requested that Staff keep them informed regarding cost.

Items to be Placed on Next Regular City Commission Agenda

Proclamation-Black History Month

Thereupon, the Governing Body agreed to place a proclamation for Black History Month on the next Regular Agenda for February 4, 2004.

Ordinance-Annexation Davis Road and Osborne Terrace

Thereupon, the Governing Body reviewed an ordinance to annex a parcel located at Davis Road and Osborne Terrace recently purchase by USD 290. The owners have submitted this request for annexation voluntarily and it adjoins the city. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for February 4, 2004.

Ordinance-KDOT Speed Limit K-68 Highway west of US-59

Thereupon, the Governing Body discussed with City Manager Weldon Padgett and Public Works Director Andy Haney a recommendation from the Kansas Department of Transportation, in a Road Safety Audit, to increase the speed limit

February 2, 2004

from 30 mph to 40 mph on K-68 Highway west of US-59. Staff recommended approval of this ordinance which would establish a 40 mph speed limit from the east end of the K-68 bridge to the 55 mph speed limit zone at the west city limits (Beech Street). Thereupon, the Governing Body agreed to place this item on the next Regular Meeting agenda for February 2, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from Work Study Session January 26, 2004, and agreed to place this item on the next Regular Meeting Agenda.

Thereupon, Commissioner Ramsey asked for an update on Cedar Street Improvements. Public Works Director Andy Haney stated he spoke with KDOT and believes there is no room for flexibility. The City will have to have a definite plan on the project. However, representatives are to check the request out further and get back to the City.

Other Items from the City Commission or Staff

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of December 2003.

Thereupon, Commissioner Ramsey stated he was pleased the General Fund ending balance and Sales Tax Revenue were positive.

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to reappoint Mayor Jackson to the Fourth Judicial Correction Advisory Board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor thanked his colleagues for the reappointment and declared the motion duly approved.

Thereupon, Mayor Jackson discussed his "Mayor Chats" he has been having and expressed an appreciation for those attending and for a community member taking the time to write a letter when they couldn't attend.

Thereupon, City Manager Weldon Padgett and Public Works Director Andy Haney informed the Governing Body that KDHE had notified the City about problems with the debris disposal from the City Street Sweeper. Staff is looking into different options for taking care of the debris.

February 2, 2004

Thereupon, the Governing Body reported information regarding “City Hall Day at the Capitol” and current House Bills.

Thereupon, Commissioner Henningsen announced the new Convention and Tourism Director Jason Camis started today.

Thereupon, Youth-In-Government member Heather Parkin stated they had a meeting tonight and were still planning their service project.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

February 2, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
February 4, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, which included the agenda approval and the minutes for Regular Meetings on January 21, 2004, and Work Study Session on January 12 and 26, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Proclamations

Proclamation-Boy Scouts of American

Thereupon, the Mayor read a proclamation declaring February 1-7, 2004, Boy Scouts of American Week in the City of Ottawa, Kansas, and presented the proclamation to Scout member Kyle Nelson from Troop 118.

Proclamation-Black History Month

Thereupon, the Mayor read a proclamation declaring the month of February 2004 as Black History Month.

Resolution-Westwood Addition Phase I Final Plat

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to accept this resolution accepting the dedication of rights-of-ways, and all easements within the Westwood Addition Phase I Final Plat.

February 4, 2004

During discussion it was explained this resolution will accept the Final Plat for Westwood Addition Phase I, which is located in the northeast corner of 19th Street and Eisenhower Avenue. The first phase of Westwood Addition will create 32 lots, along with a tract that will be dedicated to storm water detention. The entire project, when complete, will consist of 127 lots in four phases. All of the lots meet the minimum requirements as set forth in the subdivisions regulations.

The Planning Commission approved the final plat on January 14, 2004, by a vote of 5-0 with the conditions of resolution of an issue related to storm water improvements at 19th and Eisenhower and revision to the homeowners association document, for maintenance of the detention basins. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was numbered Resolution No. 1273-04.

Ordinance-Annexing Land SE Corner of Davis Road and Osborne Terrace

Thereupon, there was presented an ordinance annexing land to the City of Ottawa, Kansas, generally located at the SE corner of Davis Road and Osborne Terrace. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained this property was recently purchased by the Board of Education, USD 290 which requested voluntary annexation and Staff recommends acceptance. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3462-04.

Ordinance-Speed Limit K-68 Highway

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic by establishing speed limits. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to approve the ordinance.

During discussion it was explained the Kansas Department of Transportation conducted a traffic survey and has recommended a speed limit increase on K-68 Highway from 30 mph to 40 mph west of US-59 beginning at the edge of the bridge and continuing west to the existing 55 mph zone. Thereupon, the motion was considered and upon being put died with the following vote: Commissioner Henningsen aye, Commissioner Fler nay, Commissioner Ramsey nay, and Mayor Jackson aye. Thereupon, the Mayor declared the motion duly defeated by a 2-2 vote.

February 4, 2004

Reports by Youth Delegates

Thereupon, Youth-In-Government member Brett Staneslow stated they are currently trying to finalize plans for their service project and once information was available they would report to the Governing Body.

Reports by City Manager

Thereupon, the City Manager reported the two CMB licenses that may have been added to the agenda did not happen because of problems with the applications.

Reports by the Mayor

Thereupon, Mayor Jackson discussed a “Media Advisory” he had located on the League web site and asked that The Ottawa Herald be provided this information in order to make local merchants aware of the information regarding sales tax rates.

Announcements

Thereupon, the Mayor announced the next Regular Meeting would be February 18, 2004, at 9:30 a.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:16 p.m.

Scott D. Bird, City Clerk

February 4, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 9, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

New Employee Introduction

Thereupon, City Clerk Scott Bird introduced Lisa Borjas as the new Finance Department Clerk who was hired in December 2003.

Items for Discussion

Ottawa Main Street Report-Mary Allison Haynie

Thereupon, Mary Allison Haynie, Director of Ottawa Main Street USA, reviewed with the Governing Body a semi-annual report covering an overall update on Ottawa Main Street.

Thereupon, City Manager Weldon Padgett reminded the Governing Body that B. Martin Peck, and the Chamber will attend later meetings with reports on their entity. In addition, all entities will be invited back during the budget process.

Cedar Street Project-KDOT

Thereupon, Public Works Director Andy Haney explained to the Governing Body KDOT doesn't allow any flexibility in what we submit for the Cedar Street Project. KDOT requires the project be clearly defined. Thereupon, the Governing Body agreed by consensus to proceed with the Cedar Street project from First to Eight Street.

Thereupon, Mayor Jackson stated this might be an issue to discuss with local representatives during the upcoming trip to Washington.

February 9, 2004

NLC-Washington D.C. Conference

Thereupon, the Governing Body discussed with the City Manager a list of items they would like to see addressed at the National League Conference in Washington. City Manager Weldon Padgett will compile the list and bring it back to the Governing Body before the conference in March.

City Limit- Davis and Eisenhower

Thereupon, the Governing Body discussed with Staff, County Commissioner Don Hay, and County Legal Council Blaine Finch the problems that sometimes occur with road maintenance, snow removal, law enforcement, reporting traffic accidents, emergency dispatch, etc. at Davis Road and on Eisenhower Road. City Staff will continue work with the County to resolve these issues.

Thereupon, County Commissioner Don Hay thanked the Governing Body and the City for seeing that a streetlight was placed at the corner of Eisenhower and 23rd Street. Thereupon, Utility Director Jim Bradley explained the City provided the light and KCPL installed it at no charge.

Items to be placed on Next Regular City Commission Agenda

Review of Minutes

Thereupon, the Governing Body reviewed the minutes from Work Study Session February 2, 2004, and the Regular Meeting Minutes from February 4, 2004, and agreed to place these items on the next Regular Meeting Agenda.

Other Items from the City Commission or Staff

Monthly Financial and Activity Report-January 2004

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of January 2004. City Manager Weldon Padgett explained this was a new approach to the monthly reports, which will provide all internal data available within the first week of each month so the Governing Body has the information in a timely manner. The City Manager stated some of the reports will be shortened as a result, and some of the external materials may not be available until the next month.

February 9, 2004

Thereupon, Mayor Jackson also requested a report from the Ottawa Recreation Commission Director.

Snow Removal Operations

Thereupon, the Governing Body thanked all City Staff who helped with snow removal during the recent snowstorm. It was felt the City Staff did a great job in removal. Snow removal from sidewalks and alleys was discussed. It was explained sidewalk snow removal is up to the property/business owner and the City does have in place an ordinance that allows enforcement. Public Works Director Andy Haney stated the Street Division addresses priority problems in the alleys but otherwise the alleys aren't taken care of unless time allows it.

Announcements

Thereupon, City Manager Weldon Padgett announced a February 23, 2004, Study Session may not be needed.

Thereupon, Mayor Jackson reminded the Governing Body and Staff the Mayor's Prayer Luncheon will be held March 24, 2004, at Ottawa University with Rev. James McCrossen speaking.

Adjourn

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

February 9, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 16, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fler, Commissioner Gillette, and Commissioner Henningsen absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

New Employee Introduction

Thereupon, Fire Chief Jeff Carner introduced James Barkley who started with the City in September 2003 in the Fire Department. Chief Carner also noted that James had been a volunteer for several months prior to accepting his full time position with the department.

Ordinance-Condemnation for Electric Construction-Utility Transmission and Distribution

Thereupon, there was presented an ordinance for condemnation necessary for electric construction. The ordinance is the first step of acquiring by eminent domain property necessary for the construction and maintenance of electric utility transmission and distribution equipment required to serve the southeast substation. The Governing Body agreed by consensus to place this ordinance on the Regular Meeting Agenda for February 18, 2004.

Ordinance-Condemnation 23rd Street Sewer Benefit District

Thereupon, the Governing Body reviewed an ordinance necessary for the 23rd Street Sewer Benefit District project. The adoption of this ordinance will begin the process to acquire by eminent domain a utility easement across certain property along the 23rd Street corridor in order to construct and maintain the 23rd Street Sewer extension project. There is only one property involved in this process since all other easements have been voluntarily provided by the benefiting properties. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda for February 18, 2004.

February 16, 2004

CMB License-Western Plains, DBA Jumpstart/Ottawa-216 East 23rd

Thereupon, the Governing Body reviewed a CMB license for Western Plains, DBA Jumpstart/Ottawa located at 216 East 23rd Street and agreed to place it on the next Regular City Commission Agenda for February 18, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed Study Session Minutes from February 9, 2004, and agreed to place this item on the next Regular Agenda.

Announcements

Thereupon, the Mayor announced:

- 1. February 18, 2004: Next Regular City Commission meeting at 9:30 a.m.**
- February 18, 2004: Joint City/County/School Meeting at Noon (USD 290)
- February 23, 2004: Work Study Session has been canceled.
- March 1, 2004: Study Session may start early.
- March 24, 2004: Mayor's Prayer Luncheon at Ottawa University, 11:45 a.m., with Rev. McCrossen speaking.

Other Items of Discussion

Thereupon, Commissioner Ramsey asked if 911 Funding could be added to the agenda for the Joint Meeting on February 18, 2004.

Thereupon, the Governing Body discussed items to be placed on a list for discussion at the National League Conference in Washington.

Thereupon, City Manager Weldon Padgett reminded the Governing Body there would be a Planning Commission meeting at 7p.m., February 18, 2004, which will include a Public Hearing on the Comprehensive Plan. It was further discussed the City might want to video tape this meeting to be shown on the Government Access Channel.

Thereupon, City Clerk Scott Bird announced that Youth-In-Government members Andrew Huschka and Brett Staneslow were disappointed to announce they did not make it in the selection process of the National League of Cities Council on Youth Education Committee.

February 16, 2004

Adjournment

There being no further business to come before the Governing Body
Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to
adjourn the meeting. The motion was considered and upon being put, all present
voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

February 16, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
February 18, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on February 4, 2004, and Work Study Session on February 2 and 9, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Presentation

Thereupon, Electric Distribution Superintendent Steve Greiner introduced new employees Travis Upshaw and Tom Rogers. Travis joined the Electric Distribution Crew in July of 2003 and came to the City from Osawatomie. Tom started with the Distribution Crew in November of 2003 and was previously working in Kincaid.

Ordinance-Acquisition by Eminent Domain- Southeast Substation

Thereupon, the Governing Body reviewed an ordinance providing for the acquisition by eminent domain of certain private property, consisting of utility easements for the purpose of constructing and operating city utilities across the described properties, and further directing the lands be acquired for such purposes and directing the City Attorney to file a petition in the District Court of Franklin County, Kansas for the acquisition of the properties identified and providing for the payment of costs. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

February 18, 2004

During discussion it was explained this ordinance is the first step of acquiring, by eminent domain, property necessary for the construction and maintenance of electric utility transmission and distribution equipment required to serve the southeast substation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3463-04.

Ordinance- Acquisition by Eminent Domain-23rd Street Sewer Extension

Thereupon, the Governing Body reviewed an ordinance providing for the acquisition by eminent domain of certain private property, consisting of temporary construction easement and utility easements for the purpose of constructing and operating city utilities across the described properties, and further directing that the lands be acquired for such purposes and directing the City Attorney to file a petition in the District Court of Franklin County, Kansas for the acquisition of the properties identified and providing for the payment of costs. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to approve the ordinance as presented.

During discussion it was explained this ordinance will begin the process to acquire, by eminent domain, a utility easement across certain property along the 23rd Street corridor in order to construct and maintain the 23rd Street sewer extension project. Only one property is involved in this process as all other easements have been voluntarily provided by the benefiting properties. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3464-04.

CMB Application-Western Plains, DBA Jumpstart/Ottawa-216 East 23rd Street

Thereupon, the Governing Body reviewed a cereal malt beverage application for Western Plains, DBA Jumpstart/Ottawa located at 216 East 23rd Street. The new proprietor of this establishment (Phillips 66) has submitted an application for CMB package sales. City Staff has reviewed the application and found no reason to deny the request. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

February 18, 2004

Report by Youth Delegates

Thereupon, Mayor Jackson stated the Youth-In-Government members are in the process of sending out letters to solicit funds for the \$5,000 in funding needed for their Leadership Camp.

Reports by City Commission

Thereupon, Commissioner Ramsey expressed appreciation for the curbs in the 400 Block of South Main.

Reports by Mayor

Thereupon, the Mayor reminded the viewing audience there would be a Public Hearing to consider the City's Comprehensive Plan tonight at 7 p.m., in the City Commission Chambers.

Announcements

Thereupon, the Mayor announced:

1. February 18, 2004: Joint City/County/School Meeting at 12 pm (USD 290)
2. February 23, 2004: Work Study Session has been canceled.
3. March 1, 2004: Work Study Session at 3:30 p.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:40 a.m.

Scott D. Bird, City Clerk

February 18, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
March 1, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

New Employee Introduction

Thereupon, City Clerk Scott Bird introduced Mr. Terry Seaton to the Governing Body as a new employee working in the Custodial Department. Terry had previously worked for Wal-Mart and operated his own company for 4 ½ years. In addition, Terry worked for the City approximately 20 years ago and is glad to be back with the City of Ottawa.

Street Closing

Thereupon, the Governing Body reviewed a request to block East 2nd Street in front of Haley Park on September 18, 2004, to promote the Ottawa Art Guild and in conjunction with the Over the Road Gang's annual car show. The Governing Body discussed this issue and heard from Ottawa Main Street Director Mary Allison Haynie who stated the Car Show has been contacted and has no problem with this request. Thereupon, the Governing Body granted approval for the request.

Report from Chamber of Commerce

Thereupon, the Governing Body heard from Mr. Tom Weigand, President and CEO, of Ottawa Chamber of Commerce, who reported the Chamber's activities over the last year and thanked the Governing Body for their continued support.

Bea Martin Peck Animal Shelter

Thereupon, the Governing Body heard from Mr. Larry Mages and Ms. Emily Mathias, representing the Bea Martin Peck Animal Shelter, who reported activities and goals of the Bea Martin Peck Animal Shelter.

March 1, 2004

Proclamation – Girl Scout Week

Thereupon, the Governing Body reviewed and agreed to place on the next Regular Agenda a proclamation recognizing the 92nd Anniversary for Girl Scouts in the United States.

Resolution-Substation

Thereupon, the Governing Body reviewed a resolution describing the intent of the City to issue approximately \$4,800,000 of Certificates of Participation to finance improvements to the City's electric system.

Thereupon, the Governing Body heard from Bond Attorney Dotty Riley who explained the Certificates of Participation will be basically a lease/lease back arrangement where the substation will be leased to a trustee and the City will then in turn lease it back. The resolution authorizes the Mayor and Finance Director to prepare an official statement in connection with the Public Sale of the COPs. The Governing Body agreed to place this item on the Regular Meeting Agenda scheduled for March 3, 2004.

Ordinance-Flood Mitigation

Thereupon, the Governing Body reviewed an ordinance with Planning and Codes Administration Director Wynndee Lee regarding the flood mitigation plan and agreed to place this item on the Regular Meeting Agenda on March 3, 2004.

Ordinance-Annexation

Thereupon, the Governing Body reviewed an annexation ordinance to correct a legal description of land annexed in 1993 and agreed to place this item on the Regular Meeting Agenda for March 3, 2004.

KMEA Appointment

Thereupon, the Governing Body agreed to appoint Commissioner Fleer who is currently serving on the KMEA Board to another two-year term, which will expire in 2006. The Governing Body agreed to place this item on the agenda for March 3, 2004.

March 1, 2004

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for February 16, 2004, Work Study Session and February 18, 2004, Regular Meeting and agreed to place these items on the Regular Meeting Agenda for March 3, 2004.

Comprehensive Plan

Thereupon, the Governing Body discussed the Comprehensive Plan with the Planning and Codes Administration Director Wynndee Lee. Ms. Lee indicated that information about the Library will be expanded and that corrections to typographical errors and pagination will be made. After final recommendation from the Planning Commission the Comprehensive Plan will be brought back to the Governing Body for final consideration.

Open Agenda

Thereupon, the Governing Body heard from City Manager Weldon Padgett who stated that training is being prepared for the Planning Commission to deal with controversy related to new developments.

Mr. Padgett noted that a draft policy for garage sale regulations is being prepared.

Bond Attorney Dotty Riley will be here for training with the Chamber of Commerce, O/FCED, and City Staff to discuss various financing options available for new development.

The City Manager also mentioned that the annual report will be a 12-page news insert document and should be ready by next Monday.

Thereupon, the City Manager discussed with the Governing Body concerns to be expressed to representatives in Washington during the upcoming National League of Cities meetings. Thereupon, the Governing Body stated that out of the 20 items, which have been discussed, local concerns should be the primary issues.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

March 1, 2004

City Commission
Regular Meeting Minutes

Ottawa, Kansas

March 3, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on February 18, 2004, and Work Study Session on February 16, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Proclamation- Girl Scouts USA

Thereupon, the Mayor read a proclamation declaring March 12, 2004, as the 92nd Anniversary of Girl Scouts of the USA. The proclamation was accepted by Troop Leader Angela Farrell.

Resolution- Certificates of Participation

Thereupon, the Governing Body reviewed a resolution describing the intent of the City of Ottawa, Kansas to authorize the issuance of approximately \$4,800,000 certificates of participation to finance improvements to the City's electric utility system. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the resolution as presented.

During discussion it was explained this resolution authorizes the Mayor and City Staff to offer for sale certificates of participation not to exceed \$4,800,000 for the financing of the southeast substation project. The cost of this project includes \$4,000,000 for substation improvements, \$150,000 for the transmission extension

March 3, 2004

in the 23rd and Eisenhower area, \$480,000 in bond reserves, which can be used by the city for the final payment(s), \$72,000 for underwriter's discount, \$40,000 for cost of issuance and \$58,000 for contingency/bond insurance. The payments for this debt will be made through the use of the KMEA Power Supply Fund. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No.1274-04.

Ordinance-Flood Mitigation Plan

Thereupon, the Governing Body reviewed an ordinance to adopt the Flood Mitigation Plan for the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to adopt the ordinance as presented.

During discussion it was explained the plan describes the history of flooding in Ottawa and the surrounding area, and gives best management practices for management and development of floodplain areas. This project was fully funded through a grant from the Kansas Department of Commerce and FEMA. The City was required to do the Flood Mitigation Plan as part of the Comprehensive Plan.

Thereupon, City Manager Weldon Padgett stated the City has an excellent plan and Planning and Codes Officer Tom Yahl spent a lot of time on this plan and it will be updated annually. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3465-04.

Ordinance-Annexation Legal Description

Thereupon, the Governing Body reviewed an ordinance to correct the legal description of land previously annexed into the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance will correct a text error discovered in a legal description of land annexed in 1993, but not discovered until a review of the city limits late last year. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3465-04.

Appointment to KMEA

Thereupon, it was noted Commissioner Flear is currently serving on the KMEA Board of Directors and has indicated she would like to continue for another two-year term. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to appoint Commissioner Flear to another two-year term on the KMEA Board of Directors. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Henningsen aye, Commissioner Gillette aye, Commissioner Flear abstained, and Mayor Jackson aye. Thereupon, the Mayor declared the motion duly approved with a 4-0-1 vote.

Reports by City Manager

Thereupon, City Manager Weldon Padgett stated the City Annual Report is ready to be picked up from the printer and will be distributed in the Herald.

Reports by Mayor

Thereupon, the Mayor thanked City Manager Weldon Padgett and City Staff for their hard work on the City Annual Report.

Thereupon, the Mayor explained the Governing Body will be attending the National League of Cities Conference in Washington D.C. March 5-9, and they will be placing some important needs of the City in front of our representatives.

Announcements

Thereupon, Mayor Jackson reminded the viewing audience the Mayor's Prayer Luncheon is at 11:45 a.m. on March 24 at Ottawa University Student Union with Rev. Jim McCrossen being the guest speaker.

NEXT REGULAR MEETING: MARCH 17, 2004, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:19 p.m.

Scott D. Bird, City Clerk
March 3, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
March 15, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

New Employee Introduction

Thereupon, Director of Public Works Andy Haney introduced Mr. Jeremy Brockus to the Governing Body as a new employee working in the Street Division. Mr. Brockus is a 1996 graduate of Ottawa High School and has experience as a carpenter, equipment operator, and a truck driver.

Skunk Run Festival

Thereupon, Skunk Run Festival representative Ms. Robyn Bowman reviewed with the Governing Body financial support for the 2004 festival. Thereupon, the Governing Body agreed by consensus to provide \$500 in support of the 2004 festival.

Shelter House Request- Church of Nazarene

Thereupon, the Governing Body reviewed a request from the Ottawa Church of the Nazarene to reserve the Southeast Shelter House at Forest Park on July 17, 2004, from 1 p.m. to 10 p.m.

During discussion it was explained the church would be having "Hot dogs for Jesus" which would provide a concert, open to the public, 4-6 Christian Bands, and free food. The park will not need to be closed or sectioned off but live music is planned through 10 p.m. Thereupon, the Governing Body agreed by consensus to approve this request and the City Manager will contact Ms. Golden from the church and let her know the request has been approved..

March 15, 2004

City Insurance Renewal

Thereupon, the Governing Body discussed with Employer's Mutual representatives Mr. Kent Grigg and Ms. Lora Ewbank the City auto and property insurance. It was noted that losses from last year were up substantially due to the July 11, 2003 hailstorm.

Commissioner Gillette arrived at 3:45 p.m.

Thereupon, City Manager Weldon Padgett requested the renewal information be provided to the City earlier next year in order to have time to address any concerns the Governing Body or Staff may have. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for March 17, 2004.

Proclamation-Malaysia Day

Thereupon, the Governing Body agreed to place a proclamation declaring Friday, March 19, 2004, as Malaysia Day in the City of Ottawa, Kansas, on the Regular Meeting Agenda on March 17, 2004.

Cable Television Franchise

Thereupon, the Governing Body reviewed a resolution approving a transfer of the cable television franchise. This transfer will allow staff to begin the process of negotiating with the new provider –Allegiance, Inc. It was explained the current agreement has about one year left till it lapses. It is hoped a new agreement will be available for the Governing Body to review within the next six weeks. Thereupon, the Governing Body agreed to place the resolution on the agenda for the next Regular Meeting on March 17, 2004.

Ordinance- Vacating 8th Street Right-of-Way-Between Pine and Beech St.

Thereupon, City Manager Weldon Padgett requested this item be removed from the agenda at this time and brought back at a later date. The Governing Body agreed to this request.

March 15, 2004

Ordinance-Sonshine Acres Addition

Thereupon, the Governing Body reviewed an ordinance vacating the frontage road right-of-way in Lot A-Sonshine Acres Addition. Thereupon, it was noted Southern Baptist Church is planning to build a new church on this land and have requested this vacation. The City will continue to retain easements along the west 20 feet and the north 7.5 feet. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for March 17, 2004.

Draft Ordinance-Garage Sale

Thereupon, the Governing Body discussed a draft ordinance regarding Garage Sales and agreed to bring this item back the first meeting of April for further discussion.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the Study Session on March 1, 2004, and Regular Meeting Minutes from March 3, 2004, and agreed to place these items on the next Regular Meeting Agenda for March 17, 2004.

Cereal Malt Beverage- HK Inc./DBA Times Market

Thereupon, the Governing Body reviewed a Cereal Malt Beverage license application from HK Inc./DBA Times Market and agreed to place this item on the Regular Meeting Agenda for March 17, 2004, pending staff review and approval.

Other Items from City Commission or Staff

National League of Cities Conference-Washington D.C.

Thereupon, the Governing Body and City Manager Weldon Padgett discussed the meetings in Washington D.C. and expressed disappointment that the representatives were not available to meet with them.

Monthly Financial and Activity Reports-February 2004

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of February 2004.

March 15, 2004

Report by the Mayor

Thereupon, Mayor Jackson announced Commissioner Gillette, Public Works Director Andy Haney and Staff recently attended an awards ceremony where the City of Ottawa was awarded an “Excellence in Paving” award for the Airport.

Reports by City Manager

Thereupon, City Manager Weldon Padgett updated and discussed with the Governing Body the process being followed for hiring a new Police Chief. Currently 68 applications have been received and Mr. Padgett would like to narrow the list to 5-7 for final rounds of interviews possibly by mid April.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 4:57 p.m.

Scott D. Bird, City Clerk

March 15, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
March 17, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on March 3, 2004, and Work Study Session on March 1, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Presentations and Proclamations

Presentation-Merle Taylor Jr.

Thereupon, the Mayor recognized Merle Taylor Jr. of the Police Department for his tenure and retirement with the City.

Proclamations-Malaysia Day

Thereupon, the Mayor read a proclamation declaring Friday, March 19, 2004, as Malaysia Day in the City of Ottawa, Kansas. Dr. Murle Mordy, of Ottawa University, accepted the proclamation on behalf of the Malaysia students who have been taking classes at Ottawa University.

Public Hearing-Removed

Thereupon, the Mayor explained the Public Hearing that was published to be held today to vacate the street right-of-way between 8th and 9th Street between Pine Street and Beech Street has been removed from the agenda at this time.

March 17, 2004

Public Hearing-Sonshine Acres Addition

Thereupon, the Mayor opened a public hearing on the vacation of frontage road right-of-way in Lot A-Sonshine Acres Addition. There being no one to speak to this issue the Mayor closed the Public Hearing.

Ordinance-Sonshine Acres Addition

Thereupon, the Governing Body reviewed an ordinance vacating that portion of the frontage road right-of-way in Lot A-Sonshine Acres Addition. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt this ordinance as presented.

During discussion it was explained that First Southern Baptist Church is planning to build a new church on this land. This area was originally dedicated as part of a plan to create a frontage road, but due to the development of Arrowhead Addition, this right-of-way is no longer needed. The church requested the vacation and the City will continue to retain easements along the west 20 feet and the north 7-1/2 feet. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3467-04.

Cereal Malt Beverage License-HK, Inc. DBA Times Market

Thereupon, the Governing Body reviewed a cereal malt beverage license application from HK, Inc., DBA Times Market at 2130 Princeton Road. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the application as presented. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

Resolution-Cable Television Franchise

Thereupon, the Governing Body reviewed a resolution to approve a transfer of the Cable Television Franchise. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to adopt the resolution as presented.

During discussion it was explained the transfer of this franchise will allow staff to begin the process of negotiating with the new provider, which is Allegiance, Inc.

March 17, 2004

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1275-04.

Renewal of City's Property and Casualty Insurance

Thereupon, the Governing Body previously reviewed information regarding the renewal of the City's property and casualty insurance. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve this renewal of insurance.

It was explained the City's losses in 2003 were up substantially due to damages caused by the mid-year hailstorm. The insurance renewal begins April 1, 2004 and staff recommends approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the City's property and casualty insurance duly approved.

Reports by Youth Delegates

Thereupon, Youth-In-Government members Ashley Guenther and Sara Kendall thanked the Governing Body for the opportunity to attend the National League of Cities conference recently in Washington D.C. Thereupon, Ms. Guenther and Ms. Kendall reported on the trip to Washington and meetings they attended.

Reports by City Manager

Thereupon, the City Manager announced a retirement reception for Merle Taylor of the Police Department, on Friday, from 2-4 p.m. at the Law Enforcement Center.

Thereupon, Mr. Padgett stated the annual Citizen's Report had been distributed last week and additional copies are available at City Hall.

Reports by Mayor

Thereupon, the Mayor explained the reason the legislators were unavailable during the NLC meeting was due to a change in voting schedules in Washington. He further commented that the local delegates were able to leave a list of priorities for legislative consideration. More specifically, the need for handicapped accessibility of the Forest Park swimming pool and local access to Highway-59 at Montana Road, etc.

March 17, 2004

Announcements

Thereupon, the Mayor announced:

1. March 22, 2004: Work Study Session (cancelled)
2. March 24, 2004: Mayor's Prayer Lunch 11:45 a.m. at Ottawa University Student Union, with Rev. Jim McCrossen as the guest speaker.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:54 a.m.

Scott D. Bird, City Clerk

March 17, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
March 29, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Board and Committee Appointments

Thereupon, the Governing Body reviewed a list of board and committee appointments that are scheduled to be considered during the first meeting in May.

Proclamations

Thereupon, the Governing Body reviewed proclamations for Fair Housing Month, National Library Week, Ransom Memorial Hospital Auxiliary Day, and Walk Kansas Week and agreed to place these items with minor changes on the next Regular Meeting scheduled for April 7, 2004.

First Annual Old West Cowboy Days and Chuckwagon Cookout

Thereupon, the Governing Body heard from Mr. Ernie Rodina, representing Purina Mills, who asked for permission to use Ottawa City Park on June 19, 2004 for the First Annual Old West Cowboy Days and Chuckwagon Cookout. Mr. Rodina indicated the event would run from 10 a.m. to 5 p.m. that day at City Park and would include: stagecoach rides, pedal tractor pulls, western music, and other family events. In the evening a western concert is scheduled at the municipal auditorium. The Governing Body agreed by consensus to this request and remanded the details to staff.

Comprehensive Plan

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee regarding the Comprehensive Plan update, which has been recommended to the City Commission for adoption. A final certified copy needs

March 29, 2004

to be sent to the state by April 15, 2004. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for April 7, 2004.

Ordinance-Garage Sale

Thereupon, the Governing Body reviewed a draft copy of the Garage Sale Ordinance/Policy and agreed to place this item on the April 7, 2004, agenda.

Public Hearing Request and Ordinance Vacating 8th St. Right-of-Way

Thereupon, the Governing Body reviewed material needed to conduct a public hearing and an ordinance to vacate the 8th Street right-of-way between Pine and Beech Streets, while retaining the area as a utility easement. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for April 7, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for March 15, 2004, and March 17, 2004, and agreed to place these items on the Regular Meeting Agenda for April 7, 2004.

Commission Reorganization

Thereupon, it was suggested Mayor pro tem Ramsey be elected Mayor for the upcoming year starting April 7, 2004. Thereupon, Commissioner Ramsey suggested that Mayor Jackson be elected Mayor pro tem for the same time period. Thereupon, the Governing Body agreed by consensus to place these items on the next Regular Meeting Agenda for April 7, 2004.

New Employee Introduction

Thereupon, Police Chief Jeff Herrman introduced Ms. Becky Todd to the Governing Body as a new employee working in the Police Department. Ms. Todd will be replacing Ms. Karen Chase when she retires. Ms. Todd has been doing very similar work for the Clay County Sheriff's Department.

Police Chief Update

Thereupon, City Manager Weldon Padgett indicated 8 candidates have been selected for the Chief of Police interviews on April 14, 2004, four committees of approximately 20 persons will conduct final interviews.

March 29, 2004

Open Agenda

Thereupon, the Mayor updated the Governing Body regarding League of Kansas Municipalities changes and updates.

Thereupon, Commissioner Ramsey stated he will probably not be in attendance if there is a Work Study Session scheduled for April 5, 2004. During discussion it was explained there are two annexations upcoming and perhaps the Governing Body would prefer for a short period of time in Study Session prior to the Regular Meeting on April 7.

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion to recess into Executive Session for Attorney Client Privilege Matters and to reconvene at 4:20 p.m. The motion was seconded by Commissioner Henningsen. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to change his motion to reconvene at 4:25 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 4:25 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Discussion

Thereupon, City Manager Weldon Padgett noted that the Adjunct General has announced he will be visiting the National Guard Armory at Noon, on Wednesday, March 31, 2004.

Thereupon, Commissioner Ramsey announced that Congressman Ryun will be in town on April 14, 2004 to meet with the County Commissioners and will be meeting people from the community at the Sirloin Stockade after the County Commission Meeting.

March 29, 2004

Thereupon, during further discussion it was agreed that the Governing Body will meet at 6:30 p.m. on April 7, 2004, in Work Study Session.

Adjournment

There being no further business to come before the Governing Body the Mayor declared the meeting duly adjourned at 4:33 p.m.

Scott D. Bird, City Clerk

March 29, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
April 7, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on March 17, 2004, and Work Study Session on March 15, 29, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Dan Pickert who thanked the Governing Body for allowing him the opportunity to serve on the Ottawa Recreation Commission noting that his term will be expiring and he will not be returning due to other issues in his life. However, he complimented Jane Morton and her staff for the job that they do for the community.

Mr. Pickert further explained that the Iron Horse Run will be conducted again for the third year in a row. This year the run is scheduled for June 12. Mr. Pickert also explained that there is an opportunity for the City to become involved in a bigger trail program, which includes approximately 600 miles of trail. He would like to speak further with the Governing Body about this issue at a later date and he thanked the Governing Body for their time.

Proclamation and Presentations

Thereupon, the Mayor read a proclamation declaring April 4-10, 2004, as Walk Kansas Week in the City of Ottawa, Kansas.

Thereupon, the Mayor asked Commissioner Fleer to read the Fair Housing Month proclamation declaring April as Fair Housing Month in the City of Ottawa, Kansas and noted that a copy will be forwarded to the Kansas Department of Housing & Resource Corp.

April 7, 2004

Thereupon, Commissioner Ramsey read a proclamation declaring April 18-24, 2004, as National Library Week in the City of Ottawa, Kansas. Library Board Members Jody Lancaster and Betty Norwood accepted the proclamation on behalf of the Library and encouraged the community to read.

Thereupon, Commissioner Gillette read a proclamation declaring April 19, 2004 as Ransom Memorial Hospital Auxiliary Day in the City of Ottawa, Kansas. Accepting the proclamation was Ms. Lela Mae Santarpia who noted that 95 volunteers are needed each week to support the hospital.

Thereupon, Commissioner Henningsen read a proclamation declaring April 30, 2004 as Arbor Day in the City of Ottawa, Kansas. The proclamation was accepted by the Tree Advisory Board for the City of Ottawa. Members Wint Winter, Connie Thompson, Connie Gaeddert, and Roger Bell were in attendance.

Presentations

Arbor Day Awards/Poster Contest

Thereupon, City Parks employee, and Arborist, Joe Moody announced the City of Ottawa has been named a Tree City USA for the fifth consecutive year to honor its commitment to urban forestry. The City is also a recipient of the Growth Award for demonstrating continued progress in its forestry programs.

Mr. Moody recognized winners of the City's Arbor Day Poster Contest Winners as follows.

Arrington Muhl a student in Mrs. Diedre Altic's class at Eisenhower Elementary.

Katie Pesina a student in Mrs. Tamara Mosler's class at Garfield School.

Tyler Espinosa a student in Mrs. Angie Bradley-Butt's class at Hawthorne Elementary.

Austin Dawes a student in Mrs. Janet Huddlestun's class at Lincoln Elementary.

Anthony Rittorf a student in Mrs. Jo Robinson's class at Sacred Heart Elementary.

April 7, 2004

Thereupon, Mr. Moody announced **Tyler Espinosa** as the City Wide Winner of the contest while the Mayor and members of the tree board presented the awards.

Daily Points of Light Awards

Thereupon, the Mayor recognized Andrew Huschka, Heather Parkin, and Sam Smith for receiving the coveted Daily Points of Light Award.

Public Hearing-Vacation of 8th St, Between Pine & Beech Streets

Thereupon, the Mayor opened a public hearing to consider the vacation of 8th Street right-of-way between Pine and Beech Streets for the Sugar Creek development. There being no one to speak to this issue the Mayor closed the Public Hearing.

New Business

Ordinance-Vacation of 8th Street

Thereupon, there was presented an ordinance vacating the 8th Street right-of-way between Pine and Beech Street for the Sugar Creek development and retaining a utility easement. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained that a single-family housing development is planned in this area and the developer is requesting this portion of the street right-of-way to be vacated so it can be incorporated into the development area. The north 30 feet shall be retained as a utility easement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3468-04.

Ordinance-Garage Sale

Thereupon, there was presented an ordinance amending Chapter XI, of the Municipal Code of the City of Ottawa, Kansas 1997, by adding Article XII and repealing Section 4, Letter F of Article XXII and Section 6, Letter G of Article XXVI of Ordinance 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

April 7, 2004

During discussion it was explained the current garage sale regulations allows a property to hold up to 3-days of sale in any one month period, for a total of 36 possible sale days per year. More regulation of garage sales are warranted as: a) the number of complaints have been increasing, b) community standards change, c) protection of neighborhoods becomes more necessary, d) the City Commission has raised the issue of garage sale signs littering high traffic intersections. The motion was considered and upon being put, passed by the following vote: Commissioner Henningsen aye, Commissioner Gillette aye, Commissioner Fleer nay, Commissioner Ramsey aye, and Mayor Jackson aye. Thereupon, the Mayor declared the ordinance duly adopted by a 4-1 vote and the ordinance was duly numbered Ordinance No. 3469-04.

Ordinance-Comprehensive Plan

Thereupon, there was presented an ordinance by the Governing Body of the City of Ottawa, Kansas adopting the City's updated Comprehensive Plan. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained a tremendous amount of time and energy had been invested by citizens, staff, volunteer board members, and consultants for the preparation of this plan and it is now ready for adoption. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3470-04.

Resolution-Annexation Wildcat I Addition

Thereupon, there was presented a resolution of the City of Ottawa, Kansas requesting the Franklin County Board of Commissioners to make certain findings regarding the annexation of property generally known as Wildcat I Addition. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained that Wildcat I Addition is located north of K-68 & west of the former Underwood Implement property. It is not adjacent to the City limits at this time. Property owner Harold Wingert requested annexation into the City limits so the City must ask the County to consider the request and make a determination about its impact. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution 1276-04.

April 7, 2004

Ordinance-Annexation 1201 N Davis

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, Kansas in response to the owners request located at 1201 N Davis. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained that the owner of this property, American Eagle Dist., Inc., had submitted a voluntary request for annexation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3471-04.

Cereal Malt Beverage License-304 E Logan

Thereupon, there was presented a cereal malt beverage license application submitted by Damani, Inc., doing business as Logan Street 66 at 304 E Logan. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the application.

During discussion it was explained that the owner of Logan Street 66 located at 304 E Logan has applied for a CMB license and staff found no reason to deny the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Remarks by Mayor Jackson

Thereupon, Mayor Jackson stated it had been a blessing to serve as Mayor now for the third time and thanked his wife for her patient endurance. The Mayor further thanked the City Manager for his hard work and professional approach to the job that he does for the City. He especially thanked the staff and the support that he has received from the Governing Body members. He challenged the listeners to never loose sight of the commitment made to this community and to stay focused. The Mayor recounted issues that had happened over the last year specifically annexation of over 120 acres, the ability to lower the tax levy, the completion of the Law Enforcement Center, sidewalk program, and the Youth-In-Government program.

Election of Mayor (2004-2005)

Thereupon, Mayor Jackson asked for nominations for the position of Mayor for the 2004-2005 term. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to elect Commissioner Ramsey to the position of Mayor. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Fleer aye, Commissioner Ramsey abstain, Commissioner Henningsen aye, and Mayor Jackson aye. Thereupon, the Mayor declared the motion duly approved and congratulated Mayor Ramsey. Thereupon, City Clerk Scott Bird administered the Oath of Office.

Presentation

Thereupon, Mayor Ramsey presented Mayor Jackson a plaque recognizing his service for the 2003-2004 year and expressed his deep appreciation for the hard work and dedication Mayor Jackson has exhibited for this community.

Election of Mayor pro tem

Thereupon, Mayor Ramsey asked for nominations for the position of Mayor pro tem for the 2004-2005 Year. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to name Commissioner Jackson as Mayor pro tem for the 2004-2005 term. The motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Henningsen aye, Commissioner Gillette aye, Commissioner Jackson abstained, and Mayor Ramsey aye. Thereupon, the Mayor declared the motion duly approved. Thereupon, City Clerk Scott Bird administered the Oath of Office. Thereupon, the Mayor announced that a reception will be held immediately following the City Commission Meeting and invited all to stay.

Reports by Youth Delegates

Thereupon, Andrew Huschka noted that activities have started for fund raising. Youth Delegates have been conducting car washes to earn money for the upcoming leadership camp and promotions will be sent to all Franklin County schools in the very near future.

Reports by Mayor

Thereupon, the Mayor stated he hoped to see improvements made in the community over the next year. Specifically a need to clean up our community, recreation is a big issue, he hoped to find a way to improve the Forest Park Swimming Pool, a new Police Chief will be hired with the retirement of Police Chief Jeff Herrman and this key position will be a very important one for the community in the years ahead. In addition, Mayor Ramsey stated budget constraints will be a concern, housing in a growing community continues to be a concern and volunteerism is a tremendous effort in the City of Ottawa. Mayor Ramsey thanked those who volunteer their time towards making this community a better place to live.

Announcements

Thereupon, Mayor Ramsey announced:

1. April 12, 2004: Work Study Session at 4 pm
2. April 19, 2004: Work Study Session at 4 pm
3. April 21, 2004: Joint City/County/School Meeting at Noon with the County hosting.

NEXT REGULAR MEETING: APRIL 21, 2004 AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:58 p.m.

Scott D. Bird, City Clerk

April 7, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 7, 2004

The Governing Body met at 6:30 p.m. this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and stated there was a lot on this evening's agenda and asked for Public Comments.

Public Comments

None offered at this time.

Proclamation-Arbor Day

Thereupon, the Governing Body considered an Arbor Day Proclamation and agreed to place it on the Regular Meeting Agenda.

Presentation-Daily Points of Light Award

Thereupon, the Governing Body considered a Daily Points of Light Award and agreed to place this item to recognized Youth-In-Action and Youth-In-Government participants on the Regular Meeting Agenda.

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee regarding annexation for Wildcat I Addition north of K-68 Highway and west of the former Underwood implement dealership. Ms. Lee explained the attached resolution allows the Governing Body to request the Franklin County Commission to review and determine that the annexation is advisable, beneficial, and desirable and will cause no harm of other property. The Governing Body agreed to place this item on the Regular Meeting Agenda.

Annexation-1201 N Davis

Thereupon, the Governing Body reviewed a voluntary request for annexation of 1201 N Davis owned by American Eagle Distribution. The property is formerly known as Bingo Dog Food. The Governing Body agreed to place this item on the Regular Meeting Agenda.

April 7, 2004

Ordinance-Garage Sale

Thereupon, the Governing Body reviewed an ordinance limiting property owners to two garage sales per year. However, it was suggested a waiver or exemption be allow for 2 city-wide garage sales sponsored by the Chamber of Commerce. The Governing Body agreed to place this item on the agenda noting the amendment will be part of the motion during the Regular Meeting.

Cereal Malt Beverage License – Damani, Inc.

Thereupon, the Governing Body considered a CMB License request from Damani, Inc. doing business as “Logan Street 66” at 304 E. Logan and agreed to place this item on the Regular Meeting Agenda.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for March 29, 2004 and agreed to place this item on the Regular Meeting Agenda.

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss Attorney/Client matters and Property Acquisitions for no more then 10 minutes and to reconvene at 6:55 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 6:55 p.m. Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

Thereupon, it was moved and seconded to adjourn and to move to the Commissioner Chambers for the Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
April 7, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
April 12, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and stated there was a lot on this evening agenda and asked for Public Comments.

Public Comments

Thereupon, Wynndee Lee introduced Mike Pellant as the summer temporary Code Enforcement Officer.

Youth-In-Government Leadership Camp

Thereupon, the Governing Body heard from Heather Parkin who asked the Governing Body to help fund this summer's Youth-In-Government Leadership Camp in an amount of \$510.75 as that is the amount left in this year's Youth Operating Budget. The Governing Body considered this issue and agreed by consensus to the request.

Community Clean-Up Event

Thereupon, the Governing Body discussed the Chamber Community Imaging Affairs Committee and ECKAN Volunteer Center clean up effort scheduled for April 16th and 17th. It was noted that the City would be participating by providing dumpsters in two locations in the community for citizens to dispose of unwanted and unsightly items.

Kansas Department of Wildlife and Parks (KDWP) Development Grant

Thereupon, the Governing Body heard from Ms. Barb Nelson and Ms. Jane Morton who explained KDWP has approximately \$500,000 in federal grant from the Land and Water Conservation Fund that can be used for a 50/50 match reimbursement for the development of outdoor recreational facilities. It was recommended that a grant be applied for the assistance in adding "zero depth" entry to the Forest Park Swimming Pool and for improving the bathhouse at the swimming pool to meet ADA requirements. It was further explained that the cost estimate for these projects is in the neighborhood of \$200,000 and the largest

April 12, 2004

grant that the state has ever given any single entity is \$75,000. Therefore, the City will have to make up the difference and staff has not yet discussed funding. The Governing Body agreed to hold a public hearing on this issue.

Governing Body/Staff Discussion

Thereupon, Mayor Ramsey asked the Commissioners if each would continue to serve on the respective committees as follows: Commissioner Henningsen (NRA), Commissioner Gillette (C&T), Commissioner Fleer (Main Street), Commissioner Jackson (O/FCED), and Mayor Ramsey (Chamber). Thereupon, the Governing Body all agreed that they would remain in their respective position.

Thereupon, City Manager Weldon Padgett noted that letters had been distributed regarding a public hearing that will be held to consider rezoning an area in the 1400 block of South Main and South Hickory. Thereupon, the City Manager also noted that Police Chief interviews will be conducted on Wednesday, April 14, 2004.

Thereupon, Mayor Ramsey asked if either Commissioner Gillette or Commissioner Henningsen might be able to meet with Congressman Jim Ryun on April 14, 2004.

Thereupon, the Governing Body heard from Commissioner Gillette who stated that Ottawa University is planning a dedication to Jotham Meeker and a proclamation will be coming for this event.

Thereupon, the Mayor stated that he asked the flags to be held at half-mast until the funeral for U.S. Marine Lance Cpl. Christopher Wasser can be conducted.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

April 12, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 19, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Proclamation

Thereupon, the Mayor reviewed proclamations for National Arson Awareness Week, recognition of former City Clerk/Director of Finance Pete Smith, Foster Care Month, and asked that these items be placed on a future agenda.

Thereupon, Commissioner Gillette stated there would be a proclamation coming forward to recognize Jotham Meeker Week and asked that it also be placed on the Regular Meeting Agenda for April 21.

Thereupon, it was agreed all the proclamations requested would be placed on the Regular Agenda for April 21, 2004 with the exception of the City Clerk/Director of Finance proclamation and it would be on the May 5, 2004 Regular Agenda.

Appointments to the Board

Thereupon, the Governing Body reviewed a list of those who are interested in serving on board positions for the City. Thereupon, the Governing Body agreed that Michael Webber will be reappointed to the Library Board; Brian Sharp appointed to the Recreation Commission, and Connie Gaeddeert and John Heckert reappointed to the Tree Board.

Review of Minutes

Thereupon, the Governing Body reviewed the April 7, 2004, Study Session and Regular Minutes and asked for one clarification.

Monthly Financial and Activity Reports-March 2004

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports with staff for March 2004.

April 19, 2004

23rd Street Water Line

Thereupon, the Governing Body reviewed a resolution to authorize a water line project not to exceed \$285,000, which will extend from 17th Street and Eisenhower south to 23rd Street, then east on 23rd Street to Main Street, closing a loop of water line and providing infrastructure needs in this area. The Governing Body agreed to place this item on the Regular Meeting Agenda for April 21, 2004.

Open Agenda

Thereupon, Mayor Ramsey asked about the Pool Grant and City Manager Secretary Barb Nelson indicated it is hoped to have it ready in the near future.

It was noted that Garage Sale signs had been picked up by the Planning Department during the weekend in response to the new ordinance regulating such signage.

Thereupon, Commissioner Gillette reported he had the opportunity to visit with Congressman Ryun during his recent trip to Ottawa.

Announcements

Thereupon, the Mayor announced:

1. April 21, 2004: Joint/City/County/School meeting at 12 Noon at the County Jail.
2. April 26, 2004: Work Study Session may be canceled
3. May 3, 2004: Work Study Session at 4 pm
4. April 21, 2004: City Commission meeting at 9:30 a.m.

Executive Session

Recess

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss property acquisition for a period of 15 minutes and to reconvene at 4:55 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed and asked the room to be cleared.

April 19, 2004

Reconvene

Thereupon, at 4:55 p.m. Commissioner Gillette made a motion, seconded by Commissioner Fler, to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to recess for a period of 10 minutes and to reconvene at 5:05 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 5:05 p.m. Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to recess for a period of 10 minutes and to reconvene at 5:17 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 5:17 p.m. it was moved and seconded to reconvene. The motion was considered and upon being put all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

City Commission
Regular Meeting Minutes
Ottawa, Kansas
April 21, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to approve the consent agenda, which includes the Agenda approval and minutes from the Work Study Session and the Regular Meeting from April 7, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Bob Marsh, representing the Friends of Historic Buildings, noting that he would like to come before the Governing Body at a Work Study Session to discuss an application to the Department of Commerce for funding for the renovation of the old Ottawa Senior and Junior High School property located at 5th and Main. Mr. Marsh presented the Governing Body with a copy of the local government endorsement form and the Governing Body invited Mr. Marsh to their Work Study Session scheduled for May 3, 2004.

Thereupon, Commissioner Fleer arrived at 9:34 a.m.

Proclamations and Presentations

Proclamation-National Arson Awareness

Thereupon, the Mayor read a proclamation declaring May 2nd through May 8th as National Arson Awareness Week. Accepting the proclamation was Assistant Fire Chief Rick Oglesby who introduced Fire Investigator's Kendall Broers, Brent Macklin, Mike Hatheway, and Jeff Diehl.

April 21, 2004

Proclamation-Meeker Reunion Weekend

Thereupon, Commissioner Gillette read a proclamation declaring April 23-25, 2004 as Jotham Meeker Reunion Weekend in the City of Ottawa, Kansas.

Public Hearing-KDWP Grant/Forest Park Swimming Pool

Thereupon, the Mayor opened a public hearing to consider a Kansas Department of Wildlife and Parks (KDWP) Grant for the renovation of Forest Park Swimming Pool. The Governing Body heard from ORC Director Jane Morton stating that the cost estimate has increased by about \$35,000 from \$200,000 to \$235,000. Approximately 30% of the grant project will be requested from KDWP. However, this large amount of an award may not be forthcoming and the Governing Body was reminded the City's share of the cost might be able to be pushed into the 2005 Budget Year. Ms. Morton also stated hearings on this will be conducted in July and awards in August.

There being no one else wishing to speak to this issue the Mayor closed the public hearing.

New Business

Resolution-Grant Application

Thereupon, there was presented a resolution authorizing the City Manager to apply for Land and Water Conservation Funds for the improvement to add a "zero depth" entry area to the existing Forest Park Swimming Pool and renovating the existing bath house for ADA Compliance. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained that this resolution sets in motion the application process for grant funding to be used for the purpose making the aforementioned improvements. The estimated cost of these projects is \$235,000 and the City can expect approximately \$70,000 in grant funds if it is awarded to the City. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1277-04.

April 21, 2004

Resolution-23rd Street Waterline

Thereupon, there was presented a resolution authorizing certain water system improvements to be made in the City of Ottawa, Kansas, and authorizing general obligation bonds to be issued in an amount not to exceed \$285,000 to pay the cost of such improvements, all pursuant to K.S.A. 65-163d through 65-163u. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that this action authorizes staff to contract for the installation of 7,850 feet of 12” water main from 17th Street and Eisenhower Avenue, commencing south to 23rd Street and then east on 23rd Street to Main Street. This will extend the City’s water service into the growth area and close a much-needed loop in the city system opening this area for further development. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution adopted and the resolution was duly numbered Resolution No. 1278-04.

Board of Commission Appointments

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to reappoint Michael Webber to the Library Board; appoint Brian Sharp to the Ottawa Recreation Commission, and to reappoint Connie Gaeddert and John Heckert to the Tree Board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointments duly approved.

Reports by City Manager

Thereupon, City Manager Weldon Padgett reminded the Governing Body that Staff is attempting to set up a tour for the new Wastewater Treatment Plant. The School Board intends on conducting “town hall” meetings in regards to their upcoming bond issue Monday night; April 26, 2004 will be conducted at Eugene Field School at 7 p.m.; Tuesday, April 27 will be at Eisenhower School at 7 pm, and Wednesday, April 28 will be at Lincoln Elementary School at 7 pm.

The City Manager further informed a CDBG loan request for Fashion Inc. is coming in the near future and rezone applications will be considered in May and June.

April 21, 2004

Open Agenda

Thereupon, Commissioner Fleer inquired of the status of the Wastewater Treatment Plant and Director of Utilities Jim Bradley responded that the City expects to go on-line in June.

Thereupon, Commissioner Gillette reminded the Governing Body that the new Kiosk Historic Tour in the downtown area will be installed and hopefully ready for use sometime in May.

Announcements

Thereupon, the Mayor announced:

1. April 21, 2004: Joint City/County/School Meeting (today) at the Franklin County Jail at noon.
2. April 26, 2004: No Work Study Session
3. May 3, 2004: Work Study Session at 4 p.m.
4. May 5, 2004: Regular Meeting at 7 p.m.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:59 a.m.

Scott D. Bird, City Clerk

April 21, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
May 3, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

New Employee

Thereupon, Police Chief Jeff Herrman introduced Jason Klepac as a new officer with the Ottawa Police Department bringing the force back to a full complement after the retirement of Sergeant Taylor.

Skunk Run Festival

Thereupon, the Governing Body reviewed a request from Tourism Director Jason Camis who submitted a letter to request the use of City Park for the Skunk Run Festival from Friday, June 11, 2004 through Sunday, June 13, 2004. The Governing Body agreed to allow the request. However, there was some concern regarding the closing of 4th Street and if in fact Mr. Camis meant 5th Street. Thereupon, this issue was remanded to staff.

Thereupon, Commissioner Henningsen arrived at 3:34 p.m.

Ottawa Country Club-Wedding Reception

Thereupon, the Governing Body reviewed a request from Mr. Joe Hastert to have a wedding reception at the Ottawa Country Club with a live band from 8:30 p.m. until 11:30 p.m., on July 3, 2004. Mr. Hastert also requested permission to have a fireworks display on the Country Club property.

Thereupon, the Governing Body heard from Fire Chief Jeff Carner who indicated that a certificate of insurance naming the City as additionally insured would be needed for this event and while normally it required someone who is certified to shoot off the fireworks, this size and type would not require such a person at this time. The Governing Body asked for more information regarding the concern for noise and what time the fireworks would be carried out and asked to have this item brought back to them at a future Study Session.

May 3, 2004

Proclamation-Police Week

Thereupon, the Governing Body reviewed a proclamation declaring May 9-15, 2004, as National Police Week in the City of Ottawa, Kansas, and agreed to place this item on the Regular City Commission Meeting scheduled for May 5, 2004.

Neighborhood Revitalization Act (NRA)

Thereupon, the Governing Body reviewed applications for Neighborhood Revitalization from properties located at 222 E. Logan, 114 W. 3rd, 104 S. Cedar, 754 S. Locust, 815 Pecan, 528 N. Sycamore, 511 N. Cherry, 609 S. Oak, 1007 E. 7th, 727 Liberty and 433 S. Poplar. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda scheduled for May 5, 2004.

Friends of Historic Buildings, Inc.

Thereupon, the Governing Body heard from Mr. Bob Marsh who presented an application for the Kansas Department of Commerce Community Service Program which authorizes tax credits for contributions made towards non-profit organizations by individuals, business firms, financial institutions, and insurance companies and asked for the Governing Body's endorsement in regards to the building located at 5th and Main formerly known as the Ottawa Middle School. The Governing Body agreed to place this item on the May 5, 2004 agenda noting that the Governing Body has no financial obligation regarding this matter.

Ordinance-Annexation-Wildcat I

Thereupon, the Governing Body reviewed an ordinance to annex a parcel located north of K-68 & west of I-35 known as Wildcat I. It was further noted that the owner Harold Wingert had submitted a request for voluntary annexation and the Franklin County Commissioners had adopted a resolution consenting to said annexation. The Governing Body agreed to place this item on the May 5, 2004 agenda.

Ordinance-Construction Board of Appeals

Thereupon, the Governing Body reviewed an ordinance to establish a Construction Board of Appeals which will be the consolidation of a number of rarely used boards into a larger single board to handle appeals of orders, decision or determinations that are contested in construction matters. The Governing Body agreed to place this item on the May 5, 2004, Regular Meeting Agenda.

May 3, 2004

Planning Commission Appointments

Thereupon, the Governing Body reviewed suggestions for the Planning Commission and agreed to delay this issue until May 19, 2004.

Board of Zoning Appointments

Thereupon, the Governing Body agreed to place this item on the Regular City Commission Meeting for May 5, 2004 noting that incumbent Blaine Finch has expressed interest in reappointment to this board.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the April 12, 19, 2004 Work Study Sessions and the April 21, 2004 Regular City Commission Meeting and agreed to place these items on the Regular Meeting for May 5, 2004.

Nuisance Violation Enforcement

Thereupon, the Governing Body heard from Planning and Code Administration Director Wynndee Lee who provided the Governing Body with a written and verbal update of the nuisance and inoperable vehicle enforcement issues since the beginning of the year.

Announcements

Thereupon, the Mayor announced:

1. May 5, 2004: Next Regular City Commission Meeting at 7 pm
2. May 10, 2004: Work Study Session at 4 pm (tentative)
3. May 17, 2004: Work Study Session at 4 pm

Executive Session-Attorney Client Privilege

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss Attorney Client Privileged issues for a period of 10 minutes and to reconvene at 4:55 p.m. It was further announced that action will be taken when the Governing Body reconvened. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

May 3, 2004

Reconvene

Thereupon, at 4:55 p.m. Commissioner Gillette made a motion, seconded by Commissioner Fleer, to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Executive Session-Personnel

Recess

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss personnel and to reconvene in 5 minutes at 5 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 5 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Covenant Agreement

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve a Covenant Agreement regarding the 40 acres adjacent to Highland Cemetery and related to the Southeast Substation and to authorize the Mayor to execute said covenant. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

May 3, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
May 5, 2004

The City Governing Body met at 7 pm this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which includes the Agenda approval and minutes from the Regular Meeting April 21, 2004 and Study Sessions from April 12, 29, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Public Comments

None offered at this time.

Proclamations

Thereupon, the Mayor asked City Clerk Scott Bird to read a proclamation recognizing Orlin W. (Pete) Smith posthumously for his 23 years of service as City Clerk and Director of Finance beginning in 1969 and ending in 1992. Accepting the proclamation was Mrs. Pete Smith and Mr. Phil Smith who thanked the City for this recognition noting that Pete was a humble servant and would not have expected such an honor.

Thereupon, the Mayor asked Commissioner Fleer to read a proclamation declaring May as Foster Care Month in the City of Ottawa. Thereupon, Ms. Rebecca Bryant accepted the proclamation and thanked the Governing Body for recognizing Foster Care as an important service in the community.

Thereupon, the Mayor read a proclamation declaring May 15, 2004 as Peace Officer's Memorial Day and the week of May 9-15, 2004, as National Police Week in the City of Ottawa, Kansas. Thereupon, Captain Randy Allan and Detective Rick Geist accepted the proclamation and thanked the Governing Body for recognizing the hard work and dedication of the Ottawa Police Department.

May 5, 2004

Neighborhood Revitalization Program

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve applications for 222 E. Logan, 114 W. 3rd, 104 S. Cedar, 754 S. Locust, 815 Pecan, 528 N. Sycamore, 511 N. Cherry, 609 S. Oak, 1007 E. 7th, 727 Liberty and 433 S. Poplar for inclusion in the Neighborhood Revitalization Program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Kansas Department of Commerce Community Service Program

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to endorse the Department of Commerce Community Service Act, which allows tax credits for authorized contributions made to non-profit organizations by individuals, business firms, financial institutions, and insurance companies.

During discussion it was explained that the Governing Body by this action does not obligate any funds towards this project and also noting that this is directed towards the project at 5th & Main. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Ordinance-Annexation-Wildcat I

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance will annex a parcel of land located in north of K-68 & west of I-35, known as Wildcat I. However, this does not include the Underwood property, which is adjacent to this location. The owner Harold Wingert submitted a voluntary request for annexation and the Franklin County Commission previously adopted a resolution consenting to said annexation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3472-04.

Ordinance-Construction Board of Appeals

Thereupon, there was presented an ordinance establishing a Construction Board of Appeals and processes and procedures and repealing and deleting all sections of the Municipal Code in conflict therewith. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

May 5, 2004

During discussion it was explained that the City's Building Codes and the Fire Codes require the establishment of a Board of Appeals. Annually the City Commission has appointed or reappointed three people to each of the following electrical, plumbing, HVAC and Building Boards of Appeals. This new Construction Board of Appeals consists of seven members, comprised of two electricians, two plumbers, two general contractors and one architect/engineer. Members will serve 4-year terms and any member may serve up to two consecutive terms. The proposed board will hear appeals on orders, decisions or determinations made by the Code Inspector (s). The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3473-04.

Board of Zoning Appeals

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to appoint Mr. Blaine Finch to serve a three-year term on the Board of Zoning Appeals. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Open Agenda

Thereupon, the Mayor recognized Boy Scout Troop 74 with approximately 9 members and 2 adults in attendance. It was noted they are working on their Communications Merit Badge.

The Mayor further reminded the listening audience that there will be a National Day of Prayer Service at the Courthouse on May 6, 2004.

Announcements

Thereupon, the Mayor announced:

1. May 10, 2004: Work Study Session at 4 pm
 2. May 17, 2004: Work Study Session at 4 pm
 3. May 19, 2004: Joint City/County/School Meeting at Noon (USD 290)
- NEXT REGULAR MEETING: MAY 19, 2004, AT 9:30 A.M.**

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:22 pm.

Scott D. Bird, City Clerk
May 5, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
May 17, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from Mr. Herb Epley who expressed his concerns due to problems he encountered with a guttering contractor. He suggested all general contractors be licensed and be required to provide proof of insurance. Thereupon, Mayor Ramsey asked staff to research this issue to see if the City could do a better job in licensing or handling this type of problem and to bring back information to the Governing Body.

Thereupon, the Governing Body heard from Mr. Jim Grogan who reminded the Governing Body and Staff that Kanza Park was designed as a “passive park” and it is not a good location for the proposed Disc Golf Course. Mr. Grogan stated he was speaking on his behalf, as well as, others who had contacted him about this issue but did not want to come and speak to an audience.

Public Hearing-Fashion Inc.: Revolving Loan Fund & CDBG

Thereupon, the Governing Body discussed with Lonnie King, President/CEO for Fashion, Inc., two proposed public hearings scheduled for the May 19th Regular Meeting relating to improvements, expansion, working capital and equipment purchase which will create a total of 18 new jobs for Fashion, Inc.

During discussion it was explained the total project cost is estimated at approximately \$1.1 million. The first public hearing will be for the use of the City’s revolving loan fund and the second public hearing is required as part of Fashion’s application for the State Community Development Block Grant loan funds. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda scheduled for May 19, 2004.

Resolution-Fashion Inc.: City Revolving Loan Fund (CRLF)-\$161,000

Thereupon, the Governing Body reviewed a resolution to authorize documents to proceed with a low interest loan to Fashion, Inc. with the use of the City

May 17, 2004

Revolving Loan Fund in the amount of \$161,000. It was explained the funds will help create 5 new jobs by preparing the Ottawa plant for new manufacturing equipment. Thereupon, the Governing Body agreed by consensus to place this item on the May 19, 2004, Regular City Commission meeting.

Resolution-Fashion Inc.: Community Development Block Grant-\$455,000

Thereupon, the Governing Body reviewed a resolution to allow the City to apply for a Community Development Block Grant for Fashion, Inc., in the amount of \$455,000 from the State to create an additional 13 jobs by bringing manufacturing equipment to the Ottawa plant. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for May 19, 2004.

Disc Golf Proposal

Thereupon, the Governing Body heard from Rotary Club Representative Dr. John Brockway who explained the proposed Disc Golf Course design and location. Kanza Park is the proposed location and the Governing Body requested the Rotary Club do a door-to-door survey of neighbors in this area and provide the neighbors a demonstration to interested parties at Kanza Park. Thereupon, Dr. Brockway stated Rotary would be willing to do this and will bring the results back to the Governing Body.

Certificates of Participation-Electric Substation

Thereupon, the Governing Body review a proposed resolution to authorize the City to take steps required for delivery of funds to pay for the development of the City's new southeast substation.

During discussion the Governing Body heard from Bond Attorney Dotty Riley who explained Certificates of Participation financing. Closing details will be delivered to the Governing Body at the May 19, 2004 Regular Meeting. Ms. Riley explained in this type of financing the Law Enforcement Center would be included in addition to the substation as collateral. This financing works like a lease purchase and will have a 20-year repayment schedule. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for May 19, 2004.

May 17, 2004

Ordinance-Annexation 1104 W. 19th Street

Thereupon, the Governing Body reviewed an ordinance to annex the parcel of land located at 1104 W. 19th Street. Thereupon, Planning and Codes Administration Director Wynndee Lee explained this is a voluntary request and Staff recommended approval as it will help square the City boundaries. Thereupon, the Governing Body agreed to place this item on the City Commission Agenda for May 19, 2004.

Construction Board of Appeals

Thereupon, the Governing Body reviewed a list of applicants who have consented to be appointed to the Construction Board of Appeals. It was explained each of the applicants were previously appointed to one of the boards that the Construction Board of Appeals now presides over. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for May 19, 2004.

City Appointment-County Highway Improvement Plan (CHIP) Committee

Thereupon, the Governing Body discussed with staff that an appointment should come from the City Commission and that a citizen at-large would be preferred rather than appointing a City employee.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the May 3, 2004 Work Study Session and the Regular Meeting of May 5, 2004 and agreed to place these items on the Regular Meeting Agenda for May 19, 2004.

Open Agenda

Thereupon, the Governing Body reviewed with staff the Monthly Financial and Activity Reports for the month of April 2004. Thereupon, City Manager Weldon Padgett stated he would review the report from Court Administration to see if it would be possible to change the information that is reported for a more detailed report.

Thereupon, Mayor Ramsey expressed concern over ticket sales at the auditorium. City Manager Weldon Padgett discussed less use of the auditorium, lack of advertisement, and other issues concerning the auditorium and he will continue to work on these issues.

Thereupon, Mayor Ramsey noted the new Chief of Police had been hired and a press release was in the paper today. Thereupon, Commissioner Jackson thanked the City Manager for all his efforts and time spent putting the interview process together for this very important position.

Thereupon, Commissioner Jackson announced the City of Ottawa had recently been awarded an award from the Kansas Chapter of Public Works Association for the sidewalk program. Commissioner Jackson stated the sidewalk program was a good project and hoped the City would be able to continue this program.

Announcements

Thereupon, the Mayor announced:

1. May 19, 2004: Regular City Commission meeting at 9:30 a.m.
2. May 24, 2004: Work Study Session at 4 p.m.
3. May 31, 2004: Memorial Day Holiday-No Work Study Session
4. June 2, 2004: Regular City Commissioner meeting at 7 p.m.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

May 17, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
May 19, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk Scott Bird.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, which includes the Agenda approval and minutes from the Regular Meeting May 5, 2004 and Study Session May 3, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Public Hearing: Fashion, Inc., City Revolving Loan Fund-\$161,000

Thereupon, Mayor Ramsey opened a Public Hearing regarding an application by Fashion, Inc., for the City's Revolving Loan Funds for economic development purposes.

Thereupon, heard from Mr. Lonnie King, President/CEO Fashion, Inc., who stated Fashion, Inc., had worked with the City of Ottawa on a grant in 1992 and the company would appreciate the City's consideration on this issue.

There being no one else to speak to this issue the Mayor closed the Public Hearing.

Resolution-Fashion, Inc.: City Revolving Loan Fund \$161,000

Thereupon, there was presented a resolution to authorize the Mayor and City Clerk to execute documents necessary to make available a low interest loan to Fashion, Inc. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to adopt the resolution as presented.

May 19, 2004

During discussion it was explained Fashion, Inc. is applying for use of the City Revolving Loan Fund (CRLF) in the amount of \$161,000. These funds will help create 5 new jobs by preparing the Ottawa plant for new manufacturing equipment. The CRLF review committee has considered the application and recommends approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1279-04.

Public Hearing: Fashion, Inc. Community Development Block Grant-\$455,000

Thereupon, Mayor Ramsey opened a Public Hearing regarding a project application for Fashion, Inc. to be submitted to the Kansas Department of Commerce for Small Cities Community Development Block Grant funds under the Economic Development category.

Thereupon, the Governing Body heard from Mr. Lonnie King, President/CEO from Fashion, Inc., who stated Fashion, Inc., had contributed \$500,000 to this project.

There being no one else to speak to this issue the Mayor closed the Public Hearing.

Resolution-Fashion, Inc.: Community Development Block Grant-\$455,000

Thereupon, there was presented a resolution to certify legal authority to apply for the 2004 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and submit such an application. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution as presented.

During discussion it was explained Fashion, Inc., has applied for \$455,000 from the Kansas Small Cities Community Development Block Grant to create an additional 13 jobs by bringing manufacturing equipment to their Ottawa facility. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1280-04.

Certificate of Participation-Southeast Substation

Thereupon, City Clerk Scott Bird, Bond Attorney Dotty Riley, and Piper Jaffray & Co. representative Greg Vahrenberg reported on the closing details related to the financing arrangements for the southeast substation project.

May 19, 2004

Resolution-Certificates of Participation-Southeast Substation

Thereupon, there was presented a resolution approving the delivery of certificates (City of Ottawa, Lessee), to provide funds to pay the costs of improvements to the City's electric utility system; and authorizing and approving certain documents in connection with the delivery of the certificates. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution as presented.

During discussion it was explained this resolution will authorize the City to take the steps required for delivery of funds to pay for the development of the City's new southeast substation. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Henningsen aye, Commissioner Jackson aye, Commissioner Fleer nay, and Mayor Ramsey aye. Thereupon, the Mayor declared the resolution duly adopted by a 4-1 vote and the resolution was duly numbered Resolution No. 1281-04.

Ordinance-Annexation 1104 W. 19th

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, Kansas generally located at 1104 W. 19th. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the ordinance as presented.

During discussion it was explained this annexation is a voluntary request and it is recommended for approval since it will help square up the City's boundaries. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3474-04.

Appointment to the Construction Board of Appeals

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to make Construction Board of Appeals appointments as follows:

Two-Year Terms: Dave Barkley, Randy Bruner and Phil Gibson

Four-Year Terms: Doug Loyd, Gayl Shepard, Mark Carey and Jack Laturell

During discussion it was explained this is a continuing effort to consolidate some of the boards. The above-mentioned applicants have requested appointment

May 19, 2004

to the Construction Board of Appeals. Each applicant was previously appointed to one of the boards that the Construction Board of Appeals now supplants. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointments duly approved.

Reports by Youth Delegates

Thereupon, Commissioner Jackson announced the deadline for the Leadership Camp is this Friday and the Youth-In-Government members have raised all the funds needed.

Reports by City Manager

Thereupon, City Manager Weldon Padgett stated he had visited with Mark Eldridge about the discussion held at the Study Session May 17 and the City Manager noted he will keep the Governing Body updated as more information was available.

Thereupon, the City Manager explained Public Works Director Andy Haney and himself have visited with the County to possibly piggyback dust control treatment for some of the City gravel streets. The County has agreed to allow the City to do this at an approximate cost of \$7,000. Thereupon, City Manager Weldon Padgett also noted this type of treatment is applied annually.

Thereupon, City Manager Weldon Padgett stated the Budget Calendar will be prepared next week.

Reports by City Commission

Thereupon, Commissioner Jackson requested an update on Homeland Security Funds. Thereupon, Police Chief Jeff Herrman explained that Police and Fire were both reviewing possible purchases and trying to work out where some of the funds could be married together across departments. Chief Herrman also noted that parts of the process are difficult to understand but staff is continuing to work on purchases. Thereupon, Commissioner Jackson stated he would visit with the League to try and simplify the process.

Thereupon, Commissioner Gillette expressed his appreciation to Fashion, Inc. for the good relationship they have in the community. Commissioner Gillette also expressed his appreciation to Bond Attorney Dotty Riley and the work she does on behalf of the City.

May 19, 2004

Reports by Mayor

Thereupon, Mayor Ramsey thanked City Manager Weldon Padgett, Staff, and the Community for the effort in setting up and completing the tremendous amount of work involved in hiring a new Police Chief. Thereupon, the Mayor explained the process was complete and he thinks the City has gotten a very good candidate.

Announcements

Thereupon, the Mayor announced:

1. May 19, 2004: Joint City/County/School Meeting at 12 pm (USD 290)
2. May 24, 2004: Work Study Session at 4 p.m.
3. May 31, 2004: Memorial Day Holiday-No Work Study Session
4. June 2, 2004: Regular City Commission Meeting at 7 p.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:07 a.m.

Scott D. Bird, City Clerk

May 19, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
May 24, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Proclamation-Pacific Rim Day

Thereupon, Mayor Ramsey read a proclamation declaring May 28, 2004, Pacific Rim Day in the City of Ottawa, Kansas. Dr. Murle Mordy of Ottawa University and two Pacific Rim students were in attendance and accepted the proclamation on behalf of the university.

Vietnam Veterans of America Chapter #0912

Thereupon, there was presented a request from the Vietnam Veterans of America to block 4th Street at Main east to the alley on May 29, 2004, from noon to 4 pm for a ceremony to add three names to the Franklin County Memorial and to honor the World War II veterans in conjunction with events in Washington, DC. Thereupon, the Governing Body agreed to this request.

Ottawa Main Street

Thereupon, there was presented a request from Ottawa Main Street to close 2nd Street from Main east to the alley on Saturday, June 12, 2004 at 9 am and Sunday June 13, 2004 at 9 am in order to set up a stage for live music. The request also included the desire for a 220-volt electric hookup and permission to allow commercial sales in Haley Park. This request is an attempt to bring the Skunk Run Day celebration further into the downtown area. The Governing Body reviewed this request and after some questions and deliberation remanded this issue to City Staff.

May 24, 2004

Certificate of Approval-Kansas Independent College Finance Authority

Thereupon, there was presented a request from Ottawa University to authorize a certificate of approval from the Kansas Independent College Finance Authority for short term financing. It was noted that this approval does not impose liability on the City, involve the City in the issuance of notes or the proposed project, but rather is an accommodation by the City to satisfy requirements for the Internal Revenue Code. Thereupon, Ottawa University Finance Director Wayne Duderstadt reminded the Governing Body this is an annual issue over the last several years where the university is looking for short term financing to bridge the summer gap. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to authorize the execution of documents for this request. The motion was considered and upon being put, passed by the following vote: Commissioner Fleer nay, Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Henningsen aye, and Mayor Ramsey aye. Thereupon, the Mayor declared the motion duly approved by a 4-1 vote.

Rezone Request

Thereupon, there was presented for 1437, 1443, and 1445 S. Main Street and 1432, 1438, 1444, and 1452 S. Hickory Street from O & I (Office & Institutional) and R-1 (Single-Family) Zoning Districts to C-2 (General Commercial) Zoning District. Thereupon, the Mayor noted that Staff and the Planning Commission have worked hard on this issue, the finding of facts had been provided to the Governing Body, as well as the unofficial minutes from the two Planning Commission Meetings related to this issue. The Mayor noted that Public Comments would not be taken at this time. However, an ordinance would be considered at the next Regular Meeting and at that time the applicant for the rezone would have 10 minutes to present their case and those in opposition would have 10 minutes and the applicant would have a 3-minute rebuttal.

Ordinance Rezone

Thereupon, there was presented an ordinance to rezone 1437, 1443, and 1445 S. Main Street and 1432, 1438, 1444, and 1452 S. Hickory Street from O & I (Office & Institutional) and R-1 (Single-Family) Zoning Districts to C-2 (General Commercial) Zoning District. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda for June 2, 2004.

May 24, 2004

Planning Commission Appointments

Thereupon, the Governing Body reviewed applications for the Planning Commission.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for the May 19, 2004, Regular Meeting, and the May 17, 2004, Study Session. The Governing Body agreed to place these items on the Regular Meeting Agenda for June 2, 2004.

County Highway Improvement Plan Committee

Thereupon, the Governing Body discussed the City Commission appointment to the CHIPS Program. Thereupon, the Mayor stated he would be submitting a name for the Governing Body consideration.

Announcements

Thereupon, the Mayor announced:

1. May 31, 2004: Memorial Day Holiday-No Work Study Session
2. June 2, 2004: Work Study Session at 6 pm (Tentative)
3. June 2, 2004: Next Regular City Commission Meeting at 7 pm

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

May 24, 2004

City Commission
Regular Meeting Minutes

Ottawa, Kansas

June 2, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting May 19, 2004 and Study Session May 17, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

New Business

Rezone Application

Thereupon, there was presented an application to rezone 1437, 1443, and 1445 S. Main and 1432, 1438, 1444, and 1452 S. Hickory Street from O & I (Office & Institutional) and R-1 (Single-Family) Zoning districts to C-2 (General Commercial) Zoning District.

Thereupon, the Mayor asked the Governing Body if they had any conflicts of interest that they should declare. None were offered.

Thereupon, the Mayor invited the applicant to present its case. Thereupon, the applicant represented by Gary Conwell stated that they had applied for a C-2 rezone in this area, which would allow their client the greatest amount of flexibility especially regarding setbacks for this project.

June 2, 2004

However, a C-1 rezone would be acceptable. He asked if a petition which had been signed by members of the community could be submitted to the City Clerk. *The City Clerk received said petition and made it available to the Governing Body.* In addition, Mr. Conwell stated that staff had made a good report and recommended C-1 zoning. He further noted that the areas adjacent to this location are zoned C-2 and that the applicant is not asking for an area completely surrounded by residential. Therefore, in their opinion the properties are suitable for Commercial and Office type development and this site development will serve as a buffer zone making this a perfect C-1 project. Mr. Conwell presented a map of the area during his discussion.

Thereupon, the Governing Body heard from Mr. Charles Benjamin representing those opposed to the rezone stating that this is an incompatible land use. The neighbors are being asked to locate a large retailer in a quiet neighborhood and the neighbors are opposed to this rezone.

Thereupon, the Governing Body heard from Mr. Edwin Smith, 1424 S. Hickory, who in accordance with his professional ethics, noted that he was speaking as an individual not in his professional capacity. Mr. Smith noted that this issue had been previously discussed by the Planning Commission and they had voted unanimously against the C-2 rezone and had also voted down a proposal for a C-1 rezone. Mr. Smith stated that a C-1 rezone would still “kill the neighborhood” and pointed to the map and explained the climate of the residential neighborhood. Mr. Smith also pointed to the recently adopted Comprehensive Plan and questioned whether or not it would be followed and considered regarding this issue.

Thereupon, the Governing Body heard from Mr. Benjamin who stated that a petition should not affect this decision regarding land use.

Thereupon, the Governing Body heard from Ms. Sharon Smith, 1424 S. Hickory. Ms. Smith took exception to information that had been provided stating that some neighbors didn't believe property values would not go down as a result of this rezone.

Thereupon, the Applicant was given a six-minute rebuttal time. The applicant was represented by Randy Foster, 2175 Iowa Road, who stated in his opinion there would be minimal effect to the neighborhood. Mr. Foster stated that a comprehensive plan could not have predicted that Walgreens would ask to locate in this vicinity. Mr. Foster explained his credentials and stood on his opinion that this project should and could go forward.

Thereupon, the Governing Body heard from City legal representation Jim Kaup who advised the Governing Body that a petition is not a procedural impropriety. However, the Governing Body should be circumspect in accepting such information regarding zoning and how the petition was handled. Mr. Kaup also spoke to the Golden Criteria, which has been used in various rezone considerations.

The Governing Body heard again from Mr. Edwin Smith who also spoke to the Golden Criteria and provided some explanation to its origin.

Ordinance-Rezone Application: Action on Rezone Application

Thereupon, there was presented an ordinance for action on a rezone application for 1437, 1443, and 1445 S. Main Street and 1432, 1438, 1444, and 1452 S. Hickory Street from O & I (Office & Institutional) and R-1 (Single-Family) Zoning Districts to C-2 (General Commercial) Zoning District. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to deny the request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the rezone duly denied.

Resolution-Sanitary Sewer Improvements 210 E. 23rd Street

Thereupon, there was presented a resolution accepting the sanitary sewer public improvements installed at 210 E. 23rd Street in Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained that the two private developers extended 600 feet of gravity sanitary sewer to serve businesses between 2334 and 2340 S. Princeton Street. Appropriate easements have been granted and filed with the Register of Deeds. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1282-04.

Planning Commission Appointments

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reappoint Mr. Cal Lantis, and to appoint Mr. Richard Warren, and Ms. Linda Reed to fill vacant board positions. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

June 2, 2004

Appointment-County Highway Improvement Plan (CHIP) Committee

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the Mayor's recommendation to appoint Mr. Trent Lancaster to the Franklin County CHIP Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by Youth Delegates

Thereupon, the Mayor noted the Youth are getting ready for their annual camp at Timberlake Ranch.

Reports by Mayor

Thereupon, the Mayor thanked those in attendance for coming to the City Commission meeting. He further noted that the Wastewater Treatment Plant is on-line and will be toured by the Governing Body on June 7, 2004, at 3 p.m.

Announcements

Thereupon, the Mayor announced:

1. June 7, 2004: Work Study Session at 3 p.m. for a tour of the new Wastewater Treatment Plant.
2. June 14, 2004: Work Study Session at 4 p.m.
3. June 21, 2004: Work Study Session at 4 p.m.

NEXT REGULAR MEETING: JUNE 16, 2004, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:54 p.m.

Scott D. Bird, City Clerk

June 2, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 2, 2004

The Governing Body met at 6:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed: June 2, 2004-Regular City Commission Agenda

Resolution-Sanitary Sewer Public Improvements: 210 E. 23rd

Thereupon, the Governing Body reviewed with Planning & Codes Administration Director Wynndee Lee a resolution to accept the sanitary sewer public improvements located at 210 E. 23rd Street and agreed by consensus to place this item on the Regular Meeting Agenda for tonight at 6:30 p.m.

County Highway Improvement Plan Committee

Thereupon, Mayor Ramsey recommended that Trent Lancaster be appointed to the County Highway Improvement Plan (CHIP) Committee to represent the City of Ottawa. Thereupon, the Governing Body agreed by consensus to place this recommendation on the Regular Meeting Agenda for 6:30 p.m. tonight.

Rezone Application-Walgreens

Thereupon, the Governing Body considered a rezone application for 1437, 1443, and 1445 S. Main Street and 1432, 1438, 1444, and 1452 S. Hickory Street from O & I (Office & Institutional) and R-1 (Single-Family) Zoning Districts to C-2 (General Commercial) Zoning District.

During discussion it was explained this item is placed on today's Study Session Agenda in case additional information is provided or further discussion or questions from the City Commission to staff is necessary. Thereupon, City

June 2, 2004

Manager Weldon Padgett explained there were 4 items that came in and they have been distributed to the Commission and copies are available to the public.

Thereupon, Planning & Codes Administration Director Wynndee Lee provided photos of the area to the Governing Body.

Thereupon, City Manager Weldon Padgett introduced Mr. Jim Kaup who has been assisting the City on this rezoning request and noted that he will be in attendance at today's Regular Meeting at 7 p.m.

Other Items

Planning Commission Appointment

Thereupon, the Governing Body reviewed an original application from Mr. Entress for the Planning Commission vacancy. Thereupon, Commissioner Jackson recommended placing applicants Cal Lantis, Richard Warren, and Linda Reed on the Planning Commission. Thereupon, the Governing Body agreed with this recommendation and agreed to place this item on the Regular Meeting Agenda today at 7 p.m.

Flint Hills Nature Trail-Dan Pickert

Thereupon, the Governing Body reviewed a letter of request from Mr. Dan Pickert who was soliciting City support and participation to improve the Flint Hills Nature Trail. Thereupon, the Governing Body requested staff to contact Mr. Pickert and ask if he could provide more information and attend a Study Session regarding his request.

Budget Calendar-2005

Thereupon, the Governing Body reviewed a Budget Calendar for 2005. It was noted Commissioner Henningsen might be gone July 19.

During discussion it was explained by City Manager Weldon Padgett that this calendar is subject to change. Mayor Ramsey stated the Public Hearing and adoption needed to be a night meeting. City Manager Weldon Padgett explained the two Regular Meetings in August might be switched making the 1st Wednesday meeting a 9:30 a.m. meeting and the 3rd Wednesday meeting at 7 p.m.

June 2, 2004

Thereupon, Mayor Ramsey inquired if the City had received the May report for City Sales Tax. Thereupon, City Clerk Scott Bird explained the County was almost flat but the City was up approximately \$5,000.

Open Agenda

Thereupon, Mayor Ramsey announced he will be attending the NLC Small Cities Conference in Tennessee.

Thereupon, Commissioner Gillette announced he will not be attending his first meeting for the Energy Environment and Natural Resources Policy Steering Committee as a cost saving measure to the City.

Announcements

Thereupon, the Mayor announced:

1. June 2, 2004: Next Regular City Commission meeting at 7 p.m.
2. June 7, 2004: Work Study Session at 3 p.m. (It was noted the Governing Body will meet at the Wastewater Treatment Plant for a tour at 3 p.m.)

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

June 2, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 7, 2004

The Governing Body met at 3 p.m. this date at the Wastewater Treatment Plant meeting room with the following members present and participating to wit: Mayor Ramsey, Commissioner Fleer, Commissioner Gillette, Commissioner Henningsen, and Commissioner Jackson absent. A quorum was present.

The Mayor called the meeting to order at 3:03 p.m. stating that the Governing Body would participate in a tour of the new Wastewater Treatment Plant.

Thereupon, the Governing Body heard from Mr. Jim Martin with Professional Engineering Consultants who explained that the Wastewater Treatment Plant is now operating and meeting compliance well ahead of schedule and it had come in slightly under the projected cost. Mr. Martin gave a quick overview of how the plant operates. Wastewater Treatment Plant Superintendent Bob Hollon reported that the month of May had averaged 1.33 million gallons per day, which is half of the current capacity. However, last Saturday the plant had handled 4 million gallons because of the rapid rainfall. Mr. Hollon expressed pleasure with the performance of the new plant. It was further noted that the plant is capable of being expanded to twice its current maximum capacity and was constructed, with that in mind, so the cost would be reduced when expansion becomes necessary.

Recess for Tour

Thereupon, at approximately 3:10 p.m. the meeting was recessed to participate in the tour of the plant.

Reconvene into Regular Study Session

Thereupon, at 4:04 p.m. the Mayor reconvened the meeting in the same Wastewater Treatment Plant meeting room.

Mayor Ramsey suggested an Open House for the Wastewater Treatment Plant noting that it would be of interest to the public to have an opportunity to see this facility.

Jim Martin with PEC stated they would be very interested in working with the City to conduct an Open House and he knew CAS Construction, the construction company that built the new facility, would be interested as well.

Public Comments

None offered at this time.

June 7, 2004

Items to be placed on Regular Meeting Agenda

Great Race

Thereupon, the Governing Body heard from Mr. Jason Camis, Director of the Franklin County Convention & Visitors Bureau, who requested street closings for Wednesday, June 23, 2004. After some discussion and staff input it was decided the organizers would work with First Bank to make sure 3rd Street stayed open as long as possible in order to allow customers access to the driveup windows and the ATM.

CMB License- Casey's Retail Company

Thereupon, the Governing Body considered an application for Retail Cereal Malt Beverage licenses located at 1002 N. Main and 1019 W. 7th Street for the Casey's Retail Company formerly known as Casey's General Store. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Ottawa Chiropractic Clinic

Thereupon, the Governing Body considered a request from Ottawa Chiropractic Clinic to close a portion of the alley east of their building at 15th & Main on Sunday, June 27, 2004, from 4-6 p.m. for an Open House. The Governing Body considered this request and agreed by consensus.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for May 24, 2004, Study Session and agreed to place these on the Regular Meeting Agenda.

Sale of City Property

Thereupon, the Governing Body reviewed a recommendation that the City sell property located at 402 East 4th Street. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to allow staff to go forward with the plan to sell this property and to bring back information at a later date. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

June 7, 2004

Monthly Financial and Activity Reports-May

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of May and heard an update on code enforcement from Planning and Codes Administration Director Wynndee Lee.

Open Agenda

Thereupon, it was noted that the Orli Cox bathroom facility had not been opened during the Memorial Day weekend and Commissioner Gillette asked to have follow up on this issue with the Recreation Commission.

Thereupon, it was noted that a letter of resignation had been received from Ms. Candy Wasser who is currently serving on the Planning Commission. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to accept the resignation with regrets. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved. Thereupon, the Governing Body asked that staff make efforts to fill this position.

Thereupon, Mayor Ramsey noted that he will be leaving Wednesday and back Monday to attend the NLC Small Cities Conference.

Thereupon, the Governing Body heard from City Manager Weldon Padgett who complimented the quality of the Fire Department during the recent COOP fire and noted that this event had been controlled without injury.

Announcements

Thereupon, the Mayor announced:

1. June 14, 2004: Work Study Session at 4 p.m.
2. June 16, 2004: Next Regular City Commisison meeting at 9:30 a.m.
3. June 21, 2004: Work Study Session at 4 p.m.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
June 7, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 14, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from Mr. Gary Kuntz, District Representative for the Babe Ruth Baseball Association. Mr. Kuntz explained that Ottawa would be hosting the 13 Year Old Tournament this year and this is a special year for Babe Ruth noting that it is the 50th Year for Babe Ruth Baseball and the 35th Year for Babe Ruth Baseball in the City of Ottawa. He further explained that during the tournament scheduled for July 22-26, 2004, there will be 7 District Champs and it will cost approximately \$2,000 to host this event. The Elks Club is working to make this a successful program and Mr. Kuntz asked the Governing Body for a \$500 donation towards the event. The Governing Body agreed to help Babe Ruth Baseball with this project at an amount of \$500 and suggested they also speak with the Franklin County Tourism Director in regards to this issue.

New Business

Old Ottawa Middle School-506 S. Main

Thereupon, the Governing Body considered a resolution acknowledging the possible development of about 5.71 acres for affordable rental housing for senior citizens located at 506 S. Main (former Ottawa Middle School) and heard from developer Steve Foutch who explained there will be 21, Section 42, Tax Credit Units and 26 Market Rate Units related to this project. The Governing Body agreed to place this resolution on the Regular Meeting Agenda for June 16.

Temporary Note Financing-23rd Street Water Line

Thereupon, there was presented a resolution authorizing the public sale of not to exceed \$285,000 principal amount of general obligation temporary notes, series 2004, of the City of Ottawa, Kansas. The Governing Body considered this resolution and agreed to place it on the June 16, 2004, Regular Meeting Agenda.

June 14, 2004

2005 Budget

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and City Clerk Scott Bird the proposed Special Alcohol, Economic Development, Revolving Loan and Risk Management Reserve Funds.

Public Improvement-Sienna South Development 907 W. 17th Street

Thereupon, the Governing Body reviewed a resolution to accept public improvements for the Sienna South Development project and agreed to place this item on the Regular Meeting Agenda.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for the June 2, 2004 Regular Meeting and the Study Session Minutes for June 2, and June 7, 2004 and agreed to place these items on the Regular Meeting Agenda.

Consideration for Planning Commission

Thereupon, the Governing Body reviewed a list of past Planning Commissioners and applicants for an open position on the Planning Commission. It was noted that applications would close this Friday.

Open Agenda

Thereupon, Mayor Ramsey reported on his trip to the National League of Small Cities Conference noting that the number one issue is transportation.

Announcements

Thereupon, the Mayor announced:

1. June 16, 2004: Next Regular City Commission meeting at 9:30 a.m.
2. June 16, 2004: Joint City/County/School Meeting at noon at the County.
3. June 18, 2004: Retirement Reception for Jeff Herrman and Karen Chase 2-4 p.m. at the Law Enforcement Center.
4. June 21, 2004: Study Session (time to be decided)
5. June 28, 2004: Study Session (time to be decided)

June 14, 2004

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 5:01 p.m.

Scott D. Bird, City Clerk

June 14, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
June 16, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fler. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting June 2, 2004 and Study Session minutes for May 24, June 2 and 7, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Regular Agenda

Introductions and Presentations

Thereupon, Director of Utilities Jim Bradley introduced Nathan Wright as the new City Electric Distribution worker.

Thereupon, the Mayor recognized Police Chief Jeff Herrman for his 15 years of service as Police Chief of the Ottawa Police Department and Police Administrative Division Manager Karen Chase for 17 years of service to the City of Ottawa. Mayor pro tem Jackson presented plaques of recognition to both Chief Herrman and Ms. Chase.

New Business

Resolution-Redevelopment-Former Ottawa Middle School-506 S. Main

Thereupon, there was presented a resolution acknowledging the possible redevelopment of about 5.7 acres with a component involving affordable rental
June 16, 2004

development housing for senior citizens using Section 42 tax credits, subject to all applicable City ordinances, building codes, development review and building permit process. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained that the resolution had been requested by Allied Development LLC, the potential redeveloper of property located at 506 S. Main, (the former Ottawa Middle School). Part of the application process for the Section 42 tax credits required by the State of Kansas includes the adoption of such a resolution. However, it was pointed out that this resolution does not commit the City to any funding requirement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1283-04.

Resolution-General Obligation Temporary Notes-23rd St. Water Line

Thereupon, there was presented a resolution authorizing the public sale of General Obligation Temporary Notes, Series 2004, of the City of Ottawa, Kansas, not to exceed \$285,000 principal amount. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that Resolution 1278-04 previously authorized the 23rd Street water line project and today's resolution sets in motion the temporary financing for the project and will provide provisions for the long term financing in the future. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1284-04.

Resolution-Water and Sanitary Sewer Improvements-907 W. 17th St.

Thereupon, there was presented a resolution accepting the water and sanitary sewer public improvements installed at 907 W. 17th Street, Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that MIJER, LLC, is constructing multi-family dwelling units that require construction of City utility improvements (water and sanitary sewer). All appropriate easements have been granted and filed with the Register of Deeds. The water and sewer plans were approved, construction was

inspected, and the improvements ready to be accepted by the City. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1285-04.

Reports by Youth Delegates

Thereupon, the Governing Body heard from Mr. Andrew Huschka and a crowd of other Youth Delegates who thanked the Governing Body for their support and especially Mayor Ramsey for attending the recently conducted Leadership Camp. Mr. Huschka informed the Governing Body that participants came from Ottawa, Williamsburg, Wellsville, Osawatomie, Richmond and Garnett.

Thereupon, the Governing Body heard from Ms. Angela Schreffler, sponsor of the Youth-In-Government and Youth Action Council, who stated that all of the youth had done a good job and deserve a lot of credit for the success of the camp.

Reports by City Manager

Thereupon, the City Manager announced that there are 3 public agencies offering a collective reward for information leading to an arrest of the arson fire at the Coop building. Information can be called to the TIPS Hotline or our local law enforcement office.

Announcements

Thereupon, the Mayor announced:

1. June 16, 2004: Joint City/County/School Meeting today at noon in the Franklin County Jail Basement.
2. June 18, 2004: Retirement Reception for Jeff Herrman and Karen Chase 2-4 p.m. at the Law Enforcement Center.
3. June 21, 2004: Work Study Session (time to be decided)
4. June 28, 2004: Work Study Session (time to be decided)
5. July 5, 2004: No Work Study Session-4th of July Holiday observed on July 5th.

NEXT REGULAR MEETING: JULY 7, 2004, AT 7 P.M.

June 16, 2004

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:49 a.m.

Scott D. Bird, City Clerk

June 16, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 21, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from John Wise, 811 W. 5th Street, who stated he had a backing incident at 3rd and Maple, hitting another car but causing no damage. However, the insurance company wanted the Police Department to be called which resulted in a \$125 ticket to Mr. Wise. Mr. Wise complained that on street parking should be looked into and restricted on narrow streets. He also thanked Public Works Director Andy Haney for his help with the Car Show and other problems that he has encountered.

Thereupon, the Governing Body heard from Ms. Dorothy Manchester, 4th & Pine, who noted that the property behind her has had a basement poured and no further improvement made to the property. She said, "not only is it an eyesore, but it is full of water, causing concern for children, mosquitoes, weeds and a downed fence makes it terribly unsightly." She asked for help to proceed with this problem. Thereupon, the Governing Body heard from City Manager Weldon Padgett who said that the nearby property owners have been more than patient. The property has changed hands and have been given 10 days to correct this problem. Planning and Codes Administration Director Wynndee Lee noted if the problem isn't taken care of by the new owners that the City will pump the water and backfill the foundation. Ms. Manchester thanked the Governing Body and also stated that she is very proud of the way the majority of the community looks and is proud of the work being done.

Planning Commission Appointment

Thereupon, the Governing Body reviewed applications for a one-year unexpired term on the Planning Commission from Colton Waymire, Miri Melton, Laura Ansley, Keith Entress, Ed York and Catherine Naden. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to appoint Mr. Ed York to fill a one-year unexpired term on the Planning Commission. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

June 21, 2004

Thereupon, Mayor Ramsey stated that an ethical concern had been raised regarding Mr. Lantis and Mr. York noting that Mr. Lantis is running for State Senate and Mr. York has some involvement with the campaign. The question being, is there a conflict of interest?

Thereupon, City Attorney Bob Bezek responded to this concern stating that a conflict arises out of the issue not out of the position and conflicts are transactional in nature. There is no financial issue at stake and while a conflict might arise with the fact that Mr. York and Mr. Lantis have a prior relationship it does not create a conflict of interest. Mr. Bezek stated that the answer to the question is no.

2005 Budget Review

Thereupon, the Governing Body reviewed the budget request for Water, Wastewater, and Equipment Reserve funds for the 2005 Budget Year. City Manager Weldon Padgett noted that the Water Fund is healthy. However, the Wastewater Fund is a matter of concern. The Governing Body reviewed these items with the City Manager, Director of Utilities, and the City Clerk. It was noted that any or all of these budgets could be brought back to the Governing Body before the end of the budget process. It was further noted that a rate study for the utilities is being prepared and will be brought before the Governing Body. However, no additional rates have been included in the Utility Funds.

Presentation of 2005 Request-Bea Martin Peck Animal Shelter

Thereupon, the Governing Body heard from Dr. Larry Mages and Ms. Emily Mathias who expressed their pleasure with the new Animal Control Officer and presented a budget based on the number of animals treated and cared for at the shelter. It was noted that the proposed 2005 for the Animal Shelter increase was substantial, going from \$45,495 to \$58,306 and questions included personnel expenses. Dr. Mages responded that the shelter is looking at adding an Operations Manager and that Emily would be advanced to the position of Director where she will write grants, raise funds, and attend meetings to promote the shelter. Thereupon, City Manager Weldon Padgett noted along with the City's Animal Control Officer that if this increase goes through it will put the City's expenditures for animal control in excess of \$90,000, which is, more than the Chamber of Commerce and Main Street received combined. Thereupon, the City

Manager suggested investigations be done with other communities to determine how they are handling animal control. The Governing Body agreed by consensus to the City Manager's suggestion.

Open Agenda

Thereupon, Commissioner Gillette stated he had seen one of those personal scooters with a full-grown adult, sitting on the scooter, driving it with an infant on his lap. Commissioner Gillette expressed concern over the public safety issue and asked that this issue be looked into.

Thereupon, Commissioner Jackson stated a legislative report would be published in the next League publication, which will list how the Legislators have voted over the last session.

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss matters of security. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed for a period of 5 minutes and to reconvene in the same Work Study Session at 5:15 p.m.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 5:15 p.m.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

June 21, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 28, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Flint Hills Nature Trail

Thereupon, the Governing Body heard from Mr. Dan Pickert who asked the City for involvement in the development of the Flint Hills Nature Trail. Mr. Pickert noted that this 2.3 miles of rail banked trail within the City of Ottawa could be an asset to the community and asked the Governing Body to consider a lease agreement, similar to the one Kanza Rail-Trails Conservancy, Inc. has with Topeka, whereby the City would own the trail within the city limits and the Kanza Rail-Trails Conservancy, Inc. would lease the facility back for a dollar a year. The Governing Body asked for additional information and for this issue to be brought back at a later date.

First Friday Coffeehouse-Ottawa Community Arts Council

Thereupon, the Governing Body considered a request from Mark Paquette with the Ottawa Community Arts Council to conduct their First Friday Coffeehouse entertainment outside on the evening of July 2, 2004, and to set up a stage in front for the Carnegie Cultural Center. It was noted that the performances would begin at 6 pm with Thomas McGregor, Lawrence Dysart, Steve Strickland and the "Big O" providing entertainment. The Governing Body agreed by consensus to this request.

2005 Budget Request-Ottawa Main Street

Thereupon, the Governing Body heard from Mary Allison Hayne, Ottawa Main Street Director, who reviewed the past years Main Street activities and requested funding continue for this program.

June 28, 2004

2005 Budget-Human Resources

Thereupon, the Governing Body reviewed the Human Resources budget for the Year 2005 with City Manager Weldon Padgett and City Clerk Scott Bird.

Resolution-23rd Street Water Line

Thereupon, the Governing Body reviewed a resolution authorizing the issuance and delivery of \$285,000 principal amount of General Obligation Temporary Notes. Thereupon, the Governing Body heard from City Clerk Scott Bird who indicated that these notes would be bid on July 7, 2004, and results brought to the Regular Meeting of the Governing Body on that date. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for June 14, 21, 2004, Work Study Session and the Regular meeting on June 16, 2004. Thereupon, the Mayor asked for changes and the Governing Body agreed to place these items on the Regular Meeting Agenda with the changes.

Introduction-Police Chief Dennis Butler

Thereupon, City Manager Weldon Padgett introduced Police Chief Dennis Butler to the Governing Body and those in attendance.

Cereal Malt Beverage License-Wood Oil

Thereupon, there was presented a license for the sale of Cereal Malt Beverage License by the package for Wood Oil Company at 2120 Princeton Road. It was noted that staff had had the opportunity to review this application and recommended its approval. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

Open Agenda

Thereupon, the Governing Body heard from Commissioner Jackson regarding upcoming League issues particularly the annual League meeting starting on October 2, 2004, in Overland Park. Thereupon, the Mayor stated he would like to

June 28, 2004

have Ottawa have a booth during the League Meeting and coordinate with Main Street and or possibly the Tourism Committee.

Thereupon, the Mayor announced that the City is in line to possibly receive a \$75,000 swimming pool grant, which had been applied for previously.

Announcements

Thereupon, the Mayor announced:

1. July 5, 2004: No Work Study Session-City offices closed for July 4th holiday.
2. July 7, 2004: Next Regular City Commission meeting at 7 pm
3. July 12, 2004: Work Study Session (time to be decided)
4. July 19, 2004: Work Study Session (time to be decided)

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

June 28, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
July 7, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting June 16, 2004 and Study Session minutes for June 14, 21, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Francisco Mora, 621 N King, who expressed concerns and requested a meeting with the Retired Police Chief, Inspection Department, and the Franklin County Sheriff. Thereupon, Mayor Ramsey remanded Mr. Mora's concerns to City Manager Weldon Padgett.

Proclamation-Hong Kong/Malaysia Day

Thereupon, Mayor Ramsey read a proclamation declaring July 9, 2004, Hong Kong and Malaysia Day in the City of Ottawa, Kansas. Dr. Murle Mordy of Ottawa University and two students were in attendance and accepted the proclamation on behalf of the university.

New Business

Results of Temporary Note Bid Opening

Thereupon, City Clerk Scott Bird presented a report of the bid results relating to temporary financing of the 23rd Street Water Line project. Bids were received from Country Club Bank @ 1.920%; Commerce Bank @ 2.000%; Kansas State Bank of Ottawa @ 2.00%; UMB Bank @ 2.195%; and Cooper Malone McClain, Inc. @ 2.500%.

July 7, 2004

Thereupon, City Clerk Scott Bird announced **Country Club Bank** as the lowest bidder and recommended the acceptance of this bid to the Governing Body:

Stated Interest Rate: 1.70%
Total Interest Cost: \$4,845.00
Discount: \$627.00
Net Interest Cost: \$5,472.00 Average
Annual Net Interest Rate: 1.92%

Resolution-\$285,000 General Obligation Temporary Notes-23rd St. Water Line

Thereupon, there was presented a resolution authorizing the issuance and delivery of \$285,000 principal amount of General Obligation Temporary Notes, Series 2004, of the City of Ottawa, Kansas, for the purpose of temporarily financing the cost of the 23rd Street water line of the City. Thereupon, Commissioner Gillette made a motion, seconded Commissioner Henningsen, to approve the resolution as presented.

During discussion it was explained the City is constructing a water main estimated to cost around \$285,000 that will be paid in whole or in part by the issuance of general obligation (GO) bonds. It is necessary for the City to provide cash funds (from time to time) to meet its obligation incurred in constructing the improvements prior to the completion of the work and the issuance of the City's GO bonds, and it is desirable and in the interest of the City that such funds be raised by the issuance of temporary notes. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1286-04.

Reports by Youth

Thereupon, Youth-In-Government representative Ms. Erin Rogers stated the Youth-In-Government members are currently winding down for this year, as well as, distributing applications to interested students for the next school year.

Thereupon, Mayor Ramsey announced there will be a Mayor's Youth Summit scheduled for September 11, 2004, and they are currently seeking a guest speaker.

July 7, 2004

Reports by City Commission

Thereupon, Commissioner Jackson requested information on the legality of the United States Post Office requiring residents to move their mailbox to the curb. Thereupon, City Manager Weldon Padgett stated he will work with the City Attorney on this request and report back to the Governing Body.

Reports by Mayor

Thereupon, Mayor Ramsey asked the City Manager to introduce our new Police Chief. Thereupon, Weldon Padgett introduced the new Police Chief Dennis Butler.

Announcements

Thereupon, the Mayor announced:

1. July 12, 2004: Work Study Session (time to be decided)
2. July 16, 2004: Chamber Coffee to welcome Police Chief Dennis Butler and his family at 8 a.m., at the Law Enforcement Center.
3. July 19, 2004: Work Study Session (time to be decided)

NEXT REGULAR MEETING: JULY 21, 2004, AT 9:30

Adjournment

There being no further business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

July 7, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 12, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Dust Control

Thereupon, City Manager Weldon Padgett and Public Works Director Andy Haney discussed areas that are contracted to be treated with dust control. It was noted that there have been delays in applying the dust control due to rain. City Staff is doing all the road preparation and the contractor will only be applying the chemical to control the dust.

2005 Budget

Chamber of Commerce-Economic Development Fund

Thereupon, Chamber of Commerce Director Tom Weigand discussed with the Governing Body the 2005 Budget Economic Development Fund. Mr. Weigand noted that his request is the same as last year, but requested the Governing Body's consideration for an increase to allow more proactive recruitment.

Franklin County Historical Society

Thereupon, Franklin County Historical Society Director Deb Barker gave a presentation on behalf of the Historical Society with regards to their history and budget items. Thereupon, the Governing Body discussed with Ms. Barker funding already provided by the City (\$26,000 to date for parking) and requested additional information on the Historical Society's operational budget.

Municipal Airport

Thereupon, the Governing Body discussed with City Manager Weldon Padgett the 2005 Budget and different options for the Airport. The City Manager explained later in the year

July 12, 2004

there will be a review of existing contracts for airport management. In addition, the City Manager stated he couldn't tell the Governing Body what the City might be doing next year with regards to the airport but they would be involved in any changes.

Community Services

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and City Clerk Scott Bird the Community Service budgets. The City Manager will be putting together a report and bringing it back to the Governing Body on animal control.

Electric Budget

Thereupon, the Governing Body reviewed the Electric Budget for 2005 with City Manager Weldon Padgett, Utility Director Jim Bradley, and City Clerk Scott Bird.

US Postal Service Authority

Thereupon, City Attorney Bob Bezek discussed with the Governing Body that the US Postal Service does have the authority to "hold" the mail and put terms and conditions on how patrons receive it. They are not required to deliver.

Monthly Financial and Activity Report-June 2004

Thereupon, the Mayor asked that the Monthly Financial and Activity Report for June be deferred until the next Study Session. It was agreed upon by consensus to place this item on the next Study Session scheduled for July 19, 2004.

Cemetery Interment

Thereupon, the Governing Body reviewed an existing ordinance addressing cemetery interment. Thereupon, the Governing Body requested an amended ordinance be brought to the next Study Session scheduled for July 19, 2004 to address the number and type of interments that can be placed in a single plot (5' X10').

Review of Minutes

Thereupon, the Governing Body reviewed minutes from June 28, 2004, Work Study Session and Regular Minutes for July 7, 2004 and agreed to place these items on the Regular Agenda for July 21, 2004 with one change.

July 12, 2004

Open Agenda

Thereupon, Commissioner Gillette asked about the proposed crematory the Planning Commission was looking at. Thereupon, Planning & Codes Administration Director Wynndee Lee explained a Public Hearing will be held Wednesday, July 14, 2004, on this issue.

Thereupon, Fire Chief Jeff Carner explained Mr. Gary Kuntz had recently been before the Governing Body to discuss the upcoming baseball tournament at Orlis Cox Field. Chief Carner today had received a verbal request for permission to allow the discharge of fireworks at the start of the tournament. Chief Carner also explained he had received a certificate of insurance. Thereupon, Chief Carner requested the Governing Body's approval to allow the fireworks and stated he had no problems with allowing this request because they have met all the guidelines. Thereupon, the Governing Body agreed by consensus to approve this request.

Thereupon, Commissioner Fleer stated she has had positive feedback on the spraying of mosquitoes.

Thereupon, Mayor Ramsey announced he would be presenting a proclamation, on behalf of the City, to Board Secretary LaDean Sypher who is retiring from USD 290 after 22 years of service.

Announcements

Thereupon, the Mayor announced:

1. July 16, 2004: Chamber Coffee to introduce and welcome Dennis Butler and family at 8 a.m., at the Law Enforcement Center.
2. July 19, 2004: Work Study Session meeting (time to be decided)
3. July 21, 2004: Regular City Commission meeting at 9:30 a.m.
4. July 21, 2004: Joint City/County/School meeting at noon, at City Hall.
5. July 26, 2004: Work Study Session (time to be decided)
6. August 4, 2004: Pictures for the Governing Body at 6:30 p.m. in the Commission Chambers.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
July 12, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 19, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor pro tem Jackson, Commissioner Fleer, and Commissioner Gillette. Mayor Ramsey and Commissioner Henningsen were absent. A quorum was present.

The Mayor pro tem called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to Placed on the Regular City Commission Agenda

Equipment Purchase-Water Plant

Thereupon, the Governing Body reviewed with Utility Director Jim Bradley a request outlining the need for purchasing a ChlorTriner for the water plant. Mr. Bradley explained this equipment is designed to capture any leak from the existing chlorine cylinder and send an alarm to the operators. The quote for the complete system is estimated at \$150,500. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve this request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the request duly approved.

Ordinance-City Cemetery

Thereupon, the Governing Body reviewed an ordinance to amend the City's Cemetery Ordinance. An addition to the ordinance was requested to regulate the number and type of burials allowed per space at the City cemeteries. The City Attorney, Public Works Director, Cemetery Sexton and staff agree with the language and recommend the Ordinance be placed on the agenda. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda scheduled for July 21, 2004.

Appreciation Plaque

Thereupon, City Manager Weldon Padgett stated Habitat for Humanity would like to present a plaque of appreciation to the City of Ottawa in recognition of the Labor Free Contributions made by the City of Ottawa. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for July 21, 2004.

July 19, 2004

Review of Minutes

Thereupon, the Governing Body reviewed and agreed to place the Study Session Minutes for July 12, 2004, on the next Regular Agenda.

2005 Budget Discussions

Thereupon, the Governing Body and Staff discussed the following funds for the 2005 Budget:

- Library
- Ottawa Municipal Auditorium
- Special Park and recreation
- General Obligation Debt
- City Commission/Manager
- Planning and Code Administration
- Employee Benefits

Cemetery Interment

Thereupon, Ms. Karen Douthat, 1112 S Cedar, stated the wording in the above mentioned cemetery ordinance change was insufficient and thought the City Manager might have to make a lot of choices with regards to burial. Thereupon, the City Manager assured Ms. Douthat that this issue does not come up often and staff expects that trend to continue. However, if it becomes a problem the City Manager will bring it back to the Governing Body for additional changes and/or an amendment.

Monthly Financial and Activity Report-June 2004

Thereupon, the Governing Body reviewed with staff the Monthly Financial and Activity Report reports for the month of June 2004.

Open Agenda

Thereupon, City Manager Weldon Padgett stated some items might be deferred to the August 18, 2004, in hopes the Mayor will be able to participate.

Thereupon, City Manager Weldon Padgett stated he would be out of the office August 9-13, 2004. However, if needed a Study Session could be scheduled for August 9, 2004.

July 19, 2004

Thereupon, Mayor pro tem Jackson and the Governing Body discussed being flexible during Mayor Ramsey's absence.

Thereupon, the Mayor pro tem Jackson asked for feedback to be brought back to the Governing Body regarding "disc golf" at Kanza Park and asked if the demonstration to neighbors had taken place. Thereupon, City Manager Weldon Padgett explained he had additional information and would forward the information to the Governing Body.

Announcements

Thereupon, Mayor pro tem announced:

1. July 21, 2004: Regular City Commission meeting at 9:30 a.m.
2. July 21, 2004: Joint City/County/School meeting 12 pm (City Hall)

Thereupon, the Mayor pro tem asked the Governing Body and Staff if the City would have an agenda prepared for the joint meeting we are hosting. Thereupon, it was understood if items were brought forward an agenda would be prepared.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the meeting duly adjourned.

Scott D. Bird, City Clerk

July 19, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
July 21, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating in wit: Mayor pro tem Jackson, Commissioner Gillette, and Commissioner Fleer. Mayor Ramsey and Commissioner Henningsen were absent. A quorum was present.

Mayor pro tem Jackson called the meeting to order and welcomed the Chamber audience. Thereupon, he led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting July 7, 2004 and Study Session minutes for June 28, and July 12, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the consent agenda duly approved.

Public Comments

None offered at this time.

Appreciation Plaque-Habitat for Humanity

Thereupon, President of Habitat for Humanity Ryan Henningsen presented the Governing Body with an appreciation plaque. Mr. Henningsen expressed Habitat's appreciation to the City for waiving inspection fees, which were a great savings to the program. Mr. Henningsen invited anyone interested to join Habitat for Humanity during their annual golf tournament being held in August. This activity is a major fundraiser for the program.

Thereupon, Mayor pro tem Jackson thanked Habitat for Humanity and everyone involved in this program for making a difference in the community, stating it takes a lot of hard work and people being involved to keep the program going and the City appreciates everyone's efforts.

Introduction of New Employees

Thereupon, Public Works Director Andy Haney introduced Mr. Neil Satterlee, as the new Equipment Operator in the Parks Division. Mr. Satterlee recently came to the City of Ottawa from Baker University.

July 21, 2004

Thereupon, City Manager Weldon Padgett introduced Nikki Spencer who is a student at Kansas University. Nikki started for the City recently and will be a City Management Intern. Nikki explained she currently is working on researching animal control and Bea Martin Peck, as well as, what other cities are doing. She hopes to work on a project with Planning and Codes Administration Director Wynndee Lee on current signage within the City.

Ordinance-Interment Restriction

Thereupon, there was presented an ordinance amending Section 7-110 "Use of Lots; Interments Restricted", of the Municipal Code. Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the ordinance as presented.

During discussion it was explained the ordinance now includes an addition that regulates the number and type of burial allowed per space at the City cemeteries. The City Attorney, Public Works Director, Cemetery Sexton, and staff agree with the added language and recommend approval. City Manager Weldon Padgett explained this change allows some flexibility to make an exception if needed when circumstances warranted it. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the ordinance duly adopted by a 3-0 vote, and the ordinance was duly numbered Ordinance No. 3475-04.

Announcements

Thereupon, the Mayor pro tem announced:

1. July 21, 2004: Joint City/County/School meeting 12 pm (City Hall)
2. July 26, 2004: Work Study Session (time to be decided)

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:45 a.m.

Scott D. Bird, City Clerk
July 21, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
July 26, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor pro tem Jackson, Commissioner Fler, and Commissioner Gillette. Mayor Ramsey and Commissioner Henningsen were absent. A quorum was present.

The Mayor pro tem called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be placed on the Regular City Commission Agenda

Review of Minutes

Thereupon, the Governing Body reviewed the Regular Meeting Minutes from July 21, 2004, and the Study Session Minutes from July 19, 2004, and agreed to place these items on the Regular Meeting Agenda for August 4, 2004.

Items for Discussion

Bea Martin Peck Financing and Report

Thereupon, the Governing Body considered a report from the City Manager regarding increased cost for the Animal Shelter and the 2005 Budget request. The City Manager explained that so far the 2005 Budget has been held flat in regards to this item. However, the Shelter has requested an increase from approximately \$45,000 to \$58,000. Thereupon, the Governing Body stated they were in favor of the recommendation that the City solicit a contractual relationship with a local veterinarian or the Animal Shelter to handle animals captured by the City's ACO and be responsible for euthanizing and disposition of unclaimed animals. The City Manager suggested that representatives from Bea Martin Peck be allowed the opportunity to review the report and be present at the next Study Session. The Governing Body agreed to this by consensus.

Thereupon, Commissioner Henningsen arrived at 3:39 p.m.

July 26, 2004

2005 Budget

Thereupon, the Governing Body and Staff discussed the following funds for the 2005 Budget:

- Fire
- Human Resources (revisited)
- Municipal Court
- Public Works (with report on parks building)
- City Clerk/Finance
- WWTP Debt Fund
- CIP-Existing Debt Obligation and Unfunded projects list

Other Items from Staff or the City Commission

Outdoor Band-Country Club

Thereupon, the Governing Body reviewed a request from the Country Club to hold live music outside on the patio of the Country Club and agreed that items such as these be handled by the Police Dept. if complaints occur.

Motorized Scooters

Thereupon, the Governing Body heard from City Attorney Bob Bezek who stated motorized scooters are motorized vehicles; they are not registered, and should not be operating on City streets. The Governing Body gave direction to the City Attorney to draft an ordinance and define boundaries as to where such vehicles would be prohibited.

Open Agenda

Thereupon, Commissioner Fleer inquired about the presence of an attorney, other than the City Attorney, at the recent Planning and Zoning meeting. Thereupon, the City Manager explained the City contracts from time-to-time with attorney's with expertise in certain areas. Ms. Wynndee Lee explained her department has budgeted authority for such types of contractual assistance.

Thereupon, the City Manager stated the Governing Body would receive an overall budget at the next Study Session scheduled for August 2, 2004, and other items to be discussed would include Police Department budget, as well as, rediscussion of

July 26, 2004

the Bea Martin Peck Animal Shelter request, and the Franklin County Historical Society request.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the meeting duly adjourned.

Scott D. Bird, City Clerk

July 26, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 2, 2004

The Governing Body met at 3 p.m. this date with the following members present and participating to wit: Mayor pro tem Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. Mayor Ramsey absent. A quorum was present.

The Mayor pro tem called the meeting to order and asked for Public Comments.

Bea Martin Peck-Funding

Thereupon, the Governing Body heard from representatives of Bea Martin Peck animal shelter Dr. Larry Mages and Ms. Emily Mathias. After discussion the Governing Body agreed by consensus to budget \$45,500 for the 2005 City Budget. It was explained this is the same funding as provided to the shelter in 2004. Thereupon, City Manager Weldon Padgett stated he would like to have a City representative on the shelter board if the City is to continue funding. Thereupon, Mayor pro tem Jackson asked that there be accountability for the funding, as well as, the City look at reviewing ordinance's and fees related to animal control.

Public Comments

Thereupon, the Governing Body reviewed a request from Ruth Moore, VFW Post 5901, & The Ladies' Auxiliary to have the City waive the rental fee at Ottawa Municipal Auditorium in the amount of \$250 on September 11, 2004. This group will be holding a benefit concert to aid a victim of Cystic Fibrosis who is in need of a double lung transplant. Thereupon, the Governing Body agreed to this request.

Special Use Permit-ABC Daycare

Thereupon, the Governing Body reviewed a resolution to allow a Special Use Permit (SUP) for expansion of ABC Daycare in an I-1 Zoning District located at 1250 Commercial Road. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for August 4, 2004.

Special Use Permit-Crematory-211 E. 3rd

Thereupon, the Governing Body reviewed a resolution to allow a crematory in a C-3 Zoning District at 211 E. 3rd. Thereupon, the Governing Body agreed to place this resolution on the Regular Meeting Agenda for August 4, 2004.

August 2, 2004

Special Use Permit-Cemetery Equipment 1124 N Main

Thereupon, the Governing Body reviewed a resolution to allow storage of cemetery equipment in a C-2 Zoning District at 1124 N Main. The Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for August 4, 2004.

Rezone-East side of the 700 Block of King Street

Thereupon, the Governing Body reviewed an ordinance to rezone an area located on the East side of the 700 Block of King Street from I-2 (Heavy Industrial District) to R-1 (Single-Family Dwelling District). Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for August 4, 2004.

Neighborhood Revitalization Program-506 S Main (former Ottawa Middle School)

Thereupon, the Governing Body reviewed a Neighborhood Revitalization Program application for 506 S. Main and agreed to place this item on the Regular Meeting Agenda for August 4, 2004.

Ordinance-Unlicensed Motorized Vehicles

Thereupon, the Governing Body reviewed an ordinance to clarify that unlicensed motorized vehicles and similar vehicles are not allowed on sidewalks downtown. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for August 4, 2004.

Review of Minutes

Thereupon, the Governing Body agreed to place the minutes from the Study Session of July 26, 2004, on the Regular Meeting Agenda on August 4, 2004, with one correction.

Youth-In-Government By-Laws

Thereupon, the Governing Body reviewed the Youth-In-Government proposed by-law changes with Y-I-G members Andrew Huschka, Heather Parkin, and ECKAN/Ottawa Volunteer Center Director Angela Schreffler. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for approval on August 4, 2004.

August 2, 2004

Youth-In-Government Budget Request

Thereupon, the Governing Body reviewed the Youth-In-Government proposed budget increase request for up to \$6,000 with Y-I-G members Andrew Huschka, Heather Parkin, and ECKAN/Ottawa Volunteer Center Director Angela Schreffler. Thereupon, the Governing Body agreed by consensus to increase the Y-I-G budget by \$1,500 (instead of the requested \$3,000) making their total funding from the City \$4,500 for the 2005 Budget. Thereupon, City Clerk Scott Bird asked if the Y-I-G program was classified under 501 C3. Thereupon, Ms. Schreffler stated they were under ECKAN. Mr. Bird suggested the members look into possible funding from United Way.

2005 Budget-Police Chief Dennis Butler

Thereupon, the Governing Body reviewed the Police Department 2005 Budget with City Manager Weldon Padgett, Police Chief Dennis Butler, and City Clerk Scott Bird. It was explained this budget was purposefully delayed so extra time could be spent on several items, including the schedule for replacing the patrol vehicles, capital purchases and reviewing the individual line items.

2005 Budget-Final Review All Funds

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and City Clerk Scott Bird all funds. Thereupon, it was noted there will be a Public Hearing at the August 18, 2004, Regular City Commission Meeting scheduled for 7 p.m. City Manager Weldon Padgett and City Clerk Scott Bird will summarize the budget at the Public Hearing.

Historical Society Funding

Thereupon, the Governing Body discussed the Historical Society Budget and agreed by consensus to fund \$2,500 from the City 2005 Budget.

Open Agenda

Thereupon, City Manager Weldon Padgett discussed with the Governing Body the need to explore an increase in sales tax. Thereupon, Commissioner Henningsen stated she would like for the Governing Body and Staff to start working on this.

August 2, 2004

Mayor pro tem Jackson requested questions or comments regarding the budget be allowed during the Regular Meeting scheduled for August 4, 2004. Thereupon, City Clerk Scott Bird explained this is possible but it would not be a formal Public Hearing as it is too late to publish a notice for August 4.

Thereupon, Mayor pro tem Jackson announced there will be an opening on the Library Board and requested the position be advertised in the paper, as well as, on the Government Access Channel. Thereupon, Library Director Barbara Dew stated applicants do need to live in the City limits.

Thereupon, Mayor pro tem Jackson reviewed the memo from City Manager Weldon Padgett and stated the 2004 Housing Report was a good overview of those involved with housing.

Thereupon, Mayor pro tem Jackson announced the Governing Body photo will be taken upon the return of the Mayor.

Thereupon, Commissioner Henningsen asked about lights being out on ball diamonds at Forest Park. Thereupon, Utility Director Jim Bradley stated he wasn't aware of bulbs being out and will follow up on Commissioner Henningsen's concern.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

August 2, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
August 4, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor pro tem Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. Mayor Ramsey was absent. A quorum was present.

Mayor pro tem Jackson called the meeting to order and welcomed the Chamber audience. Thereupon, he led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting July 21, 2004 and Study Session minutes for July 19, and July 26, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the consent agenda duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Matthew Brandes, 29 Wheatland Drive, who expressed concerns regarding the local airport. Mr. Brandes asked to be kept informed regarding the current FBO's contract and any pending improvements at the airport.

2005 Budget

Thereupon, Mayor pro tem Jackson asked if anyone had comments regarding the 2005 Budget. There being no comments he stated there have been 8 public meetings to review each City fund in detail. The Governing Body is proposing a 2005 budget that is about 2% (or a little less than one mill) higher than the 2004 Budget.

Thereupon, Mayor pro tem Jackson asked for approval to publish a "Notice" of the Budget Hearing. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, the approval to publish a "Notice" of the Budget Hearing scheduled for August 18, 2004, at 7 p.m. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor pro tem declared the requested approval to publish the "Notice" of the Budget Hearing duly approved.

August 4, 2004

Resolution-Special Use Permit-ABC Daycare

Thereupon, the Governing Body reviewed a resolution granting a Special Use Permit for the expansion of a daycare in the I-1 Zoning District at 1250 Commercial Road requested by Juanita Peckham.

Thereupon, Mr. Marion Butts, 3304 Thornbird Ave, Blue Springs, Missouri spoke in opposition of the proposed Special Use Permit.

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the resolution as presented.

During discussion it was explained the Planning Commission reviewed the special use permit request, held a public hearing and recommended approval by a 7-0 vote with the following conditions:

1. Facility is to be connected to appropriate sanitary system
2. Owner shall sign any petition for the formation of sanitary sewer system
3. Participate in any road improvement project on Commercial and/or Division Roads
4. Plant flowers, 2-3 trees and stormwater control through berming design
5. Maintain all state and city licenses and permits required of daycare facilities

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1287-04.

Resolution-Special Use Permit-Crematory 211 E. 3rd

Thereupon, the Governing Body reviewed a resolution granting a Special Use Permit for a crematory in the C-3 Zoning District at 211 E. 3rd requested by Craig Dengel, in the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve the resolution as presented.

During discussion it was explained the Planning Commission recommended by a vote of 7-0 the approval of this Special Use Permit with the following conditions:

1. Special Use Permit be reviewed after 1 year
2. The building remodel is to be completed in accordance with applicable building and fire codes

August 4, 2004

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1288-04.

Resolution-Special Use Permit-Cemetery Equipment 1124 N Main

Thereupon, the Governing Body reviewed a resolution granting a Special Use Permit for the storage of cemetery equipment in the C-2 Zoning District at 1124 N Main requested by Craig Dengel, in the City of Ottawa. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the resolution as presented.

During discussion it was explained the Planning Commission recommends by a vote of 7-0 approval of this request. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor pro tem declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1289-04.

Ordinance-Zoning Map-700 Block of King Street

Thereupon, the Governing Body reviewed an ordinance to rezone an area in the City, and repealing the corresponding section of the zoning map that is a part of Ordinance No. 2933-90. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Henningsen, to adopt the ordinance as presented.

During discussion it was explained the recommendation from the Planning Commission was passed by a 7-0 vote to approve this rezone. The rezone request is for the east side of the 700 block of King Street from I-2 (Heavy Industrial District) to R-1 (Single-Family Dwelling District). The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3476-04.

Ordinance-Vehicles Prohibited-Unlicensed Motorized Vehicles

Thereupon, the Governing Body reviewed an ordinance amending Section 13-200, dealing with vehicles prohibited in the downtown business district sidewalk, with exceptions and penalties. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Gillette, to adopt the ordinance as presented.

During discussion it was explained this amendment clarifies that it is unlawful to operate unlicensed motorized vehicles (motor scooters) and other similar vehicles

August 4, 2004

on City sidewalks, and that they are not on the list of devices that are allowed on sidewalks downtown if the user is under the age of 13 and supervised by a parent or guardian. It was previously determined that such unlicensed motorized vehicles are not allowed to operate on public streets, property and rights-of-way. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3477-04.

Neighborhood Revitalization Program Application-506 S. Main

Thereupon, the Governing Body reviewed a Neighborhood Revitalization Program application for 506 S. Main the former Ottawa Middle School for inclusion in the Neighborhood Revitalization Program. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the application duly approved.

Youth-in-Government Bylaw Amendment

Thereupon, the Governing Body reviewed a Youth-In-Government bylaw amendment. It was recommended attendance requirements be added to the bylaws for members of the Youth-In-Government subcommittee of the Youth Action Council, making it clear that participation is very important. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the amendment as presented.

Thereupon, Youth-In-Government member Ms. Heather Parkin explained the need to tighten the meeting requirement of attendance to 75%. Thereupon, the motion was considered and upon being put, all present voted aye and the Mayor pro tem declared the Youth-In-Government bylaws duly approved.

Reports by Youth Delegates

Thereupon, Youth Delegate Ms. Erin Rogers thanked the Governing Body for their support in the 2005 Budget. Ms Rogers explained it was Sara Kendall's 18th birthday today and wondered if the Governing Body would like to sing Happy Birthday to her. Thereupon, the Governing Body and audience sang Happy Birthday to Ms. Kendall.

Reports by Mayor

Thereupon, the Mayor pro tem asked if City Manager Weldon Padgett had an update on Mayor Ramsey. Thereupon, City Manager Weldon Padgett stated the Mayor is doing better and on the mend.

Announcements

Thereupon, the Mayor pro tem announced:

1. August 9, 2004: No Work Study Session
2. August 16, 2004: Work Study Session at 4 pm
3. August 18, 2004: Joint Meeting cancelled. The Chamber Image Award Luncheon will be held at the OMS Library at 11:45 a.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the meeting duly adjourned at 7:24 p.m.

Scott D. Bird, City Clerk

August 4, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 16, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Cedar Street Grant

Thereupon, the Governing Body reviewed a memo from Public Works Director Andy Haney requesting an agreement for the receipt of federal funds in the amount of 80% of the Cedar Street Phase 1 project cost, up to a maximum of \$1,400,000. It was explained the Commission has recently agreed to extend Phase 1 from the north side of 1st Street through the 8th Street intersection, which is, approximately $\frac{3}{4}$ of a mile of improvements. The Governing Body reviewed this request and agreed to place it on the Regular Meeting Agenda scheduled for August 18, 2004.

Resolution-Prairie Spirit Rail Trail Grant

Thereupon, the Governing Body reviewed a resolution and agreement authorizing receipt of federal funding in the amount of 80% of the PSRT construction costs up to a maximum construction expense of \$221,258. The City's portion of the construction cost is estimated at \$48,000. The Governing Body reviewed this request and agreed to place it on the agenda for August 18, 2004.

KDOT Agreement

Thereupon, the Governing Body reviewed a joint use of K-68 right-of-way for the Prairie Spirit Rail Trail parking lot project. It was explained this action will authorize a joint use of the K-68 right-of-way near the eastbound off-ramp for the proposed parking lot to be located west of the Old Depot Museum. The Governing Body reviewed this item and agreed to place it on the Regular Meeting Agenda for August 18, 2004.

August 16, 2004

Ordinance-Southwest Property Annexation

Thereupon, the Governing Body reviewed an ordinance and annexation report to authorize the filing of a petition with the County Commission to consider annexation of properties in the City's southwest growth area. The Governing Body considered this ordinance and agreed to place it on the Regular Meeting Agenda for August 18, 2004.

Ordinance-2005 Budget

Thereupon, the Governing Body reviewed an ordinance, which is required when an increase in property tax revenue is anticipated. Thereupon, the Governing Body discussed the 2005 Budget and agreed to place this item, and the adoption of the 2005 Budget on the Regular Meeting Agenda.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes of the August 2, Study Session and the August 4, 2004, Regular Meeting Minutes and agreed to place these items on the Regular Meeting Agenda for August 18, 2004.

Monthly Financial and Activity Report-July 2004

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for July 2004.

Open Agenda

Thereupon, Mayor Ramsey asked if all of the Governing Body members had received a letter from Mr. Mike Detwiler. The members of the Governing Body responded affirmatively.

Thereupon, City Manager Weldon Padgett explained that Fashion Inc. has received a CDBG Loan; a loan from the City of Ottawa; and a bank loan for a total investment of approximately 1 million dollars at their Ottawa site.

Thereupon, Commissioner Gillette stated he had attended the recently conducted Dare Camp where 97 children had participated. Commissioner Gillette was very pleased with what he had observed. Police Chief Dennis Butler stated the State Dare Coordinator had also attended and indicated it was one of the best Dare Camps he has visited.

August 16, 2004

Thereupon, the City Manager opened discussion related to the 15th and Main rezoning issue. He indicated some Commissioners were not available on September 1, 2004, and suggested a Special Meeting might be a solution. Thereupon, the Governing Body agreed by consensus to hold a Special Call Meeting on August 25, 2004, at 7 p.m. to consider this issue.

Thereupon, the Governing Body discussed other issues including the Horseman's Trail, and the potential Frisbee Golf course.

Thereupon, there were 9 Youth-In-Government applicants in attendance and the Governing Body asked them to introduce themselves.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

August 16, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
August 18, 2004

The City Governing Body met at 7 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Commissioner Gillette.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting August 4, 2004 and Study Session minutes for August 2, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Public Hearing-2005 Budget

Thereupon, the Mayor opened a Public Hearing to consider the 2005 City Budget.

Thereupon, the Governing Body heard from City Manager Weldon Padgett who stated that Capital needs, especially in the General Fund, are still a concern and have been reduced almost to zero.

Transfers are flat with some minor exceptions and increases in personnel cost, particularly health insurance, KPER's, and KP&F are reflected in the increase in the overall budget. He further reminded the Governing Body the City wants to remain competitive in the job market and not take a chance of losing good employees.

The General Fund Reserves are about 7% and suggested this is as "bare-bones" as the City should be. He further explained that contributions to Bea Martin Peck, Chamber of Commerce, and Ottawa Main Street remains the same.

August 18, 2004

There were small increases to the Historical Society and the Youth-In-Government programs.

He thanked the Library Board for their willingness to help keep the mill levy low. Thereupon, the City Manager stated the mill levy increase would be slightly less than 1 mill.

There being no other comments the Mayor closed the Public Hearing.

Budget Adoption

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the 2005 Budget as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Ordinance-Increase in Tax Revenues

Thereupon, there was presented an ordinance attesting to an increase in tax revenues for budget year 2005 for the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained that State law requires adoption of an Ordinance attesting to any increase in tax revenues, regardless of any increase or decrease in the mill levy. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3478-04.

Resolution-Cedar St. Agreement with KDOT

Thereupon, there was presented a resolution authorizing the Mayor and City Clerk to sign an agreement with the Kansas Department of Transportation for the improvement of Cedar Street, a City Connecting Link on the State Highway System. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that this agreement will provide for the receipt of federal funds in the amount of 80% of the Cedar Street (Phase 1) project cost, up to a maximum of \$1,400,000. The Commission recently determined to cut-off

Phase 1 at the 8th Street intersection. The City's financial exposure for Phase 1 is anticipated to be no more than \$350,000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution 1290-04.

Resolution-Prairie Spirit Rail Trail, Phase 2 Agreement

Thereupon, there was presented a resolution authorizing the Mayor and City Clerk to sign an agreement for the improvement of the Prairie Spirit Rail Trail, Phase 2. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this resolution and agreement authorizes receipt of federal funding in the amount of 80% of the PSRT construction costs up to a maximum construction expense of \$221,258. The City's portion of the participating construction cost is estimated at \$48,000. In addition, the City is paying for design engineering and some non-participating expenses that are estimated to total about \$27,000. Thereupon, the City Manager asked to clarify a point, which he had made during the Study Session. The total City expense on this project would be \$75,000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1291-04.

Resolution-KDOT Right-of-Way

Thereupon, there was presented a resolution authorizing a joint use of the K-68 right-of-way. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this item authorizes a joint use of K-68 right-of-way near the eastbound off-ramp for the proposed parking lot located west of the Old Depot Museum. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1292-04.

Resolution- Annexation Petition

Thereupon, there was presented a resolution authorizing the filing of a petition with the Board of Commissioners of Franklin County, Kansas to consider the annexation of certain territory as provided by K.S.A. 12-521. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

August 18, 2004

During discussion it was explained the approval of this resolution will authorize the filing of a petition with the County Commission to consider annexation of properties in the City's southwest growth area. Staff has prepared a report, which presents details sufficient to establish a plan of annexation of these properties. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1293-04.

Reports by Youth Delegates

Thereupon, the Governing Body recognized there were 6 Youth-In-Government applicants present during this meeting.

Reports by City Commission

Thereupon, Commissioner Henningsen and the rest of the Governing Body welcomed Mayor Ramsey back.

Reports by Mayor

Thereupon, the Mayor expressed his deep appreciation to the Commissioners and the Citizens of Ottawa during the past 9 months for their patience and support, prayers, flowers, and cards during the loss of his son and his recent recovery from heart surgery.

Announcements

Thereupon, the Mayor announced:

1. August 23, 2004: Work Study Session at 4 pm
2. August 25, 2004: Special Call Meeting at 7 pm to consider the rezone of properties at 15th and Main.
3. August 30, 2004: Work Study Session at 4 pm
4. September 6, 2004: No Work Study Session (Labor Day Holiday)

NEXT REGULAR MEETING: SEPTEMBER 1, 2004, AT 7 PM

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
August 18, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
August 23, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, Mr. Ed Burrichter asked to speak to the Governing Body regarding the 15th and Main rezone issue. It was explained there is a Special Call Meeting, August 25, 2004, at 7 p.m. It was further explained that discussion today would be for the Governing Body alone.

Items to be place on the next Regular City Commission Agenda

Resolution-Public Improvements-Cuttings II Addition

Thereupon, there was presented a resolution to accept streets, water, and sanitary sewer in the Cuttings II Addition, located south of 17th Street.

The Governing Body heard from Planning and Codes Administration Director Wynndee Lee regarding this issue and agreed to place it on the Regular Meeting Agenda for September 1, 2004.

Ordinance-Condemnation Eminent Domain

Thereupon, the Governing Body reviewed an ordinance prepared by the City Attorney for the acquisition of property of eminent domain and at the City Manager's request pulled this item off the agenda.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes of August 16, 2004, Study Session and Regular Meeting Minutes for August 18, 2004, and agreed to place them on the Regular Meeting Agenda for September 1, 2004.

August 23, 2004

Items for Discussion

KCPL Agreement

Thereupon, the Governing Body reviewed a proposed agreement with Kansas City Power and Light for the purchase of Load Regulation Power and agreed to place this item on the Regular Meeting for September 1, 2004.

Library Board Applications

Thereupon, the Governing Body reviewed an application for the Library Board submitted by Carolyn Kimbrel and agreed by consensus to appoint Ms. Kimbrel to the Library Board.

Items for Special Call City Commission Agenda

Thereupon, the Governing Body reviewed the agenda and the Public Notice for a Special Call Meeting scheduled for August 25, 2004 at 7 pm to consider a rezone request from the owners at 1437, 1443, and 1445 South Main Street and 1432, 1438, 1444, and 1452 S. Hickory Street and their agent Mission River, LLC, from O & I (Office & Institutional District) and R-1 (Single-Family Dwelling District) to C-1 (Neighborhood Shopping District). The Governing Body went through the packet of information, which had been provided earlier, with Planning and Codes Administration Director Wynndee Lee and agreed to place this item on the Special Call Meeting, which had previously been noticed.

Other Items From Staff or City Commission

Update-Municipal Airport

Thereupon, the Governing Body reviewed a memo from City Manager Weldon Padgett related to the Municipal Airport. The City Manager noted there is interest from other parties to function as the Fixed Base Operator of the airport and he is preparing a Request For Qualifications (RFQ) for the purpose of securing a Fixed Base Operator.

Cable Franchise

Thereupon, the Governing Body heard a report from City Manager Weldon Padgett stating that the Cable Franchise agreement draft had been sent to

August 23, 2004

Allegiance Communications and the City is proceeding with due diligence on this issue. He also asked the Governing Body to refer any calls from Allegiance to his office with regards to this matter. It was further discussed that the City does not set rates, however, there is a process available in those events.

Announcements

Thereupon, the Mayor announced:

1. August 25, 2004: Special Call meeting 7 pm (rezone aforementioned application)
2. August 30, 2004: Work Study Session at 4 pm
3. September 1, 2004: Regular City Commission Meeting at 7 pm
4. September 6, 2004: No Work Study Session (Labor Day Holiday)

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

August 23, 2004

City Commission
Special Call Meeting Minutes
Ottawa, Kansas
August 25, 2004

The City Governing Body met in Special Session at 7 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette, and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Commissioner Gillette.

Request for Rezone

Thereupon, the Mayor explained that the call for this meeting is to consider a request from the owners of 1437, 1443, and 1445 S. Main St. and 1432, 1438, 1444, and 1452 S. Hickory Street, and their agent Mission River, LLC, from O & I (Office & Institutional District) and R-1 (Single-Family Dwelling District) to C-1 (Neighborhood Shopping District).

The Mayor asked the Governing Body to declare any conflict of interest or outside communication that might influence their impartial ability to hear the issue before them so that they may come to a fair decision. No conflicts or other influences were so declared.

Presentation by City Staff-Wynndee Lee

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who reviewed the written record as had been prepared for the Governing Body, including the protest petitions, memos, letters, and maps. Ms. Lee further presented the findings of the Staff and Planning Commission and noted that the Planning Commission had voted 5-2 in favor of the rezone of the seven (7) lots (3 on Main, 4 on Hickory) and further explained the possible uses for a C-1 District. She spoke to the traffic engineering and suitability and noted that C-1 is compatible with the surrounding area. She further explained that the findings express a possible negative effect on the residential area, but a possible positive influence to surrounding Commercial property would offset the losses and the gains to the community would likely be greater than the losses.

Presentation by Applicant-Randall Foster

Thereupon, the Governing Body heard from Randall Foster representing Mission River, L.L.C. Mr. Foster noted that one of the major focuses of the Comprehensive Plan is to promote Economic Development, to encourage citizens

August 25, 2004

to work, and shop in Ottawa, and this rezone will help fulfill that focus. Mr. Foster explained this will provide additional tax revenue; C-1 Zonings meet the objectives of the Comprehensive Plan, and he provided the Governing Body with a Power Point presentation to cover objections to traffic concerns and property values.

Presentations by General Public In Support-Tom Weigand

Thereupon, the Governing Body heard from Executive Director of the Ottawa Chamber of Commerce Tom Weigand who spoke in support of the rezone, noting this is an area of Commercial Development and natural traffic in the City. He encouraged the Governing Body for a “yes” vote noting that a “no” vote will adversely affect the value of the aforementioned properties.

Presentations by General Public In Support-Don Marconette

Thereupon, the Governing Body heard from Mr. Don Marconette, 4246 Iowa Terrace, and also owner of 1443 S. Main who asked the Governing Body for a yes vote specifically addressing positive growth.

Presentations by General Public In Support-Mary Marconette

Thereupon, the Governing Body heard from Mary Marconette, 4246 Iowa Terrace, and also owner of 1443 S. Main who asked the Governing Body for a yes vote on this issue.

Presentation by Potentially Aggrieved Parties-Charles Benjamin

Thereupon, the Governing Body heard from Mr. Charles Benjamin, Attorney for the aggrieved parties who stated he had four major points of concern regarding the proposed rezone of properties on Main and Hickory as follows:

1. Inconsistency of the Planning Commissions recommendations regarding the appropriateness of a C-1 Zone in this neighborhood.
2. Appropriateness of a C-1 Zone for this type of “drugstore” which he referred to as a large retail store with a drugstore inside.
3. The focus by the applicant on economic development issues rather than the appropriateness of this type of development on a 50 year old residential neighborhood along Hickory Street.
4. The attempt by the applicant to turn this issue into a “plebiscite of the community” through petitions widely circulated throughout Ottawa thus putting political pressure on the Planning Commission and the City Commission to approve their application.

August 25, 2004

Presentations by the General Public in Opposition-Edwin Smith

Thereupon, the Governing Body heard from Mr. Edwin R. Smith, 1424 S. Hickory, who reminded the Governing Body they had his letter of August 7, 2004, which explains why he feels this should not even be revisited by the Governing Body. Mr. Smith took issue with the following:

1. Denial of due process to the effected property owners by Mission River L.L.C.'s presentation.
2. Information not provided at the initial Public Hearing.
3. The issue being revisited after there was a change in the Planning Commission members.

Mr. Smith asked that the Governing Body to preserve the integrity of the due process system of government. It is necessary and fundamental if future financial endeavors are seriously considered in this community.

Presentations by the General Public in Opposition-Ed Burrichter

Thereupon, the Governing Body heard from Mr. Ed Burrichter, 1117 S. Maple, who distributed information from the Ottawa Police Department regarding traffic accidents in this aforementioned area.

Recess

- ❖ *Thereupon, due to weather conditions it was suggested the meeting recess and the meeting room be evacuated to the City Hall basement.*

Reconvene

Thereupon, at approximately 8:21 p.m. the Mayor reconvened the meeting in the City Commission Chambers and asked Mr. Burrichter to continue.

Thereupon, Mr. Ed Burrichter continued to address the traffic issue and presented statistics from July 2002 through July 2004 and asked if the City values Commercial property more than residential.

Rebuttal by the Applicant-Randy Foster

Thereupon, Mr. Foster countered the traffic concern noting that accident trends are down at the 15th & Main Intersection area. Mr. Foster also addressed tax appraisal concerns and reiterated the applicant's requests for approval of the rezone.

August 25, 2004

Clarification by City Legal Advisor-Jim Kaup

Thereupon, the Governing Body heard from Mr. Jim Kaup, Legal Advisor to the Governing Body, who stated he did not believe there is any due process problem regarding the second application. He indicated that the City has followed the State and City laws regarding this issue and the question before the Governing Body is the rezone. Mr. Kaup further explained because of a valid petition, which had been filed, a super majority vote will be required. He reminded the Governing Body that this is not a public vote issue and the Governing Body should give little weight to public petitions in favor of the rezone but rather make their decision based on the merit of the request. Thereupon, Mr. Kaup stated this is a quasi-judicial decision.

City Commission discussion concerning the request for rezone

Thereupon, Commissioner Gillette inquired about the applicant's ability to apply as many times as appropriate.

Thereupon, Mr. Kaup responded that what had happened at the Planning Commission previously was common. That is, the Planning Commission had considered a C-2 application and then voted on the possibility of a C-1 rezone after the C-2 application had failed. Both motions had failed at a previous Planning Commission. However, it does not preclude the applicants from making their own application for a C-1 rezone. This application is not the same application considered earlier this year.

Thereupon, Commissioner Jackson stated that in going through some of the material the issue was raised a number of times about the issue coming back.

Thereupon, Mr. Kaup stated there is no rule against repeating an application, which this isn't. Even if it were an identical application, which it is not, "there is nothing in the law that precludes you or allows you to not consider the application". Mr. Kaup stated he felt it would be a dangerous step to refuse to consider an application just because it had been considered previously. Mr. Kaup reminded the Governing Body that the City is in the middle of the development of the zoning regulations and if the City wants to put some limitation they can certainly do so. Some cities do have limitations and some don't, which speaks to the fact that there isn't any State or Federal Law that precludes a property owner from coming before the Governing Body one meeting after another and being entitled to some sort of response by the City.

August 25, 2004

City Commission articulation of its own Findings of Fact

Thereupon, the Mayor asked the Governing Body to consider the Staff and Planning Commissions “finding of facts” as follows and asked them if they would accept them for their own:

1. Character of the neighborhood.
2. Consistency with the Comprehensive Plan and ordinances of the City.
3. Adequacy of public utilities and other needed public services.
4. Suitability of the uses to which the property has been restricted under its existing zoning.
5. Length of time the property has remained vacant as zoned.
6. Compatibility of the proposed district classification with nearby properties.
7. The extent to which the zoning amendment may detrimentally affect nearby property.
8. Whether the proposed rezoning provides a disproportionate loss to the individual landowners nearby relative to the public gain.

Thereupon, the Mayor recognized Commissioner Henningsen who expressed pleasure that Walgreen’s has chosen Ottawa and stated she is for this company coming to the community. Commissioner Henningsen questioned whether or not this is the best location noting that in her mind the rezone will change the character of the Hickory Street neighborhood. She had concern the “findings of fact” stated that there is both consistency and conflict with the comprehensive plan, concerns with traffic, suitability of the uses to which the property has been restricted and has not been addressed for Hickory Street, and the “findings” in her mind does not address the zoning north and east of the proposed rezone. The zoning change may be detrimental to property values and the property on the east side of Hickory will likely decrease, therefore she indicated she would not be able to support the “findings of fact”.

Thereupon, the Governing Body heard from Commissioner Gillette who stated he had read carefully the information prepared by staff and did in fact agree with the “findings of fact”.

Thereupon, the Governing Body heard from Commissioner Jackson who explained he had tried to base his findings on fact, had read the information several times, and agreed with staff for the most part but not on everything. He thought zoning may cause traffic congestion but it is unknown at this time and it will not be known unless a study is done. He further stated that property values also are an unknown. Commissioner Jackson stated as with all plans the Comprehensive Plan can change and a change to C-1 will see some increase of

property values, specifically in the commercial area and the future for this area would be commercial in all probability. He further stated that he supports the “findings of fact”.

Thereupon, the Governing Body heard from Commissioner Fleer who stated she remembered when stores that sold more than food were located in neighborhoods and eventually those things changed. She further stated that change back that direction was nothing to be afraid of. Commissioner Fleer noted that without some change we risk becoming stagnant and that nearby facilities are a good thing in residential neighborhoods. This rezone will meet the needs of the entire community. She noted the Comprehensive Plan states that the City will plan but also be flexible. She further explained she had visited with many people and the majority saw this rezone benefiting the community and the tax base and she is in favor of supporting the “findings of fact”.

Thereupon, the Mayor stated he too supported “findings of fact” and that it is up to the Planning Commission to make sure it develops in a professional and proper manner.

Ordinance- Rezone Certain Lots-Hospital Addition-15th & Main

Thereupon, Bill No. 2004-57 was presented:

An ordinance rezoning certain lots in Block 1, Hospital Addition, within the City of Ottawa, Kansas, from O & I (Office & Institutional District) and R-1 (Single-Family Dwelling District) to C-1 (Neighborhood Shopping District), and amending the zoning map adopted by Ordinance 2933-90. Thereupon, Commissioner Gillette made a motion, to adopt the ordinance and to accept the Planning Commissions “findings of fact” as the Governing Body’s “finding of fact”. The motion was seconded by Commissioner Jackson. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Henningsen nay, Commissioner Fleer aye, and Mayor Ramsey aye. Thereupon, the Mayor declared the ordinance adopted by a 4-1 vote and the ordinance was duly numbered Ordinance No. 3479-04.

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:08 p.m.

Scott D. Bird, City Clerk

August 25, 2004

**STUDY SESSION / REGULAR MINUTES
OTTAWA, KANSAS**

Minutes of
August 30, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, and Commissioner Gillette. Commissioner Fler and Commissioner Henningsen were absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Thereupon, the Governing Body agreed to move agenda items from the scheduled September 1, 2004, Regular Meeting up to today's Study Session agenda for consideration. It was noted a quorum would not be possible on September 1, 2004 as Commissioner Gillette, Henningsen, and Fler would not be available.

Public Comments

Thereupon, Police Chief Dennis Butler introduced Ms. Jacklyn Jaykus to the Governing Body as a newly recruited Police Officer with the Ottawa Police Department.

Thereupon, Mr. Alan Radcliffe, Franklin County Emergency Preparedness Coordinator, introduced himself to the Governing Body and extended his services to the City of Ottawa, Kansas. He also noted that the County-Wide Emergency Preparedness Committee will be updating the Emergency Response Plan by the first of this year.

Wall of Honor

Thereupon, the Mayor read a proclamation recognizing nominees to this year's "Wall of Honor" days at Ottawa High School. The group of inductees include: Dr. Jack Bremer (OHS Class of 1952), Robert Loyd (OHS Class of 1954), and Judith Whirley Mohr Keane (OHS Class of 1957). It was noted that these inductees will be honored at a banquet on Thursday, September 16, 2004, at an all-school assembly at Ottawa High School and on September 17, 2004, during the half-time induction ceremony at the Ottawa High School football game.

2003 Audit

Thereupon, the Governing Body heard from Mr. Keith Gaeddert, City Auditor, who presented the 2003 Audit with glowing remarks for the Finance Staff.

August 30, 2004

Resolution-Public Improvements-Cuttings II Addition

Thereupon, there was presented a resolution accepting public improvements (streets, water and sanitary sewer) in the Cuttings II Addition, located south of 17th Street. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1294-04.

Resolution-Public Improvements-Sugar Creek Addition Phase I

Thereupon, it was requested that this item be removed from the agenda.

Ordinance-Standard Traffic Ordinance

Thereupon, there was presented an ordinance regulating traffic within the corporate limits of the City of Ottawa; incorporating by reference the limits of the City of Ottawa; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," edition 2004. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the ordinance. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3480-04.

Agreement KCPL

Thereupon, there was presented an agreement with Kansas City Power and Light for settlement relating to Load Regulation and Displacement Energy Service Schedule. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the agreement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Library Board Appointment

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the appointment of Carolyn Kimbrel to the Library Board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

August 30, 2004

Ottawa Promise

Thereupon, Commissioner Jackson requested reservation of Haley Park for a Chamber Coffee on September 16, 2004 at 8 a.m. The Governing Body agreed by consensus to this request.

League of Kansas Municipalities Voting Delegates

Thereupon, it was agreed that voting delegates for the upcoming league meeting will be Mayor Ramsey, Commissioner Henningsen, and Commissioner Gillette. Alternate delegates are City Manager Weldon Padgett and City Attorney Bob Bezek.

National League of Cities

Thereupon, it was decided that Mayor Ramsey will serve as voting delegate to the Congress of Cities meeting to be held November 30 – December 4, 2004. Commissioner Gillette will serve as the alternate delegate.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for Study Session August 16, 23, 2004, and Regular Meeting Minutes for August 28, 2004. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the motion. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved.

City Practice or Policy Following a Public Hearing

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee in regards to the public process following a Planning Commission Public Hearing. It was noted that Kansas Statutes require a public hearing before the Planning Commission for rezone and special use permit application. Staff notifies those property owners in the vicinity of such a rezone or special use request and the upcoming public meeting related to the request. Parties are then allowed to make presentations, and submit written and oral testimony, and all such material becomes part of the public record.

After the hearing the Planning Commission reviews information presented and staff findings and amends such findings as it believes best for the community and makes recommendations to Governing Body.

August 30, 2004

Discussion was opened about the acceptability of options such as: setting a time of 7 days after public hearing after which no new material would be accepted, remanding all new material back to the Planning Commission for their review before the Governing Body considers such an application. Another suggestion made is to allow those affected by the decision-making to submit written materials to the City Commission and prohibit additional comments if written material indicates something new, then the matter should be returned to the Planning Commission.

USD 290 Bond Issue

It has been requested that a presentation be made about the school's upcoming bond issue at the City Commission September 15, 2004, meeting. The Governing Body considered this request and agreed to place it on the September 15, 2004 agenda.

Ordinance- Zoning Regulation-Special Uses

Thereupon, the Governing Body considered a requested ordinance from the Planning Commission prepared by staff as an amendment to the Zoning Regulation, which will allow two-family dwelling units in single-family districts. The Governing Body considered this issue and agreed to place it on the Regular Meeting agenda for September 15, 2004.

Other Items

Thereupon, the Governing Body discussed briefly the need for additional generation at the Power Plant related to transmission cost and the addition of the new substation.

Announcements

Thereupon, the Mayor announced:

1. September 1, 2004: Regular City Commission meeting at 7 pm
(CANCELED DUE TO LACK OF QUORUM)
2. September 6, 2004: No Work Study Session (Labor Day Holiday)
3. September 13, 2004: Work Study Session at 4 pm
4. September 15, 2004: City Commission Photos at 9 am
Regular City Commission meeting at 9:30 am
Joint City/County/School meeting 12 pm (County)

August 30, 2004

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

August 30, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
September 13, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body discussed with City Manager Weldon Padgett and Rotary representative Mark Eldridge the details of the recent meeting with neighbors in the Kanza Park area. Thereupon, the Governing Body requested a Special Call meeting with Ottawa Recreation Commission, property owners in the area, and the community to determine how the community feels about Disc Golf being allowed in Kanza Park.

Items to be placed on the Regular City Commission Agenda

Ordinance/Resolution-Cedar Street Main Trafficway

Thereupon, the Governing Body reviewed an ordinance, which will designate Cedar Street as a main trafficway in the City and a resolution authorizing improvements on Cedar Street (1st – 8th Streets). This resolution will also authorize General Obligation Bonds to pay for the City's share of the costs. Thereupon, the Governing Body agreed to place these items on the Regular Meeting agenda for September 15, 2004.

Resolution-Temporary Notes

Thereupon, the Governing Body reviewed a resolution to authorize the sale of \$1,000,000 in temporary notes. It was explained these notes will be used to fund the \$600,000 in street improvements for Cedar Street and to redeem \$400,000 in sewer improvement notes for the 23rd Street Sewer project. Thereupon, the Governing Body agreed to place this item on the Regular Meeting agenda for September 15, 2004.

Special Use Permit-1024 S Walnut

Thereupon, the Governing Body reviewed information with Planning and Codes Administration Director Wynndee Lee regarding a Special Use Permit request

September 13, 2004

from Colt Waymire for a 4-plex apartment building in an R-2 (Two-Family) Zoning District at 1024 S. Walnut. Ms. Lee noted because of a protest petition filed in opposition approval by the Governing Body will require at least a 4-1 vote. Thereupon, the Governing Body agreed to place this item on the meeting agenda for September 15, 2004.

Resolution-Westwood Addition, Phase I

Thereupon, the Governing Body reviewed a resolution with Planning and Codes Administration Director Wynndee Lee to accept the installation of the street, water and sanitary sewer improvements in Westwood Addition, Phase 1, located north of 19th Street, and create 32 building lots. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for September 15, 2004.

Resolution-Sugar Creek, Phase I

Thereupon, the Governing Body reviewed a resolution with Planning and Codes Administration Director Wynndee Lee to accept the public improvements in Sugar Creek, Phase I Addition, which is just West of Beech Street, at approximately 8th Street. Ms. Lee explained a warranty bond had been received, so the attached resolution is appropriate to adopt. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for September 15, 2004.

Zoning Request-Fogel Property

Thereupon, City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee asked the Governing Body if they would like to send a letter in support of this property which is adjacent to the cemetery and substation to be rezoned from industrial zoning to agricultural zoning. Thereupon, the Governing Body agreed by consensus to support this zoning change to agricultural.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the Special Call Meeting of August 25, and the Study Session/Regular Meeting of August 30, 2004. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for September 15, 2004.

September 13, 2004

Items for Discussion

Organized tours of Special Use Permits or Rezoning

Thereupon, the Governing Body discussed with City Manager Weldon Padgett the possibility of setting up organized tours for Special Use Permits or Rezoning. Thereupon, the Governing Body agreed this would be looked at and decided upon on a case-by-case basis.

Ottawa Municipal Airport

Thereupon, the Governing Body reviewed a letter from Derek Chappel who requested the airport add his grandfather's name to the facility, making it known as "Ottawa Municipal Airport-Ralph W. Robertson Field". Thereupon, the Governing Body agreed by consensus to deny this request and asked staff to write a letter to Mr. Chappell of their decision.

Monthly Financial and Activity Reports-August 2004

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for August 2004.

Ole' Marais River Run Car Show

Thereupon, Mr. Ralph Finch, a representative of the Ole' Marais River Run Car Show reviewed some changes for this year's car show which the car club hopes are positive changes.

Financial Assistance Request Form

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett a "Request Form for City of Ottawa Financial Assistance. It was explained the person or organization requesting city funds would complete this form. The completed form will then be given to the Governing Body for review. The City Manager explained this will provide a better tracking method for request and provide the Governing Body with additional information.

September 13, 2004

Other Items From Staff or the City Commission

Thereupon, the Mayor announced the Wastewater Treatment Plant has been nominated for the American Council of Engineering Companies award. The award will be presented at the City/County/Manager's Association meeting scheduled for November 11, 2004, in Dodge City.

Thereupon, the Mayor reminded the Governing Body and those in attendance that there is an Open House at the WWTP, Wednesday, September 22, 2004 3-7 pm.

Thereupon, the Mayor asked for comments on the proclamation presented for Fred Searls. City Manager Weldon Padgett explained this request should probably be a recognition as opposed to a proclamation. Thereupon, the Governing Body agreed to have the proclamation changed to a recognition and have the Mayor present it at the scheduled event.

Thereupon, the Mayor stated the Governing Body would need to have an Executive Session today for about 5 minutes.

Announcements

Thereupon, the Mayor announced:

1. September 15, 2004: Governing Body photo at 9 a.m.
2. September 15, 2004: Regular City Commission Meeting at 9:30 a.m
3. September 15, 2004: Joint City/County/School meeting at Noon at the County
4. September 20, 2004: Work Study Session at 4 pm
5. September 22, 2004: WWTP Open House 3-7 pm
6. September 27, 2004: Work Study Session at 4 pm

Thereupon, the Mayor stated he had received a letter requesting the Mayor's of Franklin County to meet at the Annex, September 28, 2004.

Thereupon, the Mayor asked if the Governing Body or Staff had any problem with Ottawa Main Street using Haley Park for their "Pink Power" event, on October 2, 2004, 10-11:30 a.m. Thereupon, it was agreed by consensus to allow this event in Haley Park.

Thereupon, City Manager Weldon Padgett announced that Commissioner Jackson has been appointed by the Governor to serve on the Advisory Council on Inter Governmental Relations.

September 13, 2004

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion to recess into Executive Session for 5 minutes for Attorney Client Privilege Matters and to reconvene at 5:11 p.m. Thereupon, Commissioner Jackson seconded the motion. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 5:11 p.m. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

September 13, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
September 15, 2004

The City Governing Body met at 9:30 a.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, and Commissioner Gillette. Commissioner Fleer was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, including the Agenda approval and minutes from the Regular Meeting Special Call August 25, 2004 and Study Session/Regular Meeting minutes for August 30, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Introductions, Proclamations, Recognitions

Introduce New City Employee

Thereupon, Street Superintendent Andy Stauffer introduced Ray Hamilton the new Equipment Operator in the Street Department. Mr. Hamilton worked at Orscheln Farm and Home before coming to the City.

Proclamation-Breast Cancer Awareness

Thereupon, Mayor Ramsey read a proclamation declaring October as "Breast Cancer Awareness Month". Thereupon, Ms. Wilma Michael accepted the proclamation and thanked the Governing Body for their continued support towards breast cancer survivors.

September 15, 2004

Recognition-Fred Searls

Thereupon, Mayor Ramsey announced he will be presenting recognition from the City of Ottawa to Fred Searls when his employer Orscheln Farm and Home recognizes Mr. Searls.

Ordinance-Cedar Street Trafficway

Thereupon, the Governing Body reviewed an Ordinance to designate a portion of Cedar Street within the City of Ottawa, Kansas, as a main trafficway, pursuant to K.S.A. 12-685. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve the ordinance as presented.

During discussion it was explained this action is necessary before bonds can be sold to pay the City's share of the Cedar Street improvement project. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3481-04.

Resolution-Main Trafficway Improvements on Cedar Street

Thereupon, the Governing Body reviewed a resolution authorizing the City of Ottawa, Kansas, to construct certain main trafficway improvements on Cedar Street and authorizing the issuance of General Obligation Bonds of the City to pay the costs thereof. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to accept the resolution as presented.

During discussion it was explained this resolution establishes the City's authority to make the proposed improvements on Cedar Street from the north side of the intersection of 1st Street through the intersection at 8th Street. It also authorizes the sale of general obligation debt to finance up to \$600,000 to make these improvements. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1295-04.

Resolution-General Obligation Temporary Notes

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to accept a resolution authorizing the public sale of approximately \$1,000,000 principal amount of General Obligation Temporary Notes, Series 2004A, of the City of Ottawa, Kansas.

September 15, 2004

During discussion it was explained this action authorizes temporary financing to be used to fund the \$600,000 in street improvements as noted in the previous action, and to redeem \$400,000 in sewer improvement notes for the 23rd Street Sewer project. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1296-04.

Resolution-Special Use Permit, 1024 S. Walnut

Thereupon, the Governing Body reviewed a resolution to grant a Special Use Permit (SUP) for construction of a 4-plex apartment in the R-2 Zoning District at 1024 S. Walnut requested by Colt Waymire, City of Ottawa. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to accept the resolution as presented.

During discussion it was explained the Planning Commission reviewed this request and held a public hearing. A protest petition was filed in opposition to the SUP. The Planning Commission is recommending approval of the SUP by a 6-0 vote with the following conditions: 1) The developer must install at least two shade trees, one front and one rear of the proposed building, and other landscaping to soften height of the building; 2) a site plan for the proposed building be approved, 3) the traffic and parking to be reviewed one year after the certificate of occupancy. Approval of this item will require at least a 4-1 City Commission vote. The motion was considered and upon being put, was tabled due to the following vote: Commissioner Gillette aye, Commissioner Henningsen nay, Commissioner Jackson aye, and Mayor Ramsey aye. With the 3-1 vote the issue was tabled and placed on the October 6, 2004, Regular Meeting Agenda.

Resolution-Public Improvements-Sugar Creek, Phase I

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to accept resolution of the public improvements in Sugar Creek, Phase I as presented.

During discussion it was explained the subdivision plat was accepted for this project in 2002, engineering plans were approved in 2003, and construction began last fall. Inspection took place during construction and the public improvements have been completed. The public works and utilities departments have indicated that the improvements are ready to be accepted and a warranty bond has been received. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1297-04.

September 15, 2004

Resolution-Westwood Addition

Thereupon, the Governing Body reviewed a resolution to accept the streets, water and sanitary sewer public improvements installed at 19th and Eisenhower, Westwood Addition, in the City of Ottawa. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to accept the resolution as presented.

During discussion it was explained a subdivision plat for this project was accepted in 2003, engineering plans were approved and the final plat was accepted early this year. Construction occurred this summer. Inspection was ongoing during construction and the improvements are now complete with the exception of the sidewalks. The public works and utilities departments have sent notification that the improvements are ready to be accepted. A warranty bond has been received. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1298-04

Ordinance-Amending Article XXXIII Special Uses, Zoning Ordinance

Thereupon, the Governing Body reviewed an ordinance to amend Article XXXIII, Special Uses, Section 4, Additional Requirements, and Appendix A, Ordinance No. 2933-90, the Zoning ordinance for the City of Ottawa. Thereupon, Commissioner Gillette made a motion, seconded by Mayor Ramsey, to accept the ordinance as presented.

During discussion it was explained this is in response to a request by the Planning Commission, staff prepared this amendment, which will allow two-family dwelling units in single-family districts. The intent is to allow infill and redevelopment of existing lots and to provide a mix of housing types, while retaining the authority to review such applications in light of the comprehensive plan and the area under discussion. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3482-04.

Presentation by USD 290 Bond Issue

Thereupon, USD 290 Superintendent Jan Collins and Assistant Superintendent Jean McCully gave a brief PowerPoint presentation of an overview of the changes that would take place in the district if the bond issue is successful.

September 15, 2004

Reports by Mayor

Thereupon, the Mayor stated the Governing Body will need to go into an Executive Session for Attorney/Client Privilege Matters for about 5 minutes at the end of the Study Session.

Announcements

Thereupon, the Mayor announced:

1. September 15, 2004: Joint City/County/School meeting at noon and the County will host.
2. September 20, 2004: Work Study Session at 4 pm
3. September 22, 2004: WWTP Open House 3-7 pm
4. September 27, 2004: Work Study Session at 4 pm
5. October 2-5, 2004: League of Kansas Municipalities Conference in Overland Park
6. October 4, 2004: No Work Study Session (League Meetings)
7. October 6, 2004: Regular Meeting at 7 pm

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session for Attorney/Client Privilege Matters for 5 minutes and to reconvene into Regular Session at 10:20 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson to reconvene into Regular Session at 10:20 am. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:21.

Scott D. Bird, City Clerk
September 15, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
September 20, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from the President of the Ole' Marais River Run Car Club Paul Snethen and other members who expressed their appreciation to the City of Ottawa and Staff for all the help that was provided. The Governing Body thanked the Car Club for putting on a good show, and the wonderful job done in the clean up efforts. Thereupon, the Car Club requested use of Forest Park for the third weekend in September 2005. The Governing Body agreed by consensus to this request.

Thereupon, the Governing Body heard from Derek Chappell who revisited his request to add his grandfather's name on the end of the airport name making it "Ottawa Municipal Airport-Ralph W. Robertson Field". Thereupon, the Governing Body will revisit this item at the September 27, 2004, Study Session.

Items to be placed on the Regular City Commission Agenda

Ordinance-506 S. Main Rezone

Thereupon, the Governing Body reviewed an ordinance, staff findings, PUD drawing, list of uses, a letter and email from State Historic Preservation Office, an application and map of the area for a requested rezone of 506 S. Main. The rezone would be R-2 (Two-Family Zoning District) to PUD (Planned Unit Development District). It was explained the Planning Commission held a public hearing and by a vote of 7-0 the Planning Commission recommended to the City Commission approval of the rezone request and acceptance of the Final Development Plan with a list of conditions and exceptions. Thereupon, the Governing Body agreed by consensus to place this item on the October 6, 2004, Regular Meeting Agenda.

Ordinance-Vacation of Right-of-Way, 100 Block of North Cedar Street

Thereupon, the Governing Body reviewed an ordinance to vacate 10' of street right-of-way in the 100 Block of North Cedar Street between 1st and Pontiac
September 20, 2004

(retaining a utility easement), to accommodate Ottawa Co-op's efforts to rebuild their structure destroyed by fire earlier this year. Thereupon, the Governing Body agreed by consensus to place a Public Hearing and this ordinance on the October 6, 2004, Regular Meeting Agenda.

Resolution-Special Use Permit-803 S. Poplar

Thereupon, the Governing Body reviewed a resolution for a Special Use Permit for 803 S. Poplar. The Planning Commission reviewed this request and held a public hearing. There were comments concerning extra traffic, what the exterior of the structure will look like, value of property, trash containment and location of air conditioning units. A protest petition against the SUP is also attached. The Planning Commission is recommending approval of the SUP by a 7-0 vote with the following conditions: 1) require the western unit to face Poplar Street and grant an exception to the front yard setback to accomplish this, and 2) a site plan for the building be approved. Thereupon, the Governing Body requested this item be brought back to the next Work Study Session and members of the Planning Commission be present at the Study Session on September 27, 2004, to address questions or concerns the Governing Body may have.

Ordinance-Annexation 2640 Eisenhower Ave.

Thereupon, the Governing Body reviewed an ordinance to annex property located at 2640 Eisenhower Avenue. The owners have submitted a voluntary annexation request and a map showing the property location. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 6, 2004.

Announcements

Thereupon, the Mayor announced:

1. September 22, 2004: WWTP Open House 3-7 pm. The public, staff and City Commissioners are welcome to come and go as you please.
2. September 27, 2004: Work Study Session at 4 pm
3. October 2-5, 2004: League of Kansas Municipalities Conference
4. October 4, 2004: No Work Study Session—due to League Conference
5. October 6, 2004: Regular City Commission Meeting at 7 pm

September 20, 2004

Executive Session

Thereupon, Mayor Ramsey asked for a motion to go into Executive Session for 12 minutes to discuss personnel matters of non-elected personnel.

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session for 12 minutes and to reconvene at 5:15 pm in Regular Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed for an Executive Session to discuss personnel matters of non-elected personnel.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 5:15 pm. The motion was considered and upon being put all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to recess into Executive Session at 5:15 pm for 5 minutes and to reconvene at 5:20 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to reconvene at 5:20 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 5:20 pm.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
September 27, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Special Use Permit's: Planning Commission Members

Thereupon, Planning and Codes Administration Director Wynndee Lee and Planning Commission members Blake Jorgensen, Cal Lantis, and Ed York, discussed with the Governing Body issues related to the Special Use Permit requests for 1024 S. Walnut and 803 S. Poplar. In addition, they discussed housing policies and practices related to in-fill development but also applicable to some trends in new developments.

Resolution- Special Use Permit-1024 S. Walnut

Thereupon, the Governing Body reviewed information to grant a special use permit for a 4-plex apartment building in the R-2 zoning district at 1024 S. Walnut requested by Colt Waymire, in the City of Ottawa, Kansas. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for October 6, 2004. A 4-1 vote will be necessary to adopt this resolution.

Resolution- Special Use Permit-803 S. Poplar

Thereupon, the Governing Body reviewed information to grant a special use permit for a 6-plex apartment building in the R-2 zoning district at 803 S. Poplar requested by Butch and Brenda Bazil, in the City of Ottawa, Kansas. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for October 6, 2004. A 4-1 vote would be necessary for approval.

September 27, 2004

Proclamation-Fire Prevention Week

Thereupon, the Governing Body reviewed a proclamation to declare October 3-9 as Fire Prevention Week and agreed to place this item on the Regular Meeting Agenda for October 6, 2004.

Proclamation-Domestic Violence Awareness Month

Thereupon, the Governing Body reviewed a proclamation to declare October as Domestic Violence Awareness Month and agreed to place this item on the Regular Meeting Agenda for October 6, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed minutes for September 13, 20, 2004 and for the Regular Meeting from September 15, 2004 and agreed to place these items on the Regular Meeting Agenda for October 6, 2004.

Airport Discussion

Thereupon, the Governing Body agreed by consensus to deny Derek Chappell's request related to changing the name of the airport.

Rail Trails Update

Thereupon, Director of Public Works Andy Haney updated the Governing Body on the Prairie Spirit Rail Trail and requested permission to proceed with the project if bids were within budget. Thereupon, the Governing Body agreed by consensus to allow Staff to proceed with this project if bids received were within budget.

Planning Commission Minutes

Thereupon, Planning and Codes Administration Director Wynndee Lee noted the minutes from the Planning Commission Minutes related to the 506 S. Main project were included in the meeting packet as promised and asked if any additional information was needed at this time. None was requested.

September 27, 2004

City Commission Pictures

Thereupon, City Manager Weldon Padgett asked the Governing Body if at 6:30 pm, on October 6, 2004 they would all be available to be present for pictures. Thereupon, the Governing Body agreed by consensus to arrive at 6:30 pm on October 6, 2004 for pictures.

Items Placed on October 6, 2004, Agenda

- Ordinance-rezone 506 S. Main
- Ordinance-vacate 10' Street right-of-way 100 Block of North Cedar Street
- Ordinance-annex property 2640 Eisenhower Ave.

Announcements

Thereupon, the Mayor announced:

1. October 2-5, 2004: League of Kansas Municipalities Conference
2. October 4, 2004: No Work Study Session-due to League conference
3. October 6, 2004: Regular City Commission Meeting at 7 pm

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

September 27, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
October 6, 2004

Thereupon, the Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on September 15, 2004, and Work Study Sessions on September 13, 20, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Regular Agenda

Public Comments

Thereupon, Mr. Mike Detwiler discussed estimated cost and possible rent for T-hangers at the airport.

Proclamation-Fire Prevention Week

Thereupon, Mayor Ramsey read a proclamation declaring October 3-9 as Fire Prevention Week. Thereupon, Fire Chief Jeff Carner accepted the proclamation and thanked the Governing Body for their support. Chief Carner explained the department will conduct 150 different educational programs throughout the community. The theme for this year is "Test Your Smoke Alarms".

Proclamation-Domestic Violence Awareness Month

Thereupon, Commissioner Fleer read a proclamation declaring October as Domestic Violence Awareness Month. Ms. Camis accepted the proclamation and announced events throughout the month taking place in the community to bring awareness to domestic violence.

October 6, 2004

Public Hearing

Thereupon, Mayor Ramsey opened a public hearing to consider a vacation of the west 10 feet of the Cedar Street right-of-way between 1st Street and Pontiac Street.

There being no one to speak to this issue Mayor Ramsey closed the public hearing.

New Business

Ordinance-Cedar Street Right-of-Way

Thereupon, the Governing Body reviewed an ordinance to vacate that portion (the west 10 feet) of the Cedar Street right-of-way between 1st Street and Pontiac Street. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance as presented.

During discussion it was explained this ordinance is in response to a request from the General Contractor working for Ottawa Co-op to vacate the street right-of-way in the 100 Block of North Cedar. Adoption of this ordinance will allow Co-op to rebuild the structure destroyed by fire earlier this year. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3483-04.

Resolution-Piper Jaffray and Company Refunding

Thereupon, the Governing Body reviewed a resolution authorizing Piper Jaffray and Company to offer the City's General Obligation refunding bonds for sale. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to accept the resolution as presented.

During discussion it was explained this item was discussed at the September 27, 2004, Work Study Session meeting. Thereupon, Mr. Greg Vahrenberg, of Piper Jaffray, identified potential savings for the city by refunding four previously issued GO bonds. This resolution will authorize Mr. Vahrenberg to prepare and distribute an official statement for the purpose of returning on October 20 with a firm interest rate and the amount of savings on the refunding. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1299-04.

Ordinance-Annexing Land 2640 Eisenhower Avenue

Thereupon, the Governing Body reviewed an ordinance to annex land to the City of Ottawa, Kansas, generally located at 2640 Eisenhower Avenue. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to accept the ordinance as presented.

During discussion it was explained the owners of 2640 Eisenhower Avenue have submitted this annexation voluntarily. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3484-04.

Ordinance-Re-zone-506 S Main-(Old Middle School)

Thereupon, the Governing Body reviewed an ordinance to re-zone an area (located at 506 S. Main) from R-2 to Planned Unit Development District (PUD) within the City of Ottawa, Kansas, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the ordinance as presented.

During discussion it was explained the Planning Commission had held a public hearing and recommended approval of this request by a 7-0 vote with the following conditions: 1) A letter of commitment from a financial organization; 2) Bike racks be installed; 3) Lighting plan be approved by staff; 4) Stormwater pollution plan and NPDES permit be approved; 5) The direction of stormwater flow be shown on plan and engineering plans for parking and a stormwater connection be approved; 6) An additional landscape island be located in the southern strip of the parking lot; 7) Two access locations to the Rail Trail be provided; 8) Screening to adjacent residential uses on the south by providing a continuous vegetative screen through the existing trees and new trees from the shown western trees to the eastern tree; 9) Sidewalks will meet ADA standards; 10) Residential units will be no more than 48; 11) Commercial uses other than the auditorium, multi-purpose area, and recreation areas be restricted to the north building, first floor.

Thereupon, Mr. Steve Foutch explained that with approval of this ordinance, work will begin later this year or the first part of next year and he had been on the roof getting bids today.

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3485-04.

Resolution-4-Plex Apartment-1024 S. Walnut

Thereupon, the Governing Body reviewed a request for a special use permit (SUP) for a 4-plex apartment building in the R-2 zoning district at 1024 S. Walnut requested by Colt Waymire, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Mayor Ramsey.

During discussion it was explained the Planning Commission had reviewed this request, held a public hearing, and by a 6-0 vote recommends approval of the SUP with the following conditions: 1) Installation of at least two shade trees, one front and one rear of the proposed building, and other landscaping to soften height of the building; 2) An approved site plan for the proposed building; 3) The traffic and parking will be reviewed one year after the certificate of occupancy. A valid petition has been filed; therefore a 4-1 vote will be necessary to adopt this resolution. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Fleer nay, Commissioner Henningsen aye, Commissioner Gillette aye, and Mayor Ramsey aye. Thereupon, the Mayor declared the resolution duly adopted by a 4-1 vote and the resolution was duly numbered Resolution No. 1300-04.

Resolution-6-Plex Apartment-803 S. Poplar

Thereupon, Commissioner Jackson made a motion to adopt the resolution as presented. The motion died for a lack of a second.

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to remand this item back to the Planning Commission to review other possibilities for the lot at 803 S. Poplar.

Thereupon, City Manager Weldon Padgett asked for detailed direction for the Planning Commission. Thereupon, the Governing Body compiled the following list for the Planning Commission:

1. Review other possibilities for the lot at 803 S. Poplar (other than a 6-plex, smaller number of units)
2. Describe multi-family already available in this neighborhood
3. Traffic and parking

The motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Henningsen aye, Commissioner Gillette nay, Commissioner Jackson nay, and Mayor Ramsey aye. Thereupon, the Mayor declared the resolution duly remanded back to the Planning Commission by a 3-2 vote.

Reports by Youth Delegates

Thereupon, Youth Delegate Brett Staneslow thanked the Governing Body for the opportunity to attend the League meetings in Kansas City and congratulated Commissioner Jackson on being appointed as President of the League.

Update by City Manager

Thereupon, City Manager Weldon Padgett thanked interns Nikki Spencer and David Dillner for their hard work on the City booth used at SIOR and the League of Kansas Municipalities. Mr. Padgett announced the City was the winner of the "Best Booth" and therefore would receive a free booth space next year.

Thereupon, Mr. Padgett stated he would like to display the booth in the City Hall atrium as it does present a lot of information about the City of Ottawa.

Reports by City Commission

Thereupon, Commissioner Gillette stated the City Booth looked terrific and congratulated staff on winning a free booth for next year.

Thereupon, Commissioner Fleer asked about the 3-mile zoning. Thereupon, City Manager Weldon Padgett explained it is on hold for now as the Planning Department continues to work on the City of Ottawa zoning regulations.

Reports by Mayor

Thereupon, Mayor Ramsey presented Commissioner Jackson with a plant and balloons on behalf of the Governing Body and Staff for Commissioner Jackson's recent appointment as President to the Kansas League of Municipalities.

Thereupon, Commissioner Jackson thanked his colleagues and Staff for letters of nomination and support and stated it is an honor to represent the City of Ottawa. Commissioner Jackson stated the City has received a lot of positive feedback on the booth and the Youth Program.

Announcements

Thereupon, the Mayor announced:

1. October 11, 2004: Study Session at 4 pm
2. October 18, 2004: Study Session at 4 pm
3. October 20, 2004: Joint City/County/School District at City Hall at Noon

Adjournment

There being no further business to come before the Governing Body
Commissioner Jackson made a motion, seconded by Commissioner Henningsen,

October 6, 2004

to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:47 p.m.

Scott D. Bird, City Clerk

October 6, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
October 11, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body reviewed a request from the owner of Farmer's Market Marilyn Farmer who requested permission to use the City's public parking lots for an auction. Thereupon, the Governing Body agreed by consensus to approve this request.

Thereupon, Mayor Ramsey presented the Governor's Excellence Award to the Four Seasons Garden Club for their work in the downtown landscaping planter project.

Items to be placed for Action

Cereal Malt Beverage Application (CMB)

Thereupon, the Governing Body reviewed an application for a CMB license (not for consumption on the premises) was received on October 4 from Arman Enterprises, Inc., d.b.a. Phillips 66, 216 E. 23rd Street. This request resulted from a change in ownership at this location. It was explained the application is sufficient and staff finds no reason to deny this request. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to accept this application as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared this application duly approved as presented.

Review of Minutes

Thereupon, the Governing Body reviewed the Minutes from the Work Study Session on September 27, 2004 and agreed to place this item on the Regular City Commission agenda for October 20, 2004.

Items for Discussion

Youth In Government Request

Thereupon, the Governing Body heard from Youth Delegate Erin Rogers and Youth-In-Government sponsor Angela Schreffler who requested permission to attend this fall's National League of Cities Conference. They also asked for financial support from the Governing Body so that 2 youth and the sponsor could attend the National League of Cities two conferences in 2005.

October 11, 2004

Monthly Reports for September

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of September.

Trail Development

Thereupon, the Governing Body heard from Staff and Mr. Dale Coffman, Board Member of the Kanza Rail-Trail Conservancy, Inc., who asked the City to consider taking over possession and improving the east-west railroad trail located in Ottawa as part of the Flint Hills Nature Trail. A cost estimate of \$318,200 from the City Engineer was reviewed for the development of about 3 ½ miles of trail. It was explained if the City was interested in grant funding the deadline for this project would need to be addressed by the November 3, 2004, Regular City Commission Meeting. The Governing Body agreed by consensus they would be interested in seeing more accurate cost projections.

Thereupon, City Manager Weldon Padgett announced that the City had been awarded a grant from the Kansas Department of Wildlife & Parks in an amount of \$75,000 for the swimming pool improvements. This does require City funds of \$160,000.

Automatic External Defibrillator (AED)

Thereupon, Fire Chief Jeff Carner explained the installation of the AED of City Hall and training for City Hall staff. Chief Carner explained there isn't any additional cost to the City for training as the Fire Department has staff that is certified to do the training.

Other Items from Staff or City Commission

Thereupon, City Manager Weldon Padgett discussed being awarded the swimming pool grant in greater detail and thought it would be the end of the next pool season before work could begin. Once agreement documents are received information will be brought back to the Governing Body in order to move forward with the project.

Thereupon, Commissioner Gillette discussed possible grants from the Department of Commerce and the deadlines to submit an application. Thereupon, City

Manager Weldon Padgett stated the Planning Department will be involved in most of those types of grants and the department is currently working on a lot of project priorities.

Thereupon, Mayor Ramsey asked who might be interested in attending the LKM Regional Supper on November 3, 2004. Commissioners Jackson, Gillette, and Henningsen stated they planned on attending. Thereupon, it was agreed by consensus to change the November 3, 2004 meeting to a 9:30 a.m. meeting time.

Announcements

Thereupon, the Mayor announced:

1. October 18, 2004: Work Study Session at 4 pm
2. October 20, 2004: Regular City Commission meeting at 9:30 a.m.
Joint City/County/School meeting at noon
3. October 25, 2004: Work Study Session at 4 pm

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

October 11, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
October 18, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be placed for action

Special Use Permit-803 S Poplar

Thereupon, the Governing Body discussed the request for a Special Use Permit located at 803 S Poplar with Staff, Mr. & Mrs. Butch Bazil, and Mr. Damon Wallis. The request from Mr. and Mrs. Butch Bazil would allow a 6-plex apartment building in a R-2 Zoning District and was previously considered by the City Commission on October 6, 2004 and remanded to the Planning Commission. The Planning Commission reconsidered this issue at its October 13 meeting, and recommended by a 5-0 vote that the Governing Body approve this application. In addition, the Governing Body reviewed the results of the Planning Commission's consideration. Thereupon, the Governing Body agreed by consensus to place this item on the October 20, 2004, Regular Meeting Agenda. It was noted that the approval of this SUP would require a 4-1 vote.

General Obligation Temporary Notes

Thereupon, the Governing Body reviewed a resolution to authorize the issuance of \$1,000,000 in temporary notes to be used to fund \$600,000 of improvements on Cedar Street, and redeem \$400,000 in sewer improvement notes for the 23rd Street Sewer project. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 20, 2004.

Refunding Bonds

Thereupon, the Governing Body reviewed an ordinance and resolution to authorize issuance and delivery of about \$2.9 million of General Obligation Refunding Bonds to refinance outstanding GO Bonds. It is estimated that the refinancing of four previously issued bonds will save the City \$50,000-\$60,000. Thereupon, the Governing Body agreed by consensus to place these items on the Regular Meeting Agenda for October 20, 2004.

October 18, 2004

Proclamation: Business Women's Week

Thereupon, the Governing Body reviewed a proclamation to declare October 18-23 as Business Women's Week and agreed to place this item on the next Regular Meeting Agenda.

Review of Minutes

Thereupon, the Governing Body reviewed minutes for Study Session October 11 and Regular Meeting Minutes from October 6th.

Items for Discussion

Rail Trail Cost Estimate

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, Staff, and Rail Trail Representative Dan Pickert an update of estimates for the costs to improve the rail trail. Thereupon, the Governing Body agreed not to have staff proceed with the project.

Ottawa Municipal Airport

Thereupon, City Manager Weldon Padgett asked for direction to respond or not to respond to recent articles in the local paper with regards to the airport. The Governing Body agreed the City Manager should not respond.

Other Items From Staff or City Commission

League of Kansas Municipalities Conference

Thereupon, the Governing Body recapped the recent sessions they attended at the annual League of Kansas Municipalities Conference held in Overland Park, Kansas.

Improvements to Elm Street

Thereupon, City Manager Weldon Padgett stated that the improvements to Elm Street have been completed. The City Manager requested feedback from the Governing Body in order to direct staff in the potential use of this application in other areas of the community.

City Parking Lot Use-Marilyn Farmer

Thereupon, the City Manager discussed with the Governing Body additional information regarding Ms. Farmer's request. Thereupon, the Governing Body agreed the City Manager should visit with Ms. Farmer about not using the proposed sign and empty lot by the levy.

Additional Items-City Manager

- City Manager Weldon Padgett asked about the possibility of a supper for our legislators and the Governing Body. The Governing Body agreed to have the supper on December 6, 2004.
- Goody's grand opening will be held Thursday, October 21, 2004 with a Chamber Ribbon Cutting at 8 am.
- It was agreed that the Regular City Commission meetings in November on the 3rd and 17th will be held at 9:30 a.m. The Governing Body will be attending a League of Kansas Municipalities Regional Supper in Kansas City the evening of November 3.
- Provided an update on signage for the outside of City Hall
- Ottawa Promise at Haley Park, 8 am, October 29, 2004
- At the first of the year will schedule a meeting time with the staff from Bea Martin Peck
- Asked if the Governing Body is interested in having a public forum regarding disc golf after the Study Session on November 8. The Governing Body agreed they would like to and the meeting will be 5:30-6:30 in the Commission Chambers and the City Manager will moderate.

Thereupon, Mayor Ramsey asked for the Governing Body's support in funding the \$225 in registration fees for two youth delegates and a sponsor to attend the conference in Indianapolis. There was no decision made.

Thereupon, Mayor Ramsey reviewed a letter from USD 290 Superintendent Jan Collins, which notified the Governing Body and Staff that Eisenhower School had won an award for their "No Child Left Behind" program. The Mayor invited all to attend the presentation at Eisenhower School on November 15, 2004, at 11-11:45 am.

Announcements

Thereupon, the Mayor announced:

1. October 20, 2004: Regular City Commission meeting at 9:30 am
Joint City/County/School meeting at 12 pm (City)
2. October 25, 2004: Work Study Session at 4 pm
3. November 1, 2004: Work Study Session at 4 pm
4. November 3, 2004: LKM Regional Supper, Kansas City, Kansas

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
October 18, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
October 20, 2004

Thereupon, the Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on October 6, 2004, and Work Study Sessions on September 27, and October 11, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Regular Agenda

Public Comments

None offered at this time.

Proclamation- Business Women's Week

Thereupon, Commissioner Henningsen read a proclamation declaring October 18-23 as Business Women's Week in the City of Ottawa, Kansas. Thereupon, Ms. Linda Reed accepted the proclamation on behalf of the Business and Professional Women's organization noting that BPW had been founded in 1922 and the local BPW is honored to have the State President Kathy Niehoff as a member of their group. Ms. Niehoff thanked the Governing Body for the proclamation.

New Business

Report of G.O. Debt Refunding

Thereupon, the Governing Body heard from Mr. Greg Vahrenberg of Piper Jaffray who reported on the general obligation debt refunding proposal. Mr. Vahrenberg explained the savings to the city amounted to \$59,249.00 which is very close to the original estimate of savings. Mr. Vahrenberg further explained that the net present value benefit amounts to \$56,736.00 and the net present value interest rate is 2.041, which replaces higher coupon rates on the issues being refunded. Thereupon, the Governing Body thanked Mr. Vahrenberg for his presentation.

October 20, 2004

Ordinance-GO Refunding Bonds

Thereupon, there was presented an ordinance authorizing the issuance and delivery of \$2,870,000 principal amount of general obligation refunding bonds, Series 2004, of the City of Ottawa, Kansas, for the purpose of providing funds to refund certain outstanding general obligation bonds; and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on the bonds as they become due. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3486-04.

Resolution-GO Refunding Bonds

Thereupon, there was presented a resolution prescribing the form and detail of and authorizing the delivery of \$2,870,000 principal amount of general obligation refunding bonds, series 2004, of the City of Ottawa, Kansas, previously authorized by Ordinance No. 3486-04 of the City. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1301-04.

Special Use Permit-803 S Poplar

Thereupon, there was presented a resolution granting a special use permit for a 6-plex apartment building in the R-2 zoning district at 803 S. Poplar requested by Butch and Brenda Bazil, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion the Mayor asked if the City Commissioners needed to declare any conflicts of interest or outside communication that might influence their impartiality to hear the issue before them so that they might come to a fair decision. No delcarations were offered. The Mayor further explained, this issue had previously been considered and remanded to the Planning Commission. The Planning Commission reconsidered the issue on October 13, 2004 and returned it to the Governing Body with a 5-0 recommendation of approval with the following conditions: 1) the westernmost unit of the building shall face Poplar Street; 2) A site plan for the proposed building be approved. It was further noted that a valid petition had been filed; therefore a 4-1 vote will be necessary for approval.

Discussion continued and the Governing Body heard from Ms. Brenda Bazil who stated she and her husband had gone to lengths to seek approval from the Planning Commission and had listened to their recommendations. She reminded the Governing Body that a Special Use Permit wouldn't be needed if they choose to build a duplex and she felt there was some confusion as to what would and what wouldn't affect the integrity of the neighborhood.

Thereupon, the Governing Body heard from Ms. Wynndee Lee, Planning and Codes Administration Director, who commented on the ability of the property owner to make improvements to this site without a special use permit, the issue of air conditioner noise which had earlier been discussed was seemingly addressed by increased setback that the property owners had agreed to and if ownership changes during the process the new owners need to come back to the Planning Commission for further approval.

Thereupon, the Governing Body heard from Ms. Jan Wallis, 809 S. Poplar, who stated she and her husband had put a great deal of money into their property and asked the Governing Body to hear the neighbors voice. The motion was considered and upon being put was defeated by the following vote: Commissioner Gillette nay, Commissioner Henningsen nay, Commissioner Jackson aye, Commissioner Flear nay, and Mayor Ramsey aye. Thereupon, the Mayor declared the motion duly defeated by a 3-2 vote.

Announcements

Thereupon, the Mayor announced:

1. October 25, 2004: Work Study Session at 4 pm
2. November 1, 2004: Work Study Session at 4 pm
3. November 3, 2004: LKM Regional Supper, Kansas City
4. November 3, 2004: Next Regular Meeting at 9:30 a.m. (A change from the night time meeting to allow the Governing Body to attend the LKM Regional Supper.

In addition, the City Manager announced that the Joint City/County/School luncheon will be conducted at City Hall at 12 noon this date.

Report on Temporary Note-Acceptance of Low Bid

Thereupon, the Governing Body heard from City Bond Council Ms. Dotty Riley of Kutak Rock who had received bids for a \$1,000,000 temporary note issue. The proceeds of which are to be used for the funding of \$600,000 of improvements on Cedar Street and to redeem \$400,000 in Sewer Improvement temporary notes for the 23rd Street sewer project. Thereupon, Ms. Riley stated the City had received 5 bids, the best bid being from **Country Club Bank at a net interest rate of 1.8 percent** and other bids included:

October 20, 2004

- Gold Bank at 1.8299 net interest rate
- UMB at 1.964
- Commerce Bank at 1.925
- Kansas State Bank of Ottawa at 2.05

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen to accept the low bid from Country Club Bank at 1.8 percent. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the low bid from Country Club Bank at 1.8 percent on the \$1,000,000 temporary note issue duly approved.

Resolution-GO Temporary Notes \$1,000,000

Thereupon, there was presented a resolution authorizing the issuance and delivery of \$1,000,000 principal amount of General Obligation Temporary notes, Series 2004A (renewal and new issue), of the City of Ottawa, Kansas for the purpose of renewing the City's existing general obligation temporary notes, Series 2003, and temporarily financing the cost of certain internal improvements. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this action will authorize the issuance of \$1,000,000 in temporary notes. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1302-04.

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:07 am.

Scott D. Bird, City Clerk

October 20, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
October 25, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Historical Preservation Grant

Thereupon, the Governing Body discussed with Ottawa Main Street Director Mary Allison Haynie details of a Historic Preservation Grant. Ottawa Main Street has applied for a Kansas Historic Preservation Fund grant to finance the hiring of a consultant to prepare a nomination to the National Register for the creation of a commercial historic district. A map was provided to show the proposed historic district which would cover much of the same section of downtown that the Ottawa Main Street district covers, plus a 500-foot "halo" around the district that would be within the environs of the historic district. Thereupon, the Governing Body agreed by consensus to have staff prepare a letter of support for City owned buildings.

Amendment to Zoning Ordinance

Thereupon, the Governing Body reviewed an ordinance to amend the Zoning Ordinance. This will amend the Zoning Ordinance to allow miscellaneous business services as a Special Use in Industrial Zoning Districts. Thereupon, the Governing Body agreed to place this item on the Regular Meeting agenda for November 3, 2004.

Neighborhood Revitalization

Thereupon, the Governing Body reviewed applications of the Neighborhood Revitalization Program from property owners located at 411 E. 4th, 613 N. Hickory, 711 N. King, and 610 W. 2nd. Approval has been received from the Program Review Committee, Franklin County Commissioners and the USD 290 School Board. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for November 3, 2004.

October 25, 2004

Resolution-Request for Annexation

Thereupon, the Governing Body reviewed a resolution and petition for annexation to authorize the filing of a petition with the Board of Commissioners of Franklin County, Kansas to consider the annexation of certain territory as provided by K.S.A. 12-521. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to accept the resolution and petition for annexation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution and petition duly adopted and the resolution was duly numbered Resolution No. 1303-04.

Tax Increment Financing (TIF)

Thereupon, City Manager Weldon Padgett provided a PowerPoint presentation to the Governing Body explaining Tax Increment Financing (TIF). It was explained over the last year staff has been developing a draft TIF Policy. The Governing Body reviewed the draft policy with Staff. Thereupon, the Governing Body and Staff agreed to minor changes in the policy. The Governing Body agreed to allow Staff to proceed with this project and asked City Manager Weldon Padgett to bring back the revised policy and a map showing the area that could be involved in this type of financing.

Review of Minutes

Thereupon, the Governing Body reviewed Work Study Session Minutes for October 18, 2004 and agreed to place this item on the Regular City Commission Meeting for November 3, 2004.

Items for Discussion

Thereupon, Mayor Ramsey asked City Clerk Scott Bird to explain his suggestion for the Youth-In-Government delegates to assist in the Legislative Dinner to be held December 6. It was explained the Youth needed to raise \$225 so that two delegates and one sponsor could attend the National League Conference. Mr. Bird asked if the Governing Body would be interested in having the Youth assist in serving at the Legislative Dinner. If the Governing Body agreed the Youth could be awarded the \$225. Thereupon, the Governing Body agreed to this suggestion to help the Youth with their conference registration fee.

Thereupon, City Manager Weldon Padgett stated the invitations for the December 6, 2004, Legislative Dinner are being prepared and will be mailed after the election.

Thereupon, City Manager Weldon Padgett explained the City owned property at 5th and Oath and asked permission to sell the property. Thereupon, the Governing Body agreed to allow the City Manager to sell the property.

October 25, 2004

Other Items from Staff or the City Commission

Thereupon, City Manager Weldon Padgett discussed the Regional Supper on November 3, 2004, at 5:30 pm and stated he would be driving the City pool van if those attending wanted to travel with him.

Announcements

Thereupon, the Mayor announced:

1. November 1, 2004: Work Study Session at 4 pm
2. November 3, 2004: Regular Meeting at 9:30 am
Regional Supper, Kansas City at 5:30 pm
3. November 8, 2004: Work Study Session at 4 pm
Special Call, Disc Golf at 5:30 pm
4. December 6, 2004: Legislative Dinner, Commission Chambers 5:30 pm

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

October 25, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 1, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Special Use Permit-Jeffrey & Patricia Jackson-424 S. Poplar

Thereupon, the Governing Body considered a Special Use Permit requested by Jeffrey and Patricia Jackson to construct and operate a commercial daycare in an R-1 Zoning district at 424 S. Poplar. It was noted that the Planning Commission had held a public hearing, reviewed the application and recommended the application by a 5-0 vote. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda for November 3, 2004.

Blue Ribbon School

Thereupon, the Governing Body reviewed recognition of Eisenhower Elementary School for being selected by the U.S. Department of Education as a 2004 No Child Left Behind--Blue Ribbon School.

Vacation of Right-of-Way

Thereupon, the Governing Body reviewed an ordinance to vacate a portion of Park Street right-of-way located west of Main Street. The Governing Body reviewed this issue and agreed to place it on the Regular Meeting Agenda for November 3, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the Regular Meeting of October 20, and the Study Session Minutes October 25 and asked for changes to the Regular Meeting Minutes.

Items for Discussion

Tax Increment Financing (TIF)

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett changes to the tax increment finance policy, which had been requested during the Work Study Session on October 25, 2004.

November 1, 2004

Other Items From Staff or the City Commission

Thereupon, the Mayor stated he had received information on the possibility of becoming a Sister City International and provided it to the City Manager to copy for the Governing Body.

Thereupon, City Manager Weldon Padgett reminded the Governing Body that each Commissioner has two Youth In Government members assigned to their tutelage.

Thereupon, the Mayor stated he would like to meet with Bea Martin Peck as a group. He had attended one of their meetings recently and believes both entities would benefit from a joint meeting.

Thereupon, the City Manager reported that Staff is working on the foyer project for the front doors of City Hall and are waiting for information from the architect.

The City Manager reported on the Swimming Pool Grant issue and the intent to make improvements to the bathhouse and the zero depth entry portion of the pool. Bids will be accepted with alternates for amenities such as water toys that can be added to the shallow end of the pool.

Thereupon, the City Manager informed the Governing Body that the Library Director would like to play a part in the Legislative Dinner perhaps inviting the Legislators to hors d'oeuvre prior to the dinner.

The City Manager reported that March 23, 2005, is a possible date for the Mayor's Prayer breakfast/luncheon.

Announcements

Thereupon, the Mayor announced:

1. November 3, 2004: Regular Meeting at 9:30 am (Please note time change)
Regional Supper, Kansas City, Kansas at 5:30 to 7:30 pm
(Leave City Hall at 4:15 pm)
2. November 8, 2004: Work Study Session at 4 pm
Special Call, Disc Golf 5:30 pm
3. December 6, 2004: Legislative Dinner, Commission Chambers 5:30 pm

Executive Session

Recess

Thereupon, at 4:45 pm Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss Attorney client privilege matters for a period not to exceed 10 minutes. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 4:56 pm Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

November 1, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
November 3, 2004

The Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette and Commissioner Fleer absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on October 20, 2004, and Work Study Sessions on October 18, 25, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Regular Agenda

Public Comments

None offered at this time.

Introductions and Presentations

Thereupon, Steve Greiner, Electric Distribution Superintendent, introduced Jeremy Jordan from Paxton, Illinois to the Governing Body. Jeremy will be going through the Electric Distribution Apprenticeship program as a new employee with the City.

Public Hearing-Vacation of Park Street

Thereupon, the Mayor opened a public hearing to consider the vacation of Park Street right-of-way between Main Street and Walnut Street, in the City of Ottawa, Kansas.

There being no one to speak to this issue the Mayor closed the public hearing.

New Business

Ordinance-Park Street

Thereupon, there was presented an ordinance vacating that portion of Park Street right-of-way between Main and Walnut Streets, in the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

November 3, 2004

During discussion it was explained that City Attorney Bob Bezek had researched the Park Street right-of-way and found reason to believe it was previously vacated. However, no recorded filing of such vacation could be discovered. It was recommended this ordinance be adopted and the appropriate filings made to effectively record the vacation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3487-04.

Thereupon, Commissioner Fleer arrived at 9:35 am.

Ordinance-Business Liquidation and Auctioneering

Thereupon, there was presented an ordinance amending Appendix A, Ordinance No. 2933-90, the Zoning Ordinance for the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this action was in response to a request to allow Business Liquidation and Auctioneering, as a Miscellaneous Business Service as a special use in Industrial Zoning districts. The Planning Commission reviewed this amendment, held a public hearing and recommended approval by a 5-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3488-04.

Neighborhood Revitalization Applications

Thereupon, there was presented Neighborhood Revitalization applications for 411 E. 4th, 613 N. Hickory, 711 N. King and 610 W. 2nd. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the applications.

During discussion it was explained that the Program Review Committee, the Franklin County Commission and USD 290 School Board had previously given consideration and approval to these applications and staff recommended approval. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Special Use Permit-Daycare-Jeffrey and Patricia Jackson, 424 S. Poplar

Thereupon, there was presented a resolution granting a Special Use Permit for the construction and operation of a daycare center in the R-1 Zoning District at 424 S. Poplar requested by Jeffrey and Patricia Jackson, in the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

November 3, 2004

During discussion it was explained that the Planning Commission reviewed this request, held a public hearing and recommends approval by a 5-0 vote with the following conditions: 1) Compliance with all applicable state, county and local requirements will be met. 2) All applicable state licenses to operate a daycare center shall be obtained. 3) The hours of operation of the daycare facility are limited to between 6 am to 6 pm daily. 4) A site plan for development of the property must be submitted for staff and Planning Commission review and approval, and the building shall be constructed according to commercial building codes. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1304-04.

Reports by City Manager

Thereupon, the City Manager reported that the lettering for the City Hall exterior signage had been delivered and installation may be as early as Friday of this week. He further informed the Governing Body he would be making a presentation on Ethics to the Leadership Class in December and the Monthly Reports would be forthcoming.

Announcements

Thereupon, the Mayor announced:

1. November 8, 2004: Work Study Session at 4 pm
2. November 8, 2004: Special Call Session at 5:30 pm (Disc Golf)
3. November 15, 2004: Work Study Session at 4 pm
4. November 22, 2004: Work Study Session at 4 pm
5. **November 17, 2004: Next Regular Meeting at 9:30 am**

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:42 am

Scott D. Bird, City Clerk

November 3, 2004

City Commission
Public Forum on a Proposed Disc Golf
Course at Kanza Park

Minutes

Ottawa, Kansas
November 8, 2004

Thereupon, the Governing Body met at 5:30 pm this date for a Public Forum on a Proposed Disc Golf Course at Kanza Park with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette and Commissioner Fleer. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience.

Mayor Opening Comments

Thereupon, the Mayor explained the Ottawa City Commission is holding this Public Forum to learn more about disc golf, and to hear about benefits and detriments of possibly having a disc golf course installed by the Ottawa Rotary at Kanza Park.

In addition, the Mayor stated while the City Commission believes it is in the public's best interest to add this sport to the recreational opportunities in the community and to be informed about this subject, the Commission has not developed a position on this particular proposal. This Public Forum is designed to allow people to better understand any issues, help facilitate open discussion on the prospect of a disc golf course in the community, and allow the public an opportunity to ask questions.

The agenda is as follows:

5 minutes	Welcome, introductory remarks and short background
5 minutes	Rotary Presentation of Proposal
15 minutes	Those speaking in support of the proposal
15 minutes	Those speaking in opposition to the proposal
15 minutes	Discussion about proposal
5 minutes	Wrap up

Management Report-City Manager Weldon Padgett

Thereupon, City Manager Weldon Padgett explained a synopsis with limited information available has been put together in the Management Report. The City Manager stated a change to the report is needed with regards to Mr. Lou Atherton in that he was not a former City Commissioner. (see September 1, 1993)

November 8, 2004

Mr. Padgett stated he couldn't find any information that stated the City Commission discussed or took any action regarding this. Mr. Padgett didn't deny it could have happened; however, there isn't any information available stating that was the case. He reminded the Governing Body that no matter what information was found or not found, or what a former Commission might have done, there is nothing legally binding. The current Commission can do what they want at Kanza Park.

See Management Report attached hereto and made a part of the official record hereof.

Rotary Representative Mark Eldridge

Thereupon, the Governing Body heard from Mark Eldridge who explained Rotary had tried to take a look at this project as a service project to the community. Mr. Eldridge stated Rotary likes to do certain things in the community that will help enhance community life and bring people together.

Mr. Eldridge thanked the Governing Body for allowing Rotary to present their proposal and City Manager Weldon Padgett for the documentation provided. In addition, Mr. Eldridge thanked City Staff who had helped in the past year putting illustrations and other information together to see how it might fit in the community. Mr. Eldridge explained it is not the Rotary's intention to cause controversy, as their motto is "Service Above Self" and that is the spirit with which they want to present this proposal. Thereupon, Mr. Eldridge thanked the Governing Body for allowing the Public Forum so that the issues could be reviewed and asked if the Governing Body had any questions for him.

Thereupon, Mayor Ramsey inquired as to who put the disc golf map together. Mr. Eldridge explained a professional golf person had put it together. One of our local talents who has gone throughout the Midwest playing in tournaments in various states and has had a lot of experience designing other courses. The Rotary did seek to have a course that was compliant for tournament play or fundraisers.

Thereupon, Commissioner Jackson asked why Kanza Park was chosen. Mr. Eldridge stated, like other golf courses, one needs to have a terrain that is challenging and large enough to have a nice 18-hole course.

Thereupon, Commissioner Gillette asked if Forest Park had been looked at for the course. Thereupon, Mr. Eldridge explained they did set out a plan for Forest Park. In addition, Mr. Eldridge stated as the two were compared Kanza Park was the better challenge and location.

November 8, 2004

Thereupon, Commissioner Fleer asked what kind of noise comes from this type of course. Mr. Eldridge stated he wasn't aware of any adverse situations and disc golf has similar etiquette as regular golf it demands quiet.

Thereupon, Commissioner Henningsen inquired if the disc basket will be placed in cement. Mr. Eldridge stated the base would be to secure it and the area around it would be easy to mow around.

Mayor Ramsey asked if there would be a cement spot for the "T" area and Mr. Eldridge responded it is not included in the plan at this time.

Thereupon, Commissioner Fleer asked about the possibility of vandalism and Mr. Eldridge responded that the possibility is always there. He explained they would all be welded and are pretty heavy-duty baskets.

Those Speaking in Support of the Proposal

Claudia Gibson, 2430 S Eisenhower: Teaches physical education at Eisenhower and Garfield. Claudia teaches this sport to her students. The kids really enjoy it. Ms. Gibson does use the park for walking.

Jean McCully, 1018 S. Pine: Her experience with this issue is having lived in Olathe across the street from a disc golf course. There wasn't any loud music or concern about nighttime noise, as you would have to have really good lighting. The course didn't seem to attract problem individuals. Jean sees this as something we need to do for our youth as an activity.

Dr. John Brockway, 306 S. Locust: John and his brother brought this proposal to the Rotary Club. Disc Golf people care about the area and clean up trash so that it doesn't mess up the course. Disc Golf keeps enough traffic in the area to show the park is used and therefore isn't an attraction to negative traffic. Dr. Brockway has played disc golf at several different places with the locations being nice areas to be in.

Jason Camis, 928 S. Main: Disc Golf is an excellent activity, it provides exercise with little injury, can be played year round, low cost, the sport is really growing, there are currently over 41 disc golf courses in the state of Kansas, and those who play care about the environment around them. Jason and his wife use the park every day and stated the park is under utilized. In addition, he doesn't think disc golf would be compatible with other major events held in Forest Park.

Jim Lancaster, 1229 S. Elm: Jim and his wife has lived at this address 20 years. Mr. Lancaster asked Mark Eldridge if the course layout presented today is the final layout. Mr. Lancaster didn't have any problem with disc golf being in Kanza Park with the course layout presented today. Mr. Eldridge explained it is the best effort to date. Mr. Lancaster commented about the Boy Scout exercise unit in Kanza Park and if that had been a controversial issue before it was put in. He stated it was used more at first than it is now and he feels the Disc Golf would be the same. Thereupon, Mayor Ramsey explained the Boy Scout exercise unit was brought before the Governing Body with approval and there wasn't any controversy. It was explained the City will continue to mow the area.

Mayor Ramsey asked for confirmation that all the baskets on the north end are inside the trail. Mr. Eldridge answered affirmatively.

Steve Iwersen, 1333 S. Poplar: When in California Steve lived next door to a Disc Golf course; he and his wife are avid walkers and use the park frequently. His experience was the encounters with bicycles not disc from the golfers. People involved with Disc Golf are polite and care about the environment, and not rowdy. The community is working to increase the quality of youth, and recreation. This is a great opportunity for our community.

Caleb Correll, 1047 Willow: Has heard comments from youth in Ottawa that there isn't anything to do in Ottawa. Disc Golf would be a great thing for youth, and all age groups in this community, and the park is under utilized. Mr. Correll has done some research on towns the size of Ottawa that have Disc Golf and those communities enjoy having the courses in their neighborhoods.

Janice Rake, works at local Post Office: Lives in Baldwin and a member of several service organizations and a local church. She sees Disc Golf as an enhancement to the community. She expressed hope the Commission will base their decision on what is good for the community as it is a community park.

Lance Burroughs, 1113 S. Elm: Has played Disc Golf in Lawrence and loves the sport. He wished it had been around 10-15 years ago. Plays alternate frisbee with others about 3 times a week in Forest Park. There is a growing interest in the sport and draws 4-8 kids and different kids all the time.

Jim Bass, 613 S. Poplar: Expressed concerns for parking, walking dogs and not cleaning up after your dog, and the possibility of leaving carryout trash in the area. City Manager Weldon Padgett responded there are about 25 spaces for parking. If those that live in the neighborhood agree Mr. Bass has no problem. Is there a club membership and/or fees? Thereupon, Mayor Ramsey responded there are no fees; it is open to the public.

Jeanny Sharp, 1415 Pine Court: Frequents the park, thinks it is under utilized; she doesn't drive to the park she walks. People that use the parks take care of them, she has lived by a course before and it was a beautiful park, next to a residential area. Her family played frisbee this weekend. They didn't offend anyone, hit anyone and stated we want people to stay in our community. The surveys have shown we need more recreation. This is a win/win situation at no cost with Rotary paying the initial cost for equipment. Ms. Sharp stated it is a community park and knows they want it to be served as one.

Those Speaking in Opposition of the Proposal

City Manager, Weldon Padgett: Mr. Padgett explained he had mailed out letters to notify property owners (and others) in the area about the Public Forum being held regarding the Disc Golf proposal. He had received comments from two individuals who could not attend the meeting. Mr. Padgett read the letters to the Governing Body and audience present.

Letter 1-Charley Reynolds, 1247 S. Elm: Mr. Reynolds requested Kanza Park not be changed. It is well established and well used from 5am-7pm by people of all ages. Mr. Reynolds stated he felt with the City expanding there are other locations for this.

Letter 2-Sharrell G. Howell, 1305 S. Elm: Mr. Howell wrote that no resident around Kanza Park was in favor of Disc Golf, Emporia's Disc Golf is not used or worth the mowing problems, the City has already decided to put this problem in the park, the City is creating a mowing problem and Disc Golf will not be used and it is not worth the space it takes up.

James Corcoran, 1304 Elm: Sees three groups involved in this matter, proponents would be benefited naturally, at what cost to neighborhood. He is not opposed to the activity just the location. The park is in his front yard not back yard. Has a buffer and screen, which his neighbors don't. Saturday paper stated a 9-hole course. Plans show an 18-hole close to backyards. Tournaments would overwhelm the limited but adequate facility at the park. If approved you are opening the door for more request.

Thereupon, Mayor Ramsey asked for confirmation it is to be an 18-hole course and Mark Eldridge answered it is.

Gary Vathauer, 1603 Chestnut: Uses park daily. Kanza is a jewel of a park and well taken care of by the parks people. It is kept free of litter, hanging limbs, and it is far enough from Main Street that the noise from trucks are muffled. Doesn't have 18 baskets in it, generous for Rotary to make offer. Disc players may disregard the walkers. Sometimes if we are offered a free gift sometimes it is better to respectfully decline with a gracious "No Thank You".

Cecilia McGehee, 1147 Elm: Was there when the park developed, it used to just be a field and it is still a holding pond for Skunk Run. Three times water has been over the dam. She has attended at least 3 public meetings regarding development proposals in the park. There isn't any buffer around it. The neighbors had been promised a walking and nature park. One neighbor had to put a barrier because of parking in his yard, people walk through others yards to get to the park. She isn't opposed to the Disc Golf but thinks Forest Park would be a better location. The park isn't under used, Senior's feel safe, sidewalks are not torn up, and mothers with their babies feel safe to walk. She took a survey once and there were about 100 people who told her they wanted the park to remain as it is. She didn't understand why the City didn't have the information in our records of the other development meetings that had taken place. She would like Kanza Park to remain as it is. You can't control how the frisbee's are going to be thrown.

Tony VanLeiden, 1427 Elm: Looks out his window and can see half of Kanza Park. He observes walkers everyday and doesn't know how they are going to dodge flying disc. He thinks the park should be left the way it is. He has nothing against Disc Golf or any other sport he just doesn't want it in his backyard.

Delores South, 1243 Elm: They put the walking track in Kanza Park in 1981. She has counted 18 to 20 cars of people parking to walk the track. She isn't opposed to Disc Golf but doesn't want it in Kanza Park. They do get water in the park and sometimes in their basements. She thinks if approved it would be a bad thing for those who use it now.

Nancy Thacker, 1439 S. Elm: Has lived by Kanza Park for about 6 years. She didn't have her mind made up. She is for the good of the community if they choose to put the course in Kanza Park. She is against it for selfish reasons. She loves looking out there. Doesn't want to see tournaments held there. Not a place for sports. She thinks those over 20 and older will use the Disc Golf, not younger.

Asked if the safety of the walkers has been considered and the need for restrooms. In addition, there is a need for some little bridges or something to get across the water.

Penny Corcoran, 1304 Elm: When the neighbors talked as a whole they are not opposed to Disc Golf they think it would be a fine addition to the City. They are opposed to the area of Kanza Park for this proposal. The park is not under used. She has walked the park at 4:30 am and there have been 10-12 people out walking. The park easily has 100-125 people walking in it at all times during the day. What is wrong with having a green space?

Cecilia McGehee, 1147 Elm: Ms. McGehee stated the park has not been without incident and that is why the lights were put in. She also knows there has been beer parties and smoking in a grove of brush and trees because she picked up the beer cans. There was a fire in this area and the brush was then cleared out. There have also been at least two attacks on ladies and the phone company had put in a pay phone and then it was vandalized so the park hasn't been without incident.

Discussion about Proposal

Thereupon, Mayor Ramsey asked Rotary Representative Mark Eldridge if he had any additional comments after all the reports. Mr. Eldridge stated they were all very good perspectives on this issue.

Commissioner Henningsen: Believes Disc Golf would be a great asset to have in the community. She believes, after hearing from both sides, that maybe it would be better to have it in Forest Park. Forest Park would address the parking problem, and restrooms. She agrees it should be a passive park. She thinks the course is too close to the trail, and the area is pretty small to have 18 metal cages. She hopes Rotary won't abandon the project.

Commissioner Gillette: Thanked Rotary Club for making the offer and understands they have already bought the equipment. He is adamantly against Kanza Park and adamantly for Disc Golf in Forest Park. Regardless of what the minutes say the community was promised it would be a passive park it would not be used as such things as playgrounds and we need to honor the commitment previous commissioners have made. So let's have it in Forest Park, not Kanza Park.

Commissioner Fleer: Asked what control they have over the disc once it is in flight. Thereupon, Mark Eldridge responded that prevention would be the best. The only thing you would have control over is using good judgment to wait until a walker or others passed out of harms way.

November 8, 2004

Rules would be posted but courtesy would be needed. Commissioner Fleer asked who would be liable for injury and Mr. Eldridge stated liability is with the person that is engaged in the activity. In addition, Commissioner Fleer asked about liability for damage to property and City Manager Weldon Padgett stated he did not believe the City would be responsible.

Commissioner Jackson: Stated there were several unknowns of someone getting hit by a disc. Some disc may end up in a backyard, as yards probably have golf balls in them that live by a golf course. Commissioner Jackson personally doesn't have a problem with this being in Kanza Park. Commissioner Jackson has been a part of discussions about the park being a passive park. Discussions about the trail and lighting drew some objections but now it doesn't seem people disapprove. Commissioner Jackson stated maybe sometimes the people that have had objections in the past that maybe weren't warranted. Commissioner Jackson feels Kanza Park would be a better location because of the layout and space required. There is parking in place currently and the need for restrooms has been discussed.

Wrap Up

Thereupon, Mayor Ramsey thanked Rotary for all their efforts on this project. The Governing Body will take the discussion from tonight's meeting under consideration and make a decision in the near future.

Thereupon, City Manager Weldon Padgett stated if anyone came up with additional records regarding Kanza Park he would be happy to have copies of the information so he would have complete information.

Thereupon, Jim Bass stated it was originally going to just be a 9-hole course. Thereupon, Mayor Ramsey explained that is what the article in the Herald had stated but the intention was always an 18-hole course. Mr. Bass felt even for Forest Park a 9-hole course would be better.

Thereupon, Dr. John Brockway addressed concerns about people being hit by a disc. He stated there is only one hole that would throw towards a walker and it is 50 feet from the trail and there are trees behind it. A player might be close to walkers but would have their backs to them.

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
November 8, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, the Governing Body heard from Ms. Carmen Michaelson, Co-President of the Non-traditional Students Association from Ottawa University who requested permission to sell hot cocoa and baked goods at Forest Park and Haley Park during the Christmas Parade. The Governing Body agreed by consensus to this request.

Items For Action

Crist RV

Thereupon, the Governing Body reviewed a request to authorize the City Manager to sign an agreement with Crist RV that describes the conditions needed to defer the parking project at their new location. The new location is located at 1004 E. Logan which will allow Crist RV to get the required security bond in order to proceed with the parking lot project. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to authorize the City Manager to sign the agreement. The motion was considered and upon being put, all present voted aye.

Items to be Placed For Action

Public Service Award

Thereupon, the Governing Body reviewed changes made to Municipal Service Awards adding certain increments and the inclusion of previous service with other Kansas municipalities in determining an employee's total length of public service. It was noted that staff considered it appropriate the City develop its own program, whereby an employee be recognized at the end of each 5th year increment. Thereupon, the Governing Body agreed by consensus to recognize a list of employees at the Regular Meeting of November 17, 2004.

Ordinance Review-Indecent Exposure

Thereupon, the Governing Body reviewed with City Attorney Bob Bezek an ordinance related to indecent exposure to bring the City code related to this offense in line with the language of State statute. The Governing Body agreed to place this item on the Regular Meeting Agenda for November 17, 2004.

November 8, 2004

Items for Discussion

Antique Engine and Tractor Show

Thereupon, the Governing Body heard from Richard Mullins with the Antique Engine and Tractor Show who requested reservation of Forest Park on September 9-11, 2005 for the 2005 show. Thereupon, the Governing Body agreed by consensus to this request. Mr. Mullins reported that approximately 4,000 people had visited the show in 2004 and the show had included a new activity, which was a tractor ride to Williamsburg. Approximately 46 tractors had participated in this event.

Veterans Day Celebration

Thereupon, the Governing Body heard from Brent Tucker who requested from the Governing Body \$1,000 for the 2004 Veteran's Day Celebration. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to grant the request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Review of Dilapidated Structure

Thereupon, the Governing Body reviewed a short video of a dilapidated structure formerly located at 416 South Maple. It was explained that earlier this year, an occupant of this deteriorated home had been encouraged to find other accommodations due to the external condition of the structure. Once vacant, a neighbor purchased the property and was shocked at the level of internal conditions. The video clearly demonstrated this deterioration.

The Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained that there are other situations of similar nature in the community where structures are occupied but need to have action to protect the health of the occupant.

Monthly Reports from October 2004

Thereupon, the Governing Body reviewed the monthly reports for October 2004.

Other Items From Staff or the City Commission

City Hall Vestibule

Thereupon, the Governing Body heard from City Manager Weldon Padgett who explained that the signage on the City Hall building had been completed and wanted direction on the vestibule project since it appears the Library is hesitant to participate in the project now.

Legislative Dinner

Thereupon, the Governing Body discussed the date for the Legislative Dinner noting a conflict on December 6, 2004. The Governing Body agreed to move the meeting to December 13, 2004 at 5:30 pm.

Thereupon, the Governing Body heard from Commissioner Fleer who stated she had attended the National Guard changes command at the Armory and was moved by the young people who are being asked to serve the country.

Adjournment

Thereupon, the Mayor announced, there will be a forum on Disc Golf from 5:30-6:30 pm in the City Commission Chambers and asked the Governing Body to join him there. There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

November 8, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 15, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleece, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Condemnation-421 S. Mulberry

Thereupon, the Governing Body reviewed a resolution to establish the date and time for a public hearing to be called in January to further consider action to order the repair or removal of the structure(s) at 421 S. Mulberry. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for November 17, 2004 and to expedite the process by directing Planning and Codes Administration Director Wynndee Lee to create an order to vacate.

Disc Golf

Thereupon, the Governing Body agreed by consensus to deny the proposal for Disc Golf in Kanza Park. However, the Governing Body asked City Manager Weldon Padgett to visit with Rotary and see if there was any interest in using Forest Park for this project. City Manager Weldon Padgett asked the Governing Body for direction on future requests for projects in Kanza Park. The Governing Body agreed, with Commissioner Gillette dissenting, that the City Manager should continue to bring other proposals to the Governing Body concerning Kanza Park. The Governing Body will consider proposals on a case-by-case basis.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from Study Sessions November 1, 8, 2004 and Regular Meeting Minutes from November 3, 2004 and agreed to place these items on the Regular Meeting Agenda. It was noted changes would be made to address some scribes errors.

Items for Discussion

Legislative Dinner-December 13, 2004

Thereupon, City Manager Weldon Padgett reported, all invited to the Legislative Dinner had responded they will attend, with the exception of two School Board Members who haven't responded yet.

November 15, 2004

Storm Water Master Plan

Thereupon, Public Works Director Andy Haney reminded the Governing Body of a Storm Water Master Plan meeting to be held Wednesday, November 17, 2004, at the Franklin County Annex. There will be two presentations for public input one at 6 pm and one at 7 pm with each presentation being the same.

Other Items From Staff or the City Commission

Thereupon, Mayor Ramsey stated Commissioner Fleer and himself had attended the Historical Preservation Meeting. Mayor Ramsey expressed some concerns he had on the process and asked staff to remain involved in this project.

Thereupon, Mayor Ramsey inquired about the status of the swimming pool grant. Thereupon, City Manager Weldon Padgett stated that the City Inspection Staff is currently working with the City engineering firm to start some designing.

Thereupon, Commissioner Fleer asked about the status on the Fixed Base Operator at the Airport. Thereupon, City Manager Weldon Padgett stated he had two responses and the deadline to apply had passed.

Adjournment

There being no further business to come before the Governing Body Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

November 15, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
November 17, 2004

The Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette and Commissioner Fleer absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on November 3, 2004, and Work Study Sessions on November 1, 8, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Regular Agenda

Public Comments

None offered at this time.

Introductions and Presentations:

Thereupon, Mayor Ramsey presented the following City Employees a Certificate of Service to the City of Ottawa and had each Commissioner read part of the employee's service award history.

Service Awards, November 2004

10 years of service:

Kendall Broers – Began work as a temporary Firefighter in January 1994, was hired full-time as a Firefighter in April 1994, was reclassified as Firefighter/EMT in July 1995, had a change in status to Firefighter/EMTI in November 1995, and was promoted to Driver Engineer EMTI in April 1998 where he serves today.

Pat Haas – was hired as a Water Distribution Sewer Worker in June 1994, reclassified as Water Distribution Sewer Worker II in June 1995, and promoted to Assistant Water Distribution Superintendent in April 1997 where he serves today.

November 17, 2004

Stephen King – was hired as a Power Plant Operator in July 1994, transferred to Power Plant Maintenance in February 1998, reclassified as Maintenance Worker I in August 2002 where he serves today.

Pat McComb – was hired as a Water Distribution Sewer Worker in June 1994, reclassified as Water Distribution Sewer Worker II in June 1995, transferred to Journey Level Tree Trimmer in August 1995, promoted to Journey Level Line Electrician in April 1999, reclassified as Journey Level Lineman in August 2002, and promoted to Foreman in December 2003.

15 years of service:

Andy Haney – was hired as the Public Works Director in August 1989 where he serves today.

Richard Howard – was hired as a Driver Engineer in the Public Safety Department in October 1988 and transferred to Police Officer in April 1990 where he serves today.

James Kerns – was hired as a Police Officer in March 1989 where he serves today.

Debbie Lines – was hired as an Account Clerk Receptionist in October 1988, reclassified as Account Clerk in May 1989, had title change to Utility Clerk in October 1994, promoted to Account Clerk II in September 2000, and reclassified as Clerk II in August 2002 where she serves today.

Barb Nelson – was hired as Administrative Secretary in July 1989, reclassified as Executive Secretary in August 2002, and transferred this month to the Police Department as Assistant Municipal Court Clerk where she serves today.

Dennis Nowatzke – was hired as a Public Safety Officer in October 1988, transferred to Fireman in December 1990, reclassified to Firefighter EMT in January 1993, promoted to Driver Engineer EMT in November 1993, promoted to Driver Engineer/EMTI in November 1995, promoted to Lieutenant in October 1999, promoted to Captain in April 2000 where he serves today.

Gene Seaton – was hired as a Water Distribution Worker in August 1989, reclassified as Water Distribution Sewer Worker II in August 1995, and reclassified as a Maintenance Worker II in August 2002.

November 17, 2004

20 years of service:

Bobbi Hawkins – was hired in 1983 as Parking Control Officer, promoted to Public Safety Officer in 1986, and reclassified to a Police Officer in January 1992. She was promoted to Sergeant in January 2001 where she serves today.

Mike Higbie – was hired as Maintenance Worker II in Public Works in May 1984, promoted to Equipment Operator I in the Parks Division in May 1986 where he serves today.

Dave McCurdy – was hired as a Power Plant Operator in April 1984, transferred to Water Distribution Worker in July 1990, promoted to Water Distribution Sewer Maintenance Crew Chief in May 1994 where he serves today.

Layman Miller – was hired as a Power Plant Operator in March 1984 and was reclassified as Operator I in August 2002 where he serves today.

25 years of service:

Ed Hughes – was hired as a Utility Plant Operator in April 1979, was reclassified as a Water Plant Operator in May 1989, and reclassified as Operator I in August 2002 where he serves today.

Larry Klingele – was hired as a Power Plant Maintenance Worker in October 1979 and in September 2001 designated Temporary Maintenance Coordinator where he serves today.

Elected Officials:

Thereupon, City Manager Weldon Padgett presented service awards to the 3 members of the Governing Body who were eligible. The City Manager explained that the League of Kansas Municipalities now included Elected Official Service Awards. The City Manager announced the three elected officials being honored for ten years of service had actually served more than ten years as follows:

Charles Gillette –has served twelve years

Gene Ramsey – has served eleven years

Richard Jackson – has served eleven years

Resolution-Immediate Hazard-421 S. Mulberry

Thereupon, there was presented a resolution declaring a structure at 421 S. Mulberry an immediate hazard for continued occupancy and ordering such structure to be vacated, pursuant to K.S.A. 12-1750, et seq. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution.

November 17, 2004

During discussion it was explained Staff began writing to the owner/occupant of 421 S. Mulberry in January regarding the condition of the house and concerns for the occupants safety. In April 2004, other housing options were given a follow-up letter requesting action. During the summer, efforts were made unsuccessfully to meet with the owner and inspect the interior. Staff has made contact with State agencies and asked them to investigate whether the owner could benefit from assistance. An additional attempt was made by certified mail in October to gain entrance and to suggest alternative housing arrangements, again without a response from the owner. The Governing Body reviewed photographs of the structure at the last Study Session, at which time the consensus was to move more quickly on addressing the safety of the occupant, by having the structure vacated prior to winter.

Thereupon, Commissioner Gillette stated that staff had done a good job in attempting to help the occupant.

Thereupon, Commissioner Fleer stated she had spoken to the occupant the night before and he had stated he had no means to repair the property and would let the chips fall where they may. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1305-04.

Resolution-421 S. Mulberry-Notice of Hearing

Thereupon, there was presented a resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located at 421 S. Mulberry, may appear and show cause why said structures should not be ordered repaired or removed. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained the purpose of this resolution is to fix the date, time and place for a hearing concerning an owner-occupied single-family structure located at 421 S. Mulberry. This property is severely deteriorated and, in staff's opinion, should not be occupied. Upon approval, a hearing will be scheduled on January 5, 2005 at 7 pm, in the City Commission chambers at which time any interested party may appear and speak to this issue. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1306-04.

November 17, 2004

Ordinance-Lewd and Lascivious Behavior

Thereupon, there was presented an ordinance amending Section 38-401, lewd and lascivious behavior, deleting certain sections and modifying the Municipal Code of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to adopt the resolution as presented.

During discussion it was explained it had been discovered that the City's ordinance related to indecent exposure states that the offense has occurred in a "public place", versus the State Statute language that says "publicly exposing..." This distinction has caused a problem in local enforcement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3489-04.

Reports by City Manager

Thereupon, City Manager Weldon Padgett expressed his appreciation to the Governing Body for their willingness to allow management to set a standard to recognize employees. The City Manager stated the longevity of City employees speaks well for the City.

Reports by City Commission

Thereupon, Commissioner Gillette recognized Commissioner Richard Jackson, CEO of ECKAN, for the dinner last night with more than 200 people in attendance where ECKAN recognized numerous volunteers and how important volunteers are.

Thereupon, Commissioner Jackson expressed appreciation to those who attended.

Announcements

Thereupon, the Mayor announced:

1. November 17, 2004: Joint City/County/USD 290, at the District Office at Noon
2. November 22, 2004: Work Study Session at 4 pm
3. November 29, 2004: Work Study Session at 4 pm
4. December 1, 2004: No Regular Meeting (Governing Body at National League of Cities Conference, Indianapolis, IN)

5. December 13, 2004: Legislative Dinner, Commission Chambers 5:30 pm
(Please note date change)
6. December 15, 2004: Next Regular Meeting at 9:30 a.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:53 am.

Scott D. Bird, City Clerk

November 17, 2004

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 29, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Cereal Malt Beverage-2005 Applications

Thereupon, the Governing Body reviewed Cereal Malt Beverage licenses for the annual renewal application for January 1, 2005. It was noted that staff had reviewed and approved all applications and recommended approval. Thereupon, the City Clerk noted that there was some question as to citizenship and while the state statute indicates that state citizenship is a requirement, city citizenship is not necessary. However, City Staff had requested backup names for managing these establishments to make sure all criteria both city and state were met.

Later in the meeting it was suggested these applications be approved at this meeting. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Rate Ordinance-Utility Rates

Thereupon, the Governing Body reviewed a utility rate ordinance, which will establish consistency in the way rates are handled between electric, water, and wastewater. This is in anticipation of upcoming utility rate changes. The Governing Body agreed to place this item on the regular meeting agenda for December 15, 2004.

Resolution-Special Use Permit, 719 E. Wilson

Thereupon, the Governing Body reviewed a resolution granting special use permit for the construction of a duplex in the R-Zoning District at 719 E. Wilson, requested by James and Linda Lewis. The Governing Body considered this issue and agreed to place it on the Regular Meeting for December 15, 2004.

November 29, 2004

Review of Minutes

Thereupon, the Governing Body reviewed minutes for Study Session November 15, and Regular Minutes from November 17, 2004 and agreed to place these items on the Regular Meeting Agenda for December 15, 2004.

Items for Discussion

Thereupon, the Mayor noted the City was pleased to receive grant funds which had been requested during the Governing Body's visit to Washington in March and it was agreed that thank you letters should be sent to those congressman and legislators who had been involved in securing these grants for the City. Thereupon, Commissioner Jackson suggested a list of City priorities and needs be put together for the meetings in March 2005.

Thereupon, Mayor Ramsey asked that an agenda be prepared for the Legislative Dinner on December 13, 2004 and items from the County and School District be included.

Thereupon, City Manager Weldon Padgett stated that a letter had been received regarding the speed limit on K-68 Highway between the overpass and 7th Street. The Governing Body agreed that an ordinance could be brought back. However, some expressed opposition to adjusting the speed limit in this area.

Thereupon, Commissioner Fleer stated she had attended the storm water utility meeting and the general consensus was that the information was good.

Thereupon, the City Manager responded to the following questions:

Disc Golf: Rotary is looking at a layout at Forest Park.

Front doors City Hall: Staff has met with a local glass installation company approximately 3 times and alternatives are being considered.

TV Franchise: Franchise Agreement with Allegiance has been sent to them and it is in their hands to respond to the City's latest offer.

Recreation Commission: Staff has met with the Recreation Commission, representatives from the School District, and Bond Counsel. The City is not really a player in the Recreation Commission facility that is being proposed. The School District can issue these bonds on behalf of the Recreation Commission.

Airport: A third proposal for the airport FBO position is anticipated and a decision will be made by January 1, 2005.

421 S. Mulberry

Thereupon, Planning and Codes Administration Director Wynndee Lee stated that progress is being made at 421 S. Mulberry for relocation.

Rail Trail

Thereupon, Director of Public Works Andy Haney stated that the Rail Trail project is waiting on hardware. There will be crosswalks marked and there will be a bike trail marked from the Rail Trail to Forest Park.

Artwork

Thereupon, City Manager Weldon Padgett made a report on the local artwork that had been commissioned. The City has provided copies to Main Street, the Visitors Center, Carnegie Building, and etc. to be sold and to defray the City's cost. The original piece will be framed and displayed at City Hall.

Announcements

Thereupon, the Mayor announced:

1. December 1, 2004: No meeting due to the NLC meeting
2. December 6, 2004: Work Study Session at 4 pm
3. December 13, 2004: Work Study Session at 4 pm
Legislative Dinner, Commission Chambers at 5:30 pm
4. December 15, 2004: Regular meeting at 9:30 am
No Joint Meeting at noon

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

November 29, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
December 6, 2004

The Governing Body met at 4 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fler, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Ordinance-Consent Annexation

Thereupon, the Governing Body reviewed an annexation ordinance requested by David Barkley of approximately 20 acres. The property in question is immediately south of Deerfield Addition, which is Mr. Barkley's current development area. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 15, 2004.

Resolution-City Limits

Thereupon, the Governing Body reviewed a resolution defining and declaring the City limits. The annexation of properties in 2004 requires the City to update and readopt the legal description describing our corporate boundaries. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for December 15, 2004.

Building Permit/Planning Services Fees

Thereupon, the Governing Body reviewed Planning and Building Fees with City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 15, 2004.

K-68 Speed Limit

Thereupon, the Governing Body reviewed a request from a citizen to reconsider the KDOT Road Safety Audit on K-68 Highway from the east end of the K-68 bridge to the west city limits (Beech Street). The Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for December 15, 2004.

Review of Minutes

Thereupon, the Governing Body agreed to place the minutes from the November 29, 2004 Study Session on the Regular Meeting Agenda for December 15, 2004.

December 6, 2004

Items for Discussion

Items Already Placed

Thereupon, City Manager Weldon Padgett discussed items already placed on the December 15, 2004, Regular Meeting Agenda.

Thereupon, City Commissioner Rocky Fler asked about grant possibilities to help with the cost of the Ottawa Recreation Center. It was explained that the recreation center didn't fall into the right category or meet correct criteria for Federal funding.

Thereupon, the Mayor extended an invitation to the Governing Body to visit the Library on Monday, December 13, 2004, if the Study Session ended before 5 pm.

Thereupon, City Manager Weldon Padgett explained the cost of the Legislative Dinner would be split by all three entities and USD 290 is on the agenda first as they have a Board Meeting later in the evening.

Thereupon, the Governing Body discussed with staff a request from KOFO for the annual Garden Expo 2005. Thereupon, the Governing Body agreed to this request.

Thereupon, Commissioner Fler inquired as to the policies of the City with regards to the hiring of minorities. Thereupon, City Manager Weldon Padgett explained the City has broadened the opportunity for minorities and any race to apply with the implementation of HR Partners on-line program. However, Mr. Padgett explained that sometimes it is difficult to get qualified applicants that meet even minimum requirements for a position.

Thereupon, Mayor Ramsey asked that National League of Cities reports be given at the next Study Session and to have the two Youth Delegates that attended report as well.

Thereupon, Mayor Ramsey announced he had recently attended a presentation to the China Chamber of Commerce at Ottawa Truck.

Announcements

Thereupon, the Mayor announced:

1. December 13, 2004: Work Study Session at 4 pm
Legislative Dinner, Commission Chambers at 5:30 pm
2. December 15, 2004: Regular Meeting at 9:30 am
3. December 20, 2004: Work Study Session at 4 pm
4. December 29, 2004: Possible Regular Meeting if needed.

December 6, 2004

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

December 6, 2004

**City of Ottawa / Franklin County / USD-290 -- Meeting With State Representatives
SPECIAL CALL MINUTES
December 13, 2004
5:30 - 7:30 p.m. Ottawa City Commission Chambers**

The Governing Body met at 5:30 p.m. this date in Special Session with State Legislators, USD 290 School Board Members, and Franklin County Commissioners with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

In addition to the Governing Body the following were present:

State Senators: Derek Schmidt, Pat Apple

State Representatives: Bill Feuerborn, Tom Holland, Bill Otto

Ottawa City: Weldon Padgett, Scott Bird, Bob Bezek, David Dillner, Carolyn Snethen

Franklin County Commission: Ed Taylor, Don Waymire, Don Hay, Don Stottlemire, Fred Ferguson, Roy Dunn, Blaine Finch

USD 290 Board: Louis Reed, Bill Allegre, Jeanette Lowry, Jan Collins

Media: Bobby Van Horn, Chris Bales, Andy Gassaway

Chamber of Commerce: Tom Weigand, Alameda Edwards

Thereupon, everyone enjoyed the dinner by *Culinary Pleasures* (Pam and Ron Sluder) family catering in Ottawa, Kansas.

Thereupon, Mayor Ramsey welcomed those in attendance and asked USD 290 to begin their agenda item discussion.

Agenda Items and Discussion Included:

USD-290 Discussion Items

- School Finance: a) reaction and response to the Supreme Court ruling, b) what educational programs should suitably include, what educational programs should be funded through the finance formula, how can we attain an equitable balance among the haves and have nots? c) opinions on establishing a multi-year school finance plan, and d) projected timeline for decisions, so districts can start planning.
- The role of the State Board of Education
- Including the assessed value of Tax Increment Financing properties in the calculation for school financing.

County Discussion Items

- Community College Out-district Tuition
- Changes in Medi-care for ambulance service payments

December 13, 2004

- Annexation-support legislation to require all or nothing for roads and rights-of-way
- County code court limitations

City Discussion Items

- Kansas Open Records Act
- Protecting KDOT funding (US-59)
- Imminent domain powers
- Annexation powers
- Consolidation of services in local governments

Thereupon, Mayor Ramsey concluded the meeting by thanking Culinary Pleasures for the wonderful meal and thanked all those for attending.

Scott D. Bird, City Clerk

December 13, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
December 13, 2004

The Governing Body met at 3:30 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fleer, Commissioner Henningsen, and Commissioner Gillette absent. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Items to be Placed For Action

Building Permit Fees

Thereupon, Planning and Codes Administration Director Wynndee Lee reviewed the proposed building permit fee changes and agreed to place this item on the Regular Meeting Agenda for December 15, 2004.

Review of Minutes

Thereupon, the Governing Body reviewed minutes from the Study Session December 6, 2004 and agreed to place this item on the Regular Meeting Agenda for December 15, 2004.

Items For Discussion

National League of Cities Conference

Youth Delegates Jon Hake and Brian Dowell reported on their recent trip to the National League of Cities conference in Indianapolis.

Thereupon, Commissioner Gillette arrived at 3:39 pm.

Thereupon, Mayor Ramsey, Commissioners Jackson, Gillette, and Fleer reported on the National League of Cities conference, in Indianapolis.

Monthly Report for November

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for November.

Other Items From Staff or City Commission

Thereupon, City Manager Weldon Padgett reported on:

- Signals for the Midland Railway on US-59
- City Hall front doors-contractor will be calling this week
- Swimming Pool grants-further review
- Police Chief Butler's Kansas Law Enforcement training

December 13, 2004

Thereupon, Chief Butler reported on the academy he had attended. He stated the Kansas academy is very top notch, well funded, and the Governing Body should know the officers that attend are coming back to the community very well trained.

Thereupon, City Manager Weldon Padgett concluded that on Saturday he had spoke at the League Leadership Class held here at City Hall and after tonight's Legislative Dinner, Wynndee Lee, David Dillner, and himself would be presenting information on Tax Increment Financing at the School Board Meeting.

Announcements

Thereupon, the Mayor announced:

1. December 13, 2004: Legislative Dinner at 5:30 pm, in lieu of the December Joint Meeting.
2. December 15, 2004: Regular Meeting at 9:30 am
No Joint Meeting
3. December 20, 2004: Work Study Session at 4 pm

Executive Session

Recess

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss attorney client privilege and non-elected personnel for a period of 17 minutes and to reconvene in open session at 4:45 pm in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 4:45 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to continue discussion on attorney client privilege and non-elected personnel for a period of 5 minutes and to reconvene in open session at 4:50 pm in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette to reconvene the meeting at 4:50 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn the Study Session and to convene in the City Commission Chambers at 5:30 pm for a Special Call Legislative Dinner.

Scott D. Bird, City Clerk

December 13, 2004

City Commission
Regular Meeting Minutes
Ottawa, Kansas
December 15, 2004

The Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Henningsen, Commissioner Gillette and Commissioner Fler. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Commissioner Charles Gillette.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to approve the consent agenda, which included the agenda approval and the minutes for the Regular Meeting on November 17, 2004, and Work Study Sessions on November 15, 29, and December 6, 2004. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Regular Agenda

Public Comments

None offered at this time.

Ordinance-Wastewater Rates

Thereupon, there was presented an ordinance to amend Section 14-108 of the Municipal Code of the City of Ottawa, providing a provision to allow the establishment of wastewater rates by resolution. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to accept the ordinance as presented.

During discussion it was explained that during a review of utility rates an inconsistency was discovered in the way the city handles rate changes. That is, electric and water rates are established by resolution, while wastewater rates must be established by ordinance. In anticipation of upcoming utility rate changes this ordinance was prepared to provide better consistency and lower publishing cost. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3490-04.

December 15, 2004

Ordinance-Annexing Land –700 W. 19th Street

Thereupon, there was presented and ordinance to annex land to the City of Ottawa and generally located at 700 W. 19th Street. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to adopt the ordinance as presented.

During discussion it was explained this action will allow for the annexation of 20 acres as requested by Mr. David Barkley, the owner of the property. The property is located immediately south of Mr. Barkley's current housing subdivision and is also expected to evolve as a residential development area. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3491-04.

Resolution-Corporate Boundaries

Thereupon, there was presented a resolution defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas, and rescinding Resolution No. 1268-03. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained the annexation of properties in 2004 (approximately 162 acres) which requires the city to update and readopt the legal description of our corporate boundaries. This action is recommended for approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1307-04.

Ordinance-Vehicular and Pedestrian Traffic

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic by establishing speed limits. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance as present.

During discussion it was explained the City received a recommendation from the Kansas Department of Transportation in the last Road Safety Audit to increase the speed limit from 30 mph to 40 mph on K-68 Highway from the east end of the K68 bridge to the west city limits. The Governing Body had first considered this issue in February 2004 and agreed to reconsider this issue in response to a citizen inquiry. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Jackson aye, Commissioner Fleer nay, Commissioner Henningsen aye, and Mayor Ramsey nay. Thereupon, the Mayor declared the ordinance duly adopted by a 3-2 vote and the ordinance was duly numbered Ordinance No. 3492-04.

December 15, 2004

Resolution-Building Permit Fees

Thereupon, there was presented a resolution establishing fees for the issuance of building permits in the City of Ottawa, Kansas, to be effective, as provided in Ordinance No. 3393-02, 3394-02, 3396-02, 3397-02, 3398-02, 3399-02, 3400-02 and the Municipal Code of the City of Ottawa, Kansas, 1997 and repealing Resolution No. 1039-99. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained staff recently presented a report explaining the comparison data gathered and research conducted to assist in updating the City's building and planning fees. This resolution establishes building fees as discussed during the Work Study Session and upon adoption these fees will become effective January 1, 2005. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1308-04.

Resolution-Special Use Permit-719 E Wilson

Thereupon, a resolution granting a special use permit for the construction of a duplex in the R Zoning District at 719 E. Wilson requested by James and Linda Lewis, in the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson, to adopt the resolution as presented.

During discussion it was explained the Planning Commission considered this issue, held a public hearing and unanimously recommends approval with the following condition: At least two additional trees of no less than four inch caliper must be installed on the site prior to the issuance of a certificate of occupancy. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1309-04.

Reports by City Manager

Thereupon, City Manager Weldon Padgett stated he had presented information on Tax Increment Finance to USD 290 School District on Monday evening and that concludes the education process to the different entities. A final draft of the policy and district will be brought to the Governing Body.

Reports by Mayor

Thereupon, Mayor Ramsey wished everyone a Happy Holiday.

Announcements

Thereupon, the Mayor announced:

1. December 20, 2004: Study Session at 3:30 pm (Presentation from ORC, Chamber, as well as, an Executive Session)
2. December 29, 2004: A Special Call meeting had been considered. City Manager Weldon Padgett, at this time, didn't think it would be needed.
3. January 3, 2005: Study Session (time to be announced)
4. January 5, 2005: Next Regular Meeting at 7 pm
5. January 10, 2005: Study Session (time to be announced)

Adjournment

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:44 am.

Scott D. Bird, City Clerk

December 15, 2004

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
December 20, 2004

The Governing Body met at 3 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Jackson, Commissioner Fler, Commissioner Henningsen, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for a motion to move into Executive Session to discuss non-elected personnel.

Executive Session

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel for a period of 30 minutes and to reconvene in open session at 3:30 pm in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to reconvene the meeting at 3:30 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session to continue discussions of non-elected personnel for a period of 30 minutes and to reconvene in open session at 4 pm in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 4 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Thereupon, the Mayor asked for Public Comments.

Public Comments

None offered at this time.

December 20, 2004

Items to be Placed For Action

Review of Minutes

Thereupon, the Governing Body reviewed minutes from December 13, 2004, Study Session, December 13, 2004, Special Legislative Dinner meeting and the December 15, 2004, Regular Meeting and agreed to place these items on the Regular Agenda for January 5, 2004 with one change.

Items for Discussion

Chamber of Commerce

Thereupon, Ottawa Chamber of Commerce Director Tom Weigand reported on the Chamber of Commerce and OFCED activity and reviewed the 2005 budgets.

Ottawa Recreation Commission

Thereupon, the Governing Body heard from ORC representative Randy Vance who requested the City function as the conduit for financing of the proposed recreation building to be located north of Eisenhower School. Several issues were discussed including:

- Property ownership
- Street access
- Whether the school district should finance this project
- How the ORC will fund payment

Mr. Vance indicated that the ORC will put down \$500,000 on this project and commit \$125,000 a year toward the debt payment. He provided two options as follows:

- Facility Option #1-A three (3) gymnasium structures with 6,500 sq. ft of office, meeting and program space at a probable cost of \$2-2.1 million all inclusive. This option requires a final estimated debt level of \$1.5-1.6 million.
- Facility Option #2 – A two (2)-gymnasium structure with 5,500 sq. ft of office, meeting and program space at a probable cost of \$1.7-1.8 million all-inclusive. This option requires a final estimated debt level of \$1.2-1.3 million debt level.

Adjournment

There being no further business to come before the Governing Body Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

December 20, 2004