

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
January 3, 2007

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

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to approve the consent agenda. The consent agenda included the minutes from December 18, 2006 Study Session and Regular Meeting Minutes of December 20, 2006. Thereupon, Mayor Henningsen stated Item 13 on the Regular Agenda would be deferred to a later agenda for further discussion. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved with Item 13 being deferred to a later agenda.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamations and Recognition**

**Proclamation**

Thereupon, Mayor Henningsen read a proclamation honoring Dr. Martin Luther King, JR Day in the City of Ottawa. The proclamation was received by Mayor pro tem Jackson. Thereupon, Commissioner Jackson announced the upcoming events taking place in honor of Dr. Martin Luther King, JR.

**Recognition- "If I Were Mayor" Contest**

Thereupon, Mayor Henningsen made presentations to the following contest winners:

- First Place-Kali Hinman, Mrs. Alexander's Class
- Second Place-Jordan Crowell, Mrs. Alexander's Class
- Third Place-Eric Scott, Mrs. Lemp's Class

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Thereupon, the Mayor congratulated all the winners and asked First Place Winner, Kali Hinman read her essay. Teachers of the winners Mrs. Alexandar and Mrs. Lemp were also congratulated.

### **Resolution-Northeast Substation**

Thereupon, there was presented a resolution declaring the necessity to repair, alter, extend, and reconstruct, enlarge or improve the electric utility system of the City of Ottawa and issue electric utility revenue bonds in an amount not to exceed \$1,180,000 for the purpose of paying for the design and engineering. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained the project to be designed is the extension of our transmission lines from the existing southeast substation to a new northeast substation. In order to finance the project, electric utility revenue bonds need to be issued, not to exceed the amount of \$1,180,000. 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. 1398-07.

### **Ordinance-Rezone 2610 Kingman Road**

Thereupon, there was presented an ordinance to re-zone an area within the Urban Growth Area, Franklin County, Kansas, commonly known as 2610 Kingman Road, and updating the section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this rezone would reclassify property at 2610 Kingman from Franklin County I-1 (Light Industrial) to City A (Agricultural Zoning District). The owner, Wanda Kraft, requested the rezone as the property is currently being used for agriculture. A public hearing was held at which time no comments were recorded. The Planning Commission recommends approval of the rezone by a vote of 6-0. 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. 3611-07.

### **Ordinance-Amend Municipal Code Inoperable Vehicles**

Thereupon, there was presented an ordinance amending Chapter 10, Article II, Section 10-205, and numbers 2 and 5, Article 6 Section 10-603 and number 2 of the Municipal Code of the City of Ottawa, Kansas 1997. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this amendment was brought on by public complaints concerning parking or storing inoperable vehicles on city streets. The amendments state that any items considered junked, wrecked or abandoned on public rights-of-way or parking lots will be a

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violation and the property owner will have 24 hours to remove the nuisance. 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. 3612-07.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth in Government Representatives who provided a report on their recent trip to the NLC Conference in Reno, Nevada. Sierra Wright, and Jill Francis provided the presentation with Sara Humm assisting with the projector.

### **Reports by City Manager**

Thereupon, the City Manager reported interview questions will be provided to the Governing Body for the Planning Commission position. He noted the interviews will take place right after the regular Study Session on Monday, December 8, 2006.

The City Manager discussed with the Governing Body the National League of Cities Conference in Washington. Discussion included who would be attending, topics to be discussed, and when the Governing Body wanted to meet with representatives.

The City Manager reminded the Governing Body about the upcoming "City Hall Day" at the Capitol on January 25 and asked which Commissioners plan on attending.

### **Reports by the Mayor**

Thereupon, Mayor Henningsen thanked all of City Staff involved in the budget process for 2007. Including all the hard work put into the process by City Manager Weldon Padgett, City Finance Director Scott Bird, Assistant to the City Manager Nikki Spencer, City Treasurer Donna Kipper, and all department heads. She explained without the half-cent sales tax the City Budget would look very different. She closed by stating it was very unusual for the County, City and USD 290 to all drop their mill levy in the same year.

### **Announcements**

Thereupon, the Mayor announced:

1. January 8, 2007: Study Session at 4 pm with a Special Call meeting to be held at 5 pm to allow the Governing Body time to interview candidates for the open Planning Commission position.
2. January 15, 2007: NO STUDY SESSION, City Hall Closed for observance of Dr. Martin Luther King, Jr. Day
3. January 17, 2007: Regular Meeting at 9:30 am
4. January 17, 2007: Joint City/County/USD 290 lunch at USD 290

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**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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 at 7:37 pm.

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Scott D. Bird, City Clerk

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**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
January 3, 2007

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

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

**Public Comments**

None offered at this time.

**Resolution-Northeast Substation**

Thereupon, the Governing Body reviewed a resolution declaring the necessity to repair, alter extend, reconstruct, enlarge or improve the electric utility system necessitating the issuance of electric utility revenue bonds to finance the engineering and design work. It was explained that the project to be designed is the extension of our transmission lines from the existing southeast substation to a new northeast substation. An estimated bond sizing was provided showing the total amount of issuance to be \$1,180,000. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Rezone 2610 Kingman Road**

Thereupon, the Governing Body reviewed staff findings, a map and ordinance to rezone 2610 Kingman Road from Franklin County I-1 (light industrial) to City Zoning A (agricultural). The rezone was requested by owner Wanda Kraft resulted from the current agricultural use.

Thereupon, Commissioner Fleer arrived at 6:39 pm.

Thereupon, the Governing Body agreed to place the rezone request for 2610 Kingman Road on the next Regular Meeting Agenda.

**Ordinance-Sign Regulations**

Thereupon, the Governing Body reviewed an ordinance to amend the Sign Regulation section of the Zoning Ordinance. The amendment refers to temporary signs, specifically temporary flags in residential developments. This amendment will allow flags as a temporary banner on development signs in residential area. Thereupon, the Governing Body agreed to defer this item until the next Study Session scheduled for January 8, 2007.

**Ordinance-Nuisance and Inoperable Vehicle**

Thereupon, the Governing Body reviewed an ordinance to amend the nuisance and inoperable vehicle ordinance in response to public complaints concerning parking or storing inoperable vehicles on city streets. The amendments state that any items considered junked, wrecked or

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abandoned on public rights-of-way or parking lots will be a violation and the property owner will have 24 hours to remove the nuisance. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes of December 18, 2006 Study Session and the Regular Meeting Minutes from December 20, 2006 and agreed to place these items on the next Regular Meeting Agenda.

**Proclamation-Dr. Martin Luther King, Jr.**

Thereupon, the Governing Body reviewed a proclamation in honor of Dr. Martin Luther King, Jr. and agreed to place this item on the Regular Meeting Agenda.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

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**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
January 8, 2007

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

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

**Public Comments**

None offered at this time.

**Ordinance-Zoning Amendment, Sign Regulations**

Thereupon, the Governing Body reviewed an ordinance amending the section of the Zoning Ordinance regarding sign regulations, specifically the placement of temporary signs or banners. Discussion followed from Planning and Codes Administration Director Wynndee Lee who provided information to clarify the Planning Commissions intent of changing the sign regulations. In addition, it was explained it will take a Super Majority vote to adopt the ordinance. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for January 17, 2007.

**Ordinance-Parking Regulations**

Thereupon, the Governing Body heard from City Manager Weldon Padgett who discussed downtown central business district parking. Increased parking enforcement prompted staff to review the current regulations and existing signage. Information provided outlined reflections of working to accommodate the many different players in the downtown district including residential occupants, employees and consumers. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for January 17, 2007.

**Economic Development Services-Agreement for 2007**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and O/FCED Representative Tom Weigand who reviewed the Economic Development Services agreement for 2007. It was noted that the County and O/FCED have already executed the agreement. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Wildcat I Addition**

Thereupon, there was presented an ordinance for vacation of the Wildcat I Addition final plat. The Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained six years ago preliminary and final plats were approved, however, no development has ever taken place. The new owner is interested in a different type of development and layout and

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has verbally agreed to vacating the existing plat. A public hearing is scheduled for the January 17<sup>th</sup> Regular Meeting. Thereupon, the Governing Body agreed to place this item and the Public Hearing on the Regular Meeting Agenda for January 17, 2007.

**Ordinance- Wal-Mart Planned Unit Development (PUD)**

Thereupon, the Governing Body reviewed an ordinance amending the Wal-Mart Planned Unit Development (PUD) Zoning District at 2132 S Princeton Circle Drive to allow access to lots 4 and 6, amend lot lines, and add lot 10 of County Clerk Subdivision No. 1. The Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained the proposal for the property calls for subdivision into two building lots. One lot is for a proposed commercial carwash and storm water detention, while the second lot has no current development planned. Ms. Lee explained the pending resolution of conditions needs to be completed and if the Governing Body decided to place the ordinance on the January 17, 2007 agenda and the conditions aren't met before the 17<sup>th</sup> the ordinance could be removed from the Agenda. Thereupon, the Governing Body agreed to place this item on the agenda for January 17, 2007.

**Open Agenda**

**NLC-Washington Conference in March**

Thereupon, the City Manager discussed the upcoming NLC Conference with regards to flight schedule, and discussion topics.

**Proclamation-Scout Week**

The City Manager requested a proclamation for Scout Week be placed on the January 17, 2007 agenda. Thereupon, the Governing Body agreed by consensus to this request.

**Snow Removal**

Thereupon, City Manager Weldon Padgett gave a brief update on the snow removal meeting he had attended recently and noted the policy will be drafted.

**Study Session**

Thereupon, the City Manager discussed with the Governing Body the possibility of not needing a Study Session before the next Regular Meeting of January 17, 2007 due to the Martin Luther King, Jr. Holiday.

**Gun Signs**

The City Manager stated that "No Guns Allowed" signs have, for the most part, been posted at City buildings and the Chamber Office will have additional signs for purchase.

**Planning Commission Interviews**

The City Manager explained the interview process and how it would take place. Each Commissioner received a packet of questions to be used for each candidate and noted each interview would last 10 minutes.

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Thereupon, Commissioner Jorgensen arrived at 4:55 pm.

Thereupon, the interview process took place for 7 candidates interested in an unexpired term of a Planning Commissioner. With the interviews complete Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to appoint Ruthanne Wasko to fill the unexpired term. It was noted the position change would become effective in February. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared Ruthanne Wasko duly appointed to the Planning Commission

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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 at 6:28 pm.

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Scott D. Bird, City Clerk

January 8, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
January 17, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Chaplain Matthew Benorden with Hospice Care of Kansas.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the consent agenda. The consent agenda included only the Regular Agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamations**

**Scout Week**

Thereupon, Mayor Henningsen read a proclamation honoring Boy Scout Week in the City of Ottawa, Kansas. Thereupon, the proclamation was received by Jim Burns, Pack 3079, who thanked the Governing Body for recognizing the Scout program in our community. Mr. Burns stated Scouting is celebrating 100 years in Great Britain and in 3 years the United States will be celebrating 100 years of scouting.

**Catholic Education Week**

Thereupon, Mayor Henningsen read a proclamation to honor "Catholic Education Week" and the proclamation was received by Diane Chapman, Principal of Sacred Heart School. Mrs. Chapman introduced the following students who presented School Service Projects for "Catholic Schools Week":

**Gabby Bowers**, 5<sup>th</sup> grade- "Coins for Critters" proceeds will go to Bea Martin Peck Animal Shelter.

**Austin Graham**, 4<sup>th</sup> grade- "Baby Shower for Jesus" proceeds going to Life Care Center.

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**Brianna Pfizenmaier**, 5<sup>th</sup> grade-“Wear A Pair – Share A Pair” house slippers will be given to residents at Ottawa Retirement Village.

In closing Mrs. Chapman invited everyone to the Chamber Coffee to be held at the Sacred Heart Parish Center, February 20<sup>th</sup> at 8 am, in celebration of Sacred Heart Schools “55<sup>th</sup> Anniversary”.

### **Ordinance-Sign Regulations**

Thereupon, there was presented an ordinance amending Article XXVII, Section 27-401, Letter G, Number 1, Sign Regulations, of the Zoning Ordinance No. 3501-05, for the City of Ottawa. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained the proposed amendment is in response to a developer’s request to place flags (as temporary banners) on already allowed and existing development monument signs. The flags will only be allowed during the active construction of homes. At the request of the City Commission clarifying language was added to the version of the ordinance that the Planning Commission had recommended for approval, therefore the City Commission would need to approve the ordinance by a super-majority (at least a 4-1 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. 3613-07.

### **Ordinance-Designating Parking Restrictions**

Thereupon, there was presented an ordinance designating parking restrictions within the City of Ottawa and amending Sections 13-300, 13-313, 13-315 and 13-316 of the Municipal Code. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained that increased parking enforcement prompted staff to review the current regulations and existing signage. Changes are aimed at assisting in nuisance enforcement on the public rights-of-way, accommodating the increasing number of residents downtown with a permit option, assisting the District Court and Sheriff’s Office by designating certain spaces for their use (8-5 Monday through Friday), and clearing up some other unauthorized signage. 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. 3614-07.

### **Agreement-Economic Development Services 2007**

Thereupon, the 2007 Agreement for Economic Development Services between the City of Ottawa, Franklin County and the Ottawa/Franklin County Economic Development Inc. was presented.

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Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to approve the agreement.

During discussion it was explained this agreement was created in 2003 to clarify what duties were expected for the funding being received from the City and County. The agreement had already been approved by the County and O/FCED and approval recommended by staff. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

### **Public Hearing-Wildcat I Addition Final Plat**

Thereupon, a public hearing was scheduled for consideration of an ordinance vacating the Wildcat I Addition Final Plat. Thereupon, the Mayor stated the public hearing has been scheduled to hear comments about the proposed vacation of the Wildcat I Addition final plat. Six years ago preliminary and final plats were approved, however, no development has taken place. The new owner is interested in a different type of development and layout and has verbally agreed to vacate the existing plat. After public and/or staff comments the Mayor will close the public hearing.

Thereupon, the Mayor opened the public hearing at 9:43 am.

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who addressed the history of Wildcat I Addition.

With no one else wishing to speak to this issue the Mayor closed the public hearing at 9:45 am.

### **Ordinance-Final Plat Wildcat I Addition**

Thereupon, there was presented an ordinance to vacate the final plat of Wildcat I Addition. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that after the public hearing, staff recommends that the Wildcat I Addition final plat be vacated. 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. 3615-07.

### **Ordinance-Wal-Mart Planned Unit Development (PUD)**

Thereupon, there was presented an ordinance amending the Wal-Mart Planned Unit Development, 2132 S Princeton Circle Drive, in 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 amendment was necessary to accommodate a proposed development. About three acres exist on the west side of Princeton Circle, north of Advanced  
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Auto Parts. A proposal has been developed to subdivide the property into two building lots, with a commercial carwash and storm water detention on the northern-most lot. The PUD amendment will allow access from US-59 and subdivide the property. A public hearing was held at which time comments were made concerning the location and traffic. Pending the resolution of certain conditions, the Planning Commission recommends approval of the ordinance by a vote of 4-2.

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who addressed concerns from the Commission. Ms. Lee stated it is the recommendation of staff that the amendment be approved, pending the resolution of the following conditions:

1. Compliance with any outstanding engineering issues. (Will be resolved prior to action by City Commission).
2. Execution of a development agreement between the City and Developer of the project.
3. Approval of driveway permit by the Kansas Department of Transportation.
4. Installation of 11 trees with staff approval.

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. 3616-07.

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett announced the Candidate Forum scheduled for February 22<sup>nd</sup> at 7 pm, at the Franklin County Annex.

The City Manager stated there might not be a need for a Study Session Meeting on Monday, January 22. The Governing Body will be notified if the meeting is canceled.

The City Manager reminded the Governing Body about "City Hall Day at the Capitol" and asked that anyone wanting to ride in the City van to meet at City Hall by 8:15 am.

The City Manager reviewed with the Governing Body the most recent snow/ice removal efforts by City Crews. He stated he thought the crews did a good job overall with the recent modifications implemented since the last storm.

### **Reports by City Commission**

Thereupon, Commissioner Jackson thanked KOFO, Ottawa Herald, and the City Government Access Channel for the great coverage during the Martin Luther King celebration. He thanked the Mayor for her participation in the "King" program at Ottawa University. Commissioner Jackson thanked everyone involved and those who participated in the Martin Luther King celebration.

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### **Parking Permits**

Thereupon, the City Manager thanked the Governing Body for the action they had taken regarding the changes in making parking permits available to District Court and those living downtown. He stated the permits will be available through the City Clerk's Office.

### **Announcements**

Thereupon, the Mayor announced:

1. January 17, 2007: Joint City/County/USD 290 lunch at USD 290 at NOON.
2. January 22, 2007: Study Session at 4 pm.
3. January 25, 2007: City Hall Day at the Capitol at 9:30 am – 1 pm.
4. January 29, 2007: Study Session at 4 pm
5. February 7, 2007: Next Regular Meeting

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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 at 10:01 am.

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Scott D. Bird, City Clerk

January 17, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
January 29, 2007

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

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

**Public Comments**

None offered at this time.

Thereupon, Commissioner Fleer arrived at 4:02 pm.

**Ordinance-Rezone 3173 K-68 Highway**

Thereupon, the Governing Body reviewed an ordinance to rezone 3173 K-68 Highway located in the Urban Growth Area from zoning R-E (Residential Estates) to City zoning I-1 (Light Industrial). The owners of this property Mell and Edith Martin along with Bea Martin Peck Animal Shelter, requested the rezone to allow construction of a new animal shelter. A public hearing was held, with no public comments. The Planning Commission recommended approval of the rezone by a 6-0 vote. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for February 7.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the Study Sessions of January 3<sup>rd</sup>, and 8<sup>th</sup>, 2007 and Regular Meeting Minutes from January 3<sup>rd</sup> and 17<sup>th</sup>, 2007 and agreed to place these items on the next Regular Meeting Agenda with noted changes.

**Resolution-Letter of Support**

Thereupon, the Governing Body reviewed a request to update a resolution acting as a letter of support for the owners of Pine Manor and Mission Woods located at 1545 and 1609 Osage Drive to submit the properties for tax credit affordable housing. The request was made to renew the resolution through the end of 2007. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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. 1399-07.

**Report by City Manager**

Thereupon, City Manager Weldon Padgett notified the Governing Body that letters will be going to 90 property owners regarding meetings to be held at the Franklin County Annex, January 30<sup>th</sup>, at 4 & 6 pm, to discuss the proposed readdressing of some properties. Thereupon, the Governing

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Body heard from Planning and Codes Administration Director Wynndee Lee who gave the following explanation: On Highway 59, from 17<sup>th</sup> to the south city limits, the proposal is to change street names from Princeton Road and Princeton Circle to Main Street and Main Street Terrace. On the alignment that was Old Highway 50, change Main to Elm. On 23<sup>rd</sup> Street, move the East/West designation to the East, so that East addresses begin east of what is currently 23<sup>rd</sup> and Princeton.

### **City Personnel Policies**

Thereupon, the Governing Body reviewed changes to City Personnel Policies that reflect new laws or have been modified from existing language for clarity. It was noted these changes do not require any action from the City Commission.

### **Monthly Financial and Activity Report-December**

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

### **Announcements**

Thereupon, the Mayor announced:

1. February 5, 2007: Study Session at 4 pm
2. February 7, 2007: Regular Meeting at 7 pm
3. February 12, 2007: Study Session at 4 pm

### **Report by Commissioner Fleer**

Thereupon, Commissioner Fleer reported on the 127<sup>th</sup> Field Artillery event she recently attended at the local National Guard Armory.

### **Executive Session**

#### **Recess**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel matters for a period of 20 minutes and to reconvene in Open Session at 4:53 pm in the same Work Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 4:53 pm.

#### **Recess**

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

**Reconvene**

Thereupon, Commissioner Ramsey made a motion seconded by Commissioner Jackson, 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 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 5:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion seconded by Commissioner Jackson, 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 5:25 pm.

**Evaluation discussion: City Manager**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett his current evaluation and agreed to a 2.5 percent merit increase and increased his retirement benefit from 9 to 10% of his base salary.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

January 29, 2007

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
February 5, 2007

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

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

**Public Comments**

None offered at this time.

**Charter Ordinance-General Obligation Bonds**

Thereupon, the Governing Body reviewed a Charter Ordinance with City Manager Weldon Padgett and Finance Director Scott Bird who explained that the Charter Ordinance would allow the City to use General Obligation bonds for utility improvements. The City is looking at the construction of a new sub-station and transmission lines and possible generation, funding these expensive projects at the lowest possible rate is important. The City currently has a G.O. debt ratio of 10.8% (\$7,925,000) and is allowed to issue up to 30% of our assessed value. The idea is that this allows more flexibility in funding utility projects. It was explained passage of the ordinance will require a super-majority vote (4-1) and there is a 61-day protest period. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for February 7, 2007.

**Proclamation-Black History Month**

Thereupon, the Governing Body reviewed a proclamation for "Black History Month" and agreed to place this item on the next Regular Meeting Agenda for February 7, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the January 29, 2007 Study Session and agreed to place this item on the next Regular Meeting Agenda with a change.

**KDOT-US 59**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Public Works Director Andy Haney who reviewed information (see below) about what projects KDOT has committed to as part of the US-59 turnback, as well as, a report and analysis of the road conditions. It was explained some work will be City responsibility, but the majority is the State's. Thereupon, the Governing Body agreed by consensus to allow City Staff to move forward.

February 5, 2007

**City Responsibility/Cost**

<u>Item of Issue</u>	<u>Comment</u>
Marais des Cygnes River Bridge Maintenance of Light Poles	Repairs completed by City.
US-59 and Princeton Intersection	KDOT will not participate with this improvement.
Curb Inlet Repair	None

**KDOT Responsibility/Cost**

<u>Item of Issue</u>	<u>Comment</u>
Abutment # 2 leveling	KDOT does not recommend mudjacking at present time.
Sealing of joint at Abutment # 2	KDOT does not recommend any action at this time.
Backfilling right side of Abutment # 2	KDOT has completed maintenance on this item.
Drift material removal from superstructure	KDOT can not clean the middle of the superstructure with their equipment.
Powerwash of superstructure	KDOT does not believe that powerwashing is good use of resources.
Strip seal in expansion device Abut.#2	To be replaced by KDOT.
Skunk Run drainage structure	KDOT to replace 101' of the structure within R/W.
K-68/US-59 drainage structure	KDOT to replace SE 180' remainder of structure is in good condition.
RCB at 21 <sup>st</sup> Street	Replacement by KDOT.
Pavement through the City	Cold mill 2" hot mix asphalt & patch needed sections of existing pavement.

**Candidate Orientation**

Thereupon, City Manager Weldon Padgett stated that a letter had been sent to candidates for City Commission indicating his desire to hold a quick orientation meeting to familiarize them about the City's form of government, the departments and their duties and issues, basic budget items, how the flow of work occurs, boards and commissions, etc. Mr. Padgett stated he is reconsidering doing this due to the time it takes to do an orientation, and instead would wait until after the February 5, 2007

election. Thereupon, the Governing Body agreed the orientation should be postponed until after the election to see if it was necessary. Mayor Henningsen stated that candidates could call and request specific information, as most information is open record.

### **Open Agenda**

Thereupon, there was discussion on the following:

- CIP information
- NLC considering Ottawa part of the initiative of inclusive communities
- Allegiance Cable fees increasing
- 2007 NLC Washington DC schedule
- Street naming

### **Recess to Executive Session**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to recess into Executive Session to discuss matters related to property acquisitions for a period of 20 minutes and to reconvene in Open Session at 4:57 pm in the same Work Study Session. City Attorney Bob Bezek and Chamber Director Tom Weigand were invited to be present. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 4:57 pm.

### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 5:07 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 5:07 pm.

### **Report by Mayor**

Thereupon, Mayor Henningsen announced she currently is in the process of setting up the speaker for the Mayor's Prayer Luncheon, which will be held April 2 at Ottawa University.

February 5, 2007

**Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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 at 5:09 pm.

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Scott D. Bird, City Clerk

February 5, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
February 7, 2007

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

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Armogen B. Walker, Bethany Chapel Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included minutes from Regular Meetings of January 3<sup>rd</sup> & 17<sup>th</sup>, Study Session minutes of January 3<sup>rd</sup>, 8<sup>th</sup>, 29<sup>th</sup> and the Regular Agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation: Black History Month**

Thereupon, Mayor Henningsen requested Commissioner Jackson read the Black History Month proclamation. Commissioner Jackson read the proclamation and presented it to Rev. Armogen B. Walker of Bethany Chapel Baptist Church. Rev. Walker thanked the Governing Body for the proclamation. Commissioner Jackson announced several events taking place in honor of "Black History Month".

**Ordinance-Re-Zone**

Thereupon, the Governing Body reviewed an ordinance that would re-zone an area within the Urban Growth Area, Franklin County, Kansas, and updating the section of the zoning map, which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained that the owners of this property, Mell and Edith Martin, along with Bea Martin Peck Animal Shelter, requested the rezone to allow construction of a new animal

February 7, 2007

shelter. Upon approval, zoning will change from Franklin County R-E (Residential Estates) to City Zoning I-1 (Light Industrial Zoning District). A public hearing has been held at which time no comments were recorded. The Planning Commission recommends approval of the rezone by a vote of 6-0.

Thereupon, the Governing Body heard from Bea Martin Peck Animal Shelter Board Chair, Vicky Whitacre who expressed excitement regarding the proposed rezone that would allow the shelter to have a highly efficient facility to care for animals. The Governing Body considered the motion and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3617-07.

### **Charter Ordinance-General Obligation Bonds**

Thereupon, there was presented a Charter Ordinance exempting the City of Ottawa, Kansas, from the provisions of K.S.A. 12-834 relating to bonds for gas, water and electric, and providing substitute and additional provisions of the same subject. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion Commissioner Jorgensen clarified that this was not approval to move ahead with any project. It was explained this charter ordinance would allow the City to use General Obligation Bonds for utility improvements. Because the City is looking at the construction of a new sub-station and transmission lines and possible generation, funding these expensive projects at the lowest possible rate is important. The City currently has a G.O. debt ratio of 10.8% (\$7,925,000) and is allowed to issue G.O. debt up to 30% of its assessed value. This option allows more flexibility in funding utility projects. It was noted that passage of this ordinance requires a super-majority vote and provides a 61-day protest period.

Thereupon, the Governing Body heard from City Clerk Scott Bird who explained the importance of the Charter Ordinance and the benefits to the City. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Charter Ordinance adopted by a 5-0 vote and the Charter Ordinance was duly numbered Charter Ordinance No. 18-07.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Sara Humm who explained the Youth In Government members have been working on their service project. Ms. Humm explained Anna Stone and Darrah Jorgensen would be attending the National League of Cities Conference in Washington, D.C. She explained that during the City Hall Day at the Capitol other City's were interested in the youth program and inquired about Ottawa's program.

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett reported on the following:

- Annual Report

February 7, 2007

- Rural Water Districts
- Conceal Carry
- Courtesy car at airport
- New restaurant (Drivers)

### **Reports by City Commission**

Thereupon, Commissioner Jackson read a letter from the National League of Cities thanking the City of Ottawa for joining the Partnership for Working Toward “Inclusive Communities”. The letter stated the City of Ottawa will be receiving a free sign reading as follows: “Welcome. We are building an inclusive community.” The sign will be 36 X 48 and promotes inclusiveness and diversity in the City of Ottawa.

### **Reports by Mayor**

Thereupon, the Mayor announced the speaker for the Mayor’s Prayer Luncheon to be held April 2<sup>nd</sup>, at Ottawa University will be Judge Tom Webb from Haskell County.

The Mayor reported on the recent event at the Crystal Palace and how excited the community is in having the theater back open.

### **Announcements**

Thereupon, the Mayor announced:

1. February 12, 2007: Study Session at 4 pm
2. February 19, 2007: Study Session at 4 pm
3. February 21, 2007: Joint City/County/USD 290 lunch at the County at NOON.
4. February 22, 2007: Candidates Forum at Franklin County Annex at 7 pm.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commission 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 at 7:24 pm.

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Scott D. Bird, City Clerk

February 7, 2007

**SPECIAL CALL**  
**City Hall, Study Session Room**  
**OTTAWA, KANSAS**

Minutes of  
February 8, 2007

The City Governing Body met at 5:37 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The following were also present: City Manager Weldon Padgett, City Attorney Bob Bezek, City Clerk Scott Bird, and Ottawa Herald Representative Cleon Rickel.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss attorney client privilege.

**Recess to Executive Session**

There being no regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss personnel matters and attorney client privilege for a period of 15 minutes and to reconvene in Open Session at 5:52 pm in the same Work Study Session. 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 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 at 5:52 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 6:02 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Jorgensen 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 at 6:02 pm.

**Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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.

February 8, 2007

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Scott D. Bird, City Clerk

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
February 12, 2007

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

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

**Public Comments**

None offered at this time.

**Neighborhood Revitalization Program**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who discussed the proposed applications for the Neighborhood Revitalization Program. Ms. Lee explained the review committee has recommended the applications for approval. The properties include: 739 S Mulberry and 515 S Hickory (single-family), 807 N King (multi-family) and 940 N Main (commercial). In addition to the current applications, the review committee has received a request to include the area of Funston Street from 7<sup>th</sup> to 9<sup>th</sup> into the Neighborhood Revitalization Program. Thereupon, the Governing Body agreed to place this on the next Regular Meeting Agenda for February 21, 2007.

**Monthly Activity and Financial Reports-January**

Thereupon, the Governing Body reviewed the Monthly Activity and Financial Reports for the month of January. Library and Ottawa Recreation reports were distributed at the beginning of today's meeting. Therefore, the Mayor asked Commissioners to review these reports and bring back to the next Study Sessions any items of discussion.

**Letter of Support-Royal Cleaners**

Thereupon, the Governing Body discussed with Main Street Director PJ Stephenson the requested letter of support for Royal Cleaners. The letter of support will allow Royal Cleaners to apply for grant monies for the front facade renovation. Thereupon, the Governing Body agreed by consensus to allow the Mayor to sign the letter of support on behalf of the City of Ottawa.

**City Manager Contract Amendment**

Thereupon, the Governing Body discussed with City Attorney Bob Bezek a request to amend the City Manager's current contract as attached hereto and made a part hereof. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to allow the amendment as presented. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey nay, Commissioner Jackson aye, Commissioner Jorgensen aye, Commissioner Fleer aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the requested amendment duly approved by a 4-1 vote.

February 12, 2007

### **Announcements**

Thereupon, the Mayor announced:

1. February 19, 2007: Study Session at 4 pm
2. February 21, 2007: Regular Meeting at 9:30 am
3. February 21, 2007: Joint City/County/USD 290 at County Noon
4. February 22, 2007: Candidates Forum at Franklin County Annex at 7 pm (there was discussion this may not take place)

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

February 12, 2007

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## CITY MANAGER'S MEMO

**To:** Mayor and City Commission.

**From:** Weldon M. Padgett, City Manager

**Date:** 9 Feb 2007

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A request for an undefined yet temporary period of time to amend a clause in the City Manager's contract that will in effect place the same amount of funds the City is currently paying into the ICMA Retirement Corporation on behalf of the employee into his normal salary due to an unforeseen financial burden. The change does not affect the City any differently financially, would not be considered as part of his base salary (would be "Other" income, would be taxable income as opposed to pretaxable, and would have the negative affect of not helping build up retirement funds. The personal financial burden is private and all consideration would be very much appreciated. The text in the agreement can be made as follows

### **Section 4 Retirement**

The City shall continue all necessary agreements provided by the ICMA Retirement Corporation (ICMA-RC) for the City's participation in said retirement plan. In addition to the base salary paid by the City to the City Manager, the City agrees to pay an amount equal to ten percent (10%) of the City Manager's base salary into the ICMA-RC on the City Manager's behalf, or for some other equal use. Such payment shall be made in equal proportionate amounts each pay period, and the City shall transfer ownership to succeeding employers upon the City Manager's resignation, termination or non-renewal. The City Manager may pay additional amounts into the fund.

February 12, 2007

**SPECIAL CALL**  
**City Hall, Study Session Room**  
**OTTAWA, KANSAS**

Minutes of  
February 14, 2007

The City Governing Body met at 11:35 am this date for the Special Call Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The following were also present: City Attorney Bob Bezek, City Clerk Scott Bird, Ottawa Herald Representative Jodie Garcia and Photographer Ashley Cross, and KOFO Radio Representative Chris Bales.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss attorney client privilege.

**Recess to Executive Session**

There being no regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non elected personnel and attorney client privilege for a period of 25 minutes and to reconvene in Open Session at 12 pm in the same Work Study Session. 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 Jorgensen, 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 12 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 12:10 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Jorgensen 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 at 12:10 pm.

**Adjournment**

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

February 14, 2007

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Scott D. Bird, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 5, 2007

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

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

**Public Comments**

None offered at this time.

**Resolution-Condemnation 440 S Ash**

Thereupon, the Governing Body discussed a staff memo and resolution for a public hearing date for condemnation of structure located at 440 S Ash. The resolution will set the date of a public hearing for April 18 at 9:30 am. This structure was damaged by fire in July of 2006. Following an inspection of the structure, several letters were sent to the owners by certified mail regarding nuisances and the structure. In November phone contact with the owner indicated that they needed until December 15 to get insurance proceeds and planned to repair the structure. Since that time no attempt to obtain a permit for has been made. The Governing Body agreed to place this resolution on the next Regular Meeting Agenda for March 7, 2007.

**Ordinance-Main Street Name Change/2100-2500 Block**

Thereupon, the Governing Body reviewed an ordinance to change the name of Main Street, in the 2100-2500 blocks. Meetings have been held with affected property owners to discuss proposed changes to street names in the area around Main, Princeton and 23<sup>rd</sup> Street. During discussion it was explained a great deal of confusion has occurred as to where "South Main Street" is located. Thereupon, the Governing Body agreed to place this ordinance on the next Regular Meeting Agenda for March 7, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the February 26<sup>th</sup> Work Study Session and agreed to place this item on the next Regular Meeting Agenda for March 7, 2007.

**Sega Presentation: Transmission Line/Northeast Substation**

Thereupon, the Governing Body heard from Mr. Jack Werthman, of Sega, who made a presentation updating the City Commission on the status of the design of the 161kv transmission line and northeast substation. Mr. Werthman discussed the need for proceeding with construction of this project. In addition, City Clerk/Finance Director Scott Bird discussed possible financing options.

March 5, 2007

### **OMA-National Symphony Orchestra**

Thereupon, the Governing Body reviewed a request from Semie Rogers, President of the Ottawa Community Arts Council, who is requesting the waiver of rental fees for the Auditorium to be used for the visiting National Symphony Orchestra. A brass quintet will perform for free on March 29<sup>th</sup> from 9-10 am with the performance being geared toward USD 290 students. It was noted that any additional seating will be made available to the public free of charge. Thereupon, the Governing Body agreed to this request.

### **Other Items**

Thereupon, Acting City Manager Wynndee Lee stated the Assistant to the City Manager Nikki Spencer has distributed packets to the Governing Body for the National League of Cities.

Thereupon, Commissioner Jorgensen inquired about the letter received from Sherry Engelbert who requested a traffic light at 15<sup>th</sup> and Ash, and 13<sup>th</sup> and Ash. Thereupon, Acting City Manager responded staff will research the request. It was noted the information will not be available to the Governing Body in time for the March 7<sup>th</sup> meeting.

Thereupon, Commissioner Ramsey asked about the possibility of announcing storm warnings on the Government Access Channel. Thereupon, Acting City Manager Wynndee Lee stated staff will look into that possibility.

Thereupon, Commissioner Ramsey discussed with the Governing Body the concealed carry gun bill.

### **Executive Session**

#### **Recess to Executive Session**

There being no regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss attorney-client privilege for a period of 15 minutes and to reconvene in Open Session at 5:03 pm in the same Work Study Session. City Attorney Bob Bezek and Acting City Manager Wynndee Lee were invited to attend. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 5:03 pm.

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 5:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

March 5, 2007

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 pm.

**Announcements**

Thereupon, the Mayor announced:

1. March 7, 2007: Regular Meeting at 7 pm
2. March 12, 2007: Study Session cancelled due to Commission in Washington, D.C.

**Adjournment**

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

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Scott D. Bird, City Clerk

March 5, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
March 7, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The invocation was given by Rev. Armogen B. Walker, Bethany Chapel Baptist Church. The Mayor led the audience in the Pledge of Allegiance to the American flag.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey to approve the consent agenda. The consent agenda included minutes from Study Session Meetings February 19<sup>th</sup> and 26<sup>th</sup>, Regular Meeting February 21<sup>st</sup> and the Regular Agenda. 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 Sherry Engelbert, 1127 S Maple, who requested traffic control at both 13<sup>th</sup> & Ash and 15<sup>th</sup> & Ash Streets. Thereupon, Acting City Manager Wynndee Lee stated Ms. Engelbert's letter was received on Monday, March 5<sup>th</sup> and noted the City Engineer has been contacted. Ms. Lee explained the City will work with USD 290 Superintendent Dean Katt to try and resolve the issue.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Ordinance-Re-Zone: 808 E. 23rd**

Thereupon, the Governing Body reviewed an ordinance to re-zone an area within the City of Ottawa, commonly known as 808 E. 23<sup>rd</sup> Street and repealing the corresponding section of the zoning map, which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained this property consists of 15 acres and was annexed in 2005. The City initiated the re-zone in an effort to change properties that have been annexed to city zoning designations. The property is currently zoned Franklin County C-2 (Highway Commercial) to City Zoning C-3 (General Commercial Zoning District). A public hearing was held at which time no comments were made. The Planning Commission recommends approval by a vote of 6-0.

March 7, 2007

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. 3618-07.

**Ordinance-Re-Zone: 903 and 925 E. 23<sup>rd</sup> St**

Thereupon, the Governing Body reviewed an ordinance to re-zone an area within the City of Ottawa, commonly known as 903 and 925 E. 23<sup>rd</sup> Street and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained these combined properties consist of 34 acres, which were annexed in 2005. The City initiated the re-zone in an effort to change properties that have been annexed to city zoning designations. The property is currently zoned Franklin County I-1 (Light Industrial) to City Zoning C-3 (General Commercial Zoning District). A public hearing was held at which time no comments were made. The Planning Commission recommends approval by a vote of 6-0. 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. 3619-07.

**Ordinance-Re-Zone: 2601 US 59 Highway and 2770 I-35**

Thereupon, the Governing Body reviewed an ordinance that would re-zone an area within the City of Ottawa, commonly known as 2601 US 59 Highway and 2770 I-35 and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained these combined properties consist of 75 acres, which were annexed in 2005. The City initiated the re-zone in an effort to change properties that have been annexed to city zoning designations. The property is currently zoned Franklin County C-2PD (General Commercial Planned Development) to City Zoning C-3 (General Commercial Zoning Districts). A public hearing was held at which time no comments were made. The Planning Commission recommends approval by a vote of 6-0. 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. 3620-07.

**Ordinance-Amending Licensing, Bonding and Fee Procedures**

Thereupon, the Governing Body reviewed an ordinance for licensing, bonding and fee procedures for electricians, plumbers and HVAC mechanics and repealed Ordinance 3256-98; Ordinance 3529-05; and Chapter 6, Article VIII of the Municipal Code of the City of Ottawa, Kansas, 1997 will be replaced in its entirety. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

March 7, 2007

During discussion it was explained in late 2006, the City received a request to consider additional classifications in the licensing ordinances. Additional classifications allow those contractors that specifically work on residential projects to avoid having to test for industrial and commercial work. Additional issues considered during revision included updates to insurance requirements, expanded list of testing agencies and requirements for continuing education.

Thereupon, Acting City Manager Wynndee Lee explained that it has been some time since the City has considered licensing and this allows those who are skilled to get a residential license only for an electrician, plumber and HVAC mechanics. 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. 3621-07.

#### **Resolution-Condemnation 440 S. Ash Street**

Thereupon, the Governing Body reviewed a resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas; at which time the owners, their agents, lien holders of record and any occupants of the structures located at 440 S. Ash, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this ordinance calls for a public hearing on April 18 at 9:30 am. The structure at 440 S Ash was damaged by fire in July of 2006. Following inspections of the structure, several letters were sent to the owners by certified mail regarding nuisances and the structure. Phone contact was made, in November however, since that time no attempt to obtain a permit has been made. 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. 1402-07.

#### **Ordinance-Renaming Certain Blocks of Main Street**

Thereupon, the Governing Body reviewed an ordinance to rename certain blocks of Main Street. All are located within the corporate limits of the City of Ottawa, Kansas and renaming the same block as South Elm Street. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained that meetings have been held with affected property owners to discuss proposed changes to street names in the area around Main, Princeton and 23<sup>rd</sup> Street. A great deal of confusion has occurred as to where "South Main Street" is located. Businesses in this area have reported that customers have difficulty locating their business and the renaming should assist to clear up confusion.

March 7, 2007

Acting City Manager Wynndee Lee illustrated with a map the streets to be affected. It was also noted that formal notification would be distributed to the affected property owners, post office, and the County of the new addresses. 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. 3622-07.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Darrah Jorgensen who explained the Youth in Government members have been working on their service project. Ms. Jorgensen explained Anna Stone, Lisa Rivers and herself would be attending the National League of Cities Conference in Washington, D.C.

### **Reports by Acting City Manager**

Thereupon, Acting City Manager Wynndee Lee announced that the 2006 annual reports will be in the Ottawa Herald March 12, 2007.

### **Reports by City Commission**

Thereupon, Commissioner Jackson noted that the month of April is Fair Housing Month. He also noted they are doing a survey entitled "What are you doing?" to see what is being done in other communities. He brought attention to the "Inclusive Sign" at the back of the Commission Chambers to be posted within the City.

### **Reports by Mayor**

Thereupon, Mayor Henningsen reminded everyone of the Mayor's Prayer Luncheon at Ottawa University on April 2, 2007 and noted that Judge Tom Webb would be a guest speaker.

### **Announcements**

Thereupon, the Mayor announced:

1. March 12, 2007: Study Session cancelled due to Commission in Washington, D.C.
2. March 19, 2007: Study Session at 4 pm
3. March 21, 2007: Regular Meeting at 9:30 am
4. March 21, 2007: Joint City/County/School Lunch at City Hall at Noon

### **Executive Session**

#### **Recess to Executive Session**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss attorney-client privilege for a period of 10 minutes and to reconvene in Open Session at 7:35 pm in the same Regular Meeting. City Attorney Bob Bezek and Acting City Manager Wynndee Lee were invited to attend. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

March 7, 2007

**Reconvene**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, 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 7:35 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 7:50 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 7:50 pm.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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 at 7:50 pm.

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Scott D. Bird, City Clerk

March 7, 2007

**SPECIAL CALL**  
**City Hall, Study Session Room**  
**OTTAWA, KANSAS**

Minutes of  
March 9, 2007

The City Governing Body met at 12 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The following were also present: City Attorney Bob Bezek, Acting City Manager Wynndee Lee, City Clerk Scott Bird, KOFO Radio representative Chris Bales, and Ottawa Herald representatives Jeanny Sharp and Cleon Rickel.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss personnel matters and attorney-client privilege.

**Recess to Executive Session**

There being no regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss personnel matters and attorney client privilege for a period of 10 minutes and to reconvene in Open Session at 12:10 pm in the same Work Study Session Room. Acting City Manager Wynndee Lee and City Attorney Bob Bezek were invited into the Executive Session. 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 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 at 12:10 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess again and to reconvene at 12:20 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Jorgensen 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 at 12:20 pm.

Thereupon, City Attorney Bob Bezek stated he had received a letter of resignation from City Manager Weldon Padgett and requested action by the Governing Body.

March 9, 2007

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to accept the City Manager's resignation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the City Manager's resignation duly accepted.

**Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

March 9, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 19, 2007

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

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

**Public Comments**

None offered at this time.

**City Park Request-Sexual Assault Awareness Month (April)**

Thereupon, the Governing Body heard from Saida Bonifield, Crisis Intervention Specialist, with Women's Transitional Care Services who addressed the request to use City Park on Thursday, April 19, 2007, from 8:30 am to 3:30 pm for an event recognizing Sexual Assault Awareness Month (April). The event will be open to the general public and will be a visual display involving a clothesline hung with shirts decorated to represent the experiences of survivors or loved ones. The event is sponsored by Women's Transitional Care Services and the Franklin County Domestic Violence Unit. The Governing Body agreed by consensus to allow this event and asked Ms. Bonifield to work with staff on the detail of the event.

**Forest Park Request-Music Festival**

Thereupon, the Governing Body heard from Lance Burroughs and Caleb Correll, Grassroots Productions representatives who addressed questions regarding a request to use Forest Park for a musical on Saturday May 26. The organizers are working to bring in several bands to play and a tentative schedule of the events for the day was provided. It was noted that currently there are no reservations in the park for this date.

Thereupon, Commissioner Fleer arrived at 4:08 pm

Items discussed: Musical Festival

- Location in the park
- Type of music
- Liability Insurance
- Electricity-they are bringing generators
- Noise Ordinance
- Parking
- Suggestion to notify surrounding neighbors
- Permits for this type of event

March 19, 2007

Thereupon, the Governing Body agreed by consensus to allow this event and asked the Grassroots Productions representatives to visit with staff about event detail.

### **Ottawa Recreation Commission**

Thereupon, the Governing Body heard from Jason Camis, City appointee to the Ottawa Recreation Commission Board, who presented a letter of resignation. He will be taking a new position with YMCA that some may perceive as a conflict of interest with his service on the ORC Board. Mr. Camis was thanked for all the stability he brought to the Board.

Thereupon, there was discussion regarding the hiring of an ORC Director. It was noted Commissioner Jorgensen will be involved in the selection process. Interim City Manager Wynndee Lee noted the open seat on the board would be for an unexpired term.

### **Resolution-Northeast Substation, Utility Revenue Bonds**

Thereupon, the Governing Body reviewed a resolution declaring it necessary to repair, alter, extend, reconstruct, enlarge or improve the electric utility system. The resolution presented would authorize the issuance of electric utility revenue bonds of not more than \$9,900,000 for the purpose of paying for the improvements. It was explained that a study was completed by SEGA and it was illustrated that growth in the northeast part of the city, as well as, distance from the existing power plant resulted in low voltage problems for that part of the city. To alleviate the issues of low voltage construction of additional transmission, a substation and a transformer is proposed in the northeast section of the city.

Thereupon, Interim City Manager Wynndee Lee, Utility Director Jim Bradley, City Clerk Scott Bird, addressed questions and concerns from the Governing Body which included the following:

- Requested a copy of the PowerPoint presentation from SEGA
- Completion of the Electric Rate Study
- Explanation of financing
- No increase in electric rates since 1995
- Protest period of 15 days after publication of resolution (if adopted)
- Once transformer ordered City is committed to proceed (design of transformer is specific to the City of Ottawa needs).
- Goal for substation to be in operation (June 2008)
- Need to move forward to avoid low voltage problems and possible loss of power

Thereupon, City Attorney Bob Bezek suggested the Governing Body could adopt the Resolution and withhold authority for staff to accept bids, which would allow staff more time to provide additional financial information.

March 19, 2007

Thereupon, the Governing Body asked Staff to provide preliminary information on the Electric Rate Study and agreed to place this item on the Regular Meeting Agenda for March 21, 2007.

### **Resolution-Authorization on City Accounts**

Thereupon, the Governing Body reviewed a resolution defining depository institutions for idle funds held by the city. It was explained this resolution places Interim City Manager Wynndee Lee on the list of individuals authorized to sign for city accounts. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for March 21, 2007.

### **KMEA Board of Directors**

Thereupon, it was explained Commissioner Fleeer's term as "Director 1" expires this year requiring the commission to again make an appointment to this position. Further, an appointment to the position of "Alternate Director", which in the past was filled by former Power Plant Superintendent Richard Hollon, needs to be made as well. Utilities Director Jim Bradley suggests that current Power Plant Superintendent Jeff Oleson be appointed to the position. Thereupon, the Governing Body discussed the recommendation and agreed to place this item on the Regular Meeting Agenda for March 21, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from Study Session March 5, Regular Meeting March 7, and Special Call of March 9. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda.

### **Open Agenda**

#### **Award Letter-American Public Works Association (APWA)**

Thereupon, the Governing Body reviewed an award letter from the American Public Works Association (APWA) for the Municipal Swimming Pool improvements. The swimming pool project was submitted and won in the category of "Structures" under \$2 million. An awards ceremony will take place at the Kansas APWA conference in Junction City on Thursday, April 19. Representatives from the City, primary contractor, and primary consultant are all invited to attend. Staff asked if a representative from the Commission would like to attend the awards ceremony. Thereupon, the Governing Body agreed to discuss this item after the election.

#### **Monthly Financial and Activity Report-February**

Thereupon, the Governing Body agreed to defer this item until the next Study Session of March 26, 2007.

March 19, 2007

### **Recess to Executive Session**

There being no regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel for a period of 15 minutes and to reconvene in Open Session at 5:15 pm in the same Work Study Session Room. Acting City Manager Wynndee Lee and City Attorney Bob Bezek were invited into the Executive Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, 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 pm.

Thereupon, Mayor Henningsen stated a contractual agreement will be drafted for the Interim City Manager.

### **Recess to Executive Session**

There being no further regular business to come before the Governing Body, Commissioner Jorgensen made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss Attorney Client privilege for a period of 5 minutes and to reconvene in Open Session at 5:20 pm in the same Work Study Session Room. Acting City Manager Wynndee Lee and City Attorney Bob Bezek were invited into the Executive Session. 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 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 at 5:20 pm.

### **Recess**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to recess again and to reconvene at 5:30 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 Jorgensen, 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 5:30 pm.

March 19, 2007

Thereupon, Interim City Manager Wynndee Lee reported on upcoming projects.

**Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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 at 5:35 pm.

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Scott D. Bird, City Clerk

March 19, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
March 21, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Leonard Chesbro, New Life in Christ.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen to approve the consent agenda with the exception that Item 10 on the Regular Agenda be tabled. The consent agenda included minutes from Study Session Meeting March 5<sup>th</sup>, Regular Meeting March 7<sup>th</sup>, Special Call Meeting March 9<sup>th</sup> and the Regular Agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

*[Note: Item 10 was a resolution to issue Electric Utility Bonds in an amount not to exceed \$9,900,000 for the purpose of the costs to repair, alter, extend, reconstruct, enlarge or improve the Electric Utility System in the City of Ottawa, Kansas.]*

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

Commissioner Jorgensen clarified that the City Attorney had been consulted during Monday's Study Session to see if there would be any conflict of interest on Item No. 11, Depository Institutions for Idle Funds since he is an officer of a local bank. The City Attorney had stated there would not be a conflict as the adoption or denial of the resolution would apply to all local banks not any bank in particular.

**Resolution-Depository Institutions for Idle Funds**

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

March 21, 2007

During discussion it was explained this resolution outlines the procedures for the investment of the City's idle funds. Included in the resolution are persons authorized as signatories on city accounts. This list has been updated to remove the previous City Manager and place Interim City Manager Wynndee Lee. 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. 1403-07.

### **Appointments to Kansas Municipal Energy Agency (KMEA) Board of Directors**

Thereupon, the Governing Body discussed appointments to Kansas Municipal Energy Agency (KMEA) Board of Directors.

It was explained Commissioner Fleer's term as "Director 1" expires this year requiring the Governing Body to make an appointment to this position. Further, an appointment to the position of "Alternate Director", which in the past was filled by the former Power Plant Superintendent needs to be made as well. Utilities Director Jim Bradley suggested current Power Plant Superintendent Jeff Oleson be appointed to the alternate position. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to appoint Commissioner Fleer as "Director 1" and Jeff Oleson as alternate. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

### **Employment Agreement for Interim City Manager**

Thereupon, there was presented an employment agreement for Interim City Manager Wynndee Lee. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to approve the agreement.

During discussion it was explained the agreement for the "at will" employment of Interim City Manager Wynndee Lee had been drafted covering compensation and benefits associated with the additional duties and responsibilities of serving as the Interim City Manager. Thereupon, City Attorney Bob Bezek provided detail of the agreement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

### **Reports by Interim City Manager**

Thereupon, Wynndee Lee informed the Governing Body that the City Engineer is currently working on a traffic study in the area of 13<sup>th</sup> & Ash and 15<sup>th</sup> & Ash as previously brought to the City's attention by Sherry Engelbert.

### **Reports by City Commission**

Thereupon, Commissioner Jorgensen gave a brief report on the recent National League of Cities Conference in Washington D.C. that some of the Commissioner's had attended. Thereupon, Mayor Henningsen asked that additional reports be given at an upcoming Work Study Session.

March 21, 2007

### **Reports by Mayor**

Thereupon, Mayor Henningsen expressed sympathy to the family and friends for the recent passing of former Mayor/Commissioner George Marstall and provided the following information:

George Marstall was appointed to the City Commission on July 19, 1978 to fill a vacated but unexpired term. He went on to run for office and was elected to serve a full four-year term from April 1979 through April 20, 1983. He also served a term as Ottawa's Mayor from April 1981 through April 1982.

After fulfilling his duties on the City Commission, Mr. Marstall continued to be actively involved in issues of import to the well being of this community and its citizens. His involvement included guiding Ottawa toward and maintaining membership in the Kansas Municipal Energy Agency, an electric cooperative the city utility department actively participates in yet today.

### **Announcements**

Thereupon, the Mayor announced:

1. March 21, 2007: Joint City/County/USD 290 lunch at the City Hall at NOON.
2. March 26, 2007: Study Session at 4 pm
3. April 2, 2007: Mayor's Prayer Luncheon at OU at 11:45-1 pm; Judge Tom Webb will be the speaker; tickets available at City Hall or the Chamber and are \$10.
4. April 2, 2007: Study Session at 4 pm
5. April 3, 2007: Election Day
6. April 4, 2007: Regular Meeting at 7 pm

Thereupon, the Mayor stated usually when there is an election there is two "evening" City Commission meetings due to the reorganization of the Governing Body after the election. However, the scheduled April 18<sup>th</sup> City Commission Meeting will need to be held at 9:30 am due to the condemnation (440 S Ash) public hearing and publication requirements. Thereupon, Interim City Manager Wynndee Lee added staff will work on the reorganization meeting.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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 at 9:45 am.

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Scott D. Bird, City Clerk

March 21, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 26, 2007

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

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

**Public Comments**

Thereupon, the Governing Body heard from Brian Sharp, Ottawa Recreation Commission Chair, who gave an update on ORC activities and discussed the current board vacancy.

**Board and Commission Vacancies**

Thereupon, the Governing Body reviewed the list of vacancies for Boards and Commissions. The City plans on placing advertisements for several weeks in April in the Ottawa Herald, City Website and the Government Access Channel. Thereupon, the Governing Body agreed to begin advertising for these positions. Mayor Henningsen suggested the information be sent to the Chamber for their newsletter.

**Kansas Dept. of Transportation (KDOT)-Montana/Sandcreek**

Thereupon, the Governing Body reviewed a resolution and agreement for the Montana/Sandcreek Intersection Project. The agreement outlines the responsibilities of the City and KDOT in relation to the improvement project at the intersection of Montana and Sandcreek Roads. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

**Ordinance-Rezone 2200 E Logan**

Thereupon, the Governing Body reviewed an ordinance to rezone 2200 E Logan from Franklin County I-1 (Light Industrial) to City Zoning C-3 (General Commercial Zoning District). The property consists of approximately 14 acres and was annexed into the city in 2005. The property has been sold to a developer who has requested the C-3 zoning classification. A public hearing was held at which time no comments were made. The Planning Commission recommends approval by a vote of 7-0. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

**Ordinance-Conditional Use Permit – 122 Tecumseh Street**

Thereupon, the Governing Body reviewed an ordinance for a Conditional Use Permit (CUP) requested by John Duncan. The request is to allow a public storage facility at 122 Tecumseh Street. The property currently has a CUP for public storage; however, since the ownership of the building has changed a new permit must be issue. Staff received no complaints regarding the current property use. A public hearing was held at which time no comments were made. The

March 26, 2007

Planning Commission recommended approval, with the condition of no outdoor storage, by a vote of 6-1. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

### **Ordinance-Court Fees**

Thereupon, the Governing Body reviewed an ordinance with City Clerk Scott Bird for the establishment of court fees. Mr. Bird stated correspondence from Judge James Campbell, indicated there was a need to reduce the court fees for minor violations. Parking tickets, animal at large, seatbelt violations (for adults) and tobacco violations for minors were all offenses the Judge believed did not warrant the \$75 court fee. The fee for these minor violations listed in the ordinance will be \$10, with subsequent offenses in a 12-month period at the normal court fee rate. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

### **Proclamation-Fair Housing Month**

Thereupon, the Governing Body reviewed a proclamation for "Fair Housing Month" and agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

### **Proclamation-National Library Week**

Thereupon, the Governing Body reviewed a proclamation for "National Library Week" and agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the March 19 Study Session and March 21 Regular Meeting and agreed to place these items on the Regular Meeting Agenda for April 4, 2007.

### **Review of Monthly Financial and Activity Reports-February**

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

### **National League of Cities Reports**

Thereupon, the Governing Body reported on their recent trip to the National League of Cities conference in Washington, D.C.

### **Open Agenda**

Thereupon, the Governing Body and Staff discussed issues being addressed in legislation.

Thereupon, Commissioner Jorgensen reported on the recent meeting held at the County with the Kansas Department of Transportation (KDOT) in regards to the K-68 Corridor. There is a concern about the number of access points and the possible increase of accidents.

March 26, 2007

Thereupon, Commissioner Jorgensen discussed the proposed funding reduction for the Elizabeth Layton Center and the concerns Director Diane Drake had expressed. The Governing Body agreed to have staff draft a letter for the Mayor's signature to address the critical need for the funding.

Thereupon, Commissioner Ramsey asked about being provided information on the electric rate study and how it might affect Capital Improvement Projects.

### **Announcements**

Thereupon, the Mayor announced:

1. April 2, 2007: Mayor's Prayer Luncheon at OU at 11:45 am – 1 pm
2. April 2, 2007: Study Session at 4 pm
3. April 4, 2007: Regular Meeting at 7 pm

Thereupon, Mayor Henningsen asked Youth Delegate Sara Humm if there was anything to report on behalf of the Youth In Government. Ms. Humm reported the group would be meeting tonight and a presentation from the youth that attended the recent National League of Cities conference would be brought to the Governing Body in the near future.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

March 26, 2007

**SPECIAL CALL**  
**Ottawa Recreation Commission**  
**City Hall, Commission Chambers**  
**OTTAWA, KANSAS**  
Minutes of  
March 29, 2007

The City Governing Body met at 5:30 pm this date in a Special Call Meeting for the purpose of attending and participating in discussion with the Ottawa Recreation Commission.

Those present:

**City of Ottawa:**

Commissioner Jackson, Commissioner Jorgensen, Commissioner Ramsey, and City Attorney Bob Bezek.

**Ottawa Recreation Board:**

Chair, Brian Sharp, Randy Oliver, Linda Spencer, and Adam Lynch.

**ORC Staff:**

Nancy Baker, Glenda Guge, Tommy Sink, and Jeff Hassenstab

**Press:**

KOFO and Ottawa Herald

In addition to the above mention there were approximately 40 others in attendance.

Thereupon, ORC Board Chair Brian Sharp called the Special Call Meeting to order and noted the purpose of the Special Meeting was to review a YMCA proposal between ORC Board and YMCA representatives.

Thereupon, the YMCA representative presented their proposal and continued discussions with ORC.

Following discussion the meeting was adjourned.

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Scott D. Bird, City Clerk

March 29, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 2, 2007

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

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

**Public Comments**

None offered at this time.

**Ottawa University Curb Replacement Request**

Thereupon, the Governing Body heard from Ottawa University Project Manager (Sports Field) Sonny Burch and representatives from Ottawa University who requested financial consideration from the Governing Body on 500 feet of curb and guttering. Mr. Burch provided an estimate of \$15,000 for curb and guttering. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to allow \$7,500 out of the Street Rehabilitation Fund for this project.

Thereupon, Staff asked Mr. Burch to provide detailed information to assure that City requirements will be met. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Ramsey aye, Commissioner Fleer aye, Commissioner Jorgensen aye, and Mayor Henningsen abstained due to being an OU employee. Thereupon, the Mayor declared the request duly approved by a 4-0-1 vote.

**Utility Rate Study Presentation**

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee, City Clerk Scott Bird, and Utility Director Jim Bradley on the Utility Rate Study. Mr. Bird gave a presentation, which explained in more detail the data collected for the study of utility rates, capital needs, and the cash balance of the electric fund. It was noted this item was tabled at an earlier Work Study Session in order for Staff to have time to provide more detail on the Utility Rate Study. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for April 4, 2007.

Thereupon, Commissioner Jorgensen departed the meeting at 4:50 pm.

**Cereal Malt Beverage (CMB)-306 S Main**

Thereupon, the Governing Body reviewed an application for a CMB License. Mark Moore submitted the application, for property located at 306 S Main (formerly Baja Charlie's). The application had been reviewed by the Police and Fire Department and the City Attorney and no reason for denying the application was identified. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 4, 2007.

April 2, 2007

### **Proclamation-Arbor Day**

Thereupon, the Governing Body reviewed a proclamation for Arbor Day and agreed to place this item on the next Regular Meeting Agenda for April 4, 2007. In addition, it was noted the Arbor Day poster contest winner will also be recognized on April 4<sup>th</sup>.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the March 26<sup>th</sup> Study Session and agreed to place this item on the next Regular Meeting.

### **Self-Contained Breathing Apparatus (SCBA)**

Thereupon, the Governing Body tabled the issue to discuss the recent acquisition of a SCBA air compressor for the Fire Department made possible through a grant from FEMA. Fire Chief Carner was not able to attend today's Study Session so the item was deferred until the April 9, 2007 Study Session Agenda.

### **Tree Board-Residency Requirement**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who requested the residency requirement be changed to allow two board members to live outside the City of Ottawa. Thereupon, the Governing Body agreed two board members could live outside the city limits but are required to live within Franklin County and agreed to place an ordinance on the next Regular Meeting Agenda for April 4, 2007 to make the change.

### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee asked the Governing Body if they were interested in staff setting a joint meeting between YMCA representatives, School Board, and the City to discuss the recent YMCA presentation to the Ottawa Recreation Commission. The Governing Body agreed a meeting would be beneficial in order to have a clear understanding of their proposal.

Interim City Manager Wynndee Lee announced a Water Summit meeting scheduled May 8<sup>th</sup> in Paola.

Thereupon, the Governing Body heard a brief report from City Clerk Scott Bird who stated the auditors had recently been working with the City Staff on the audit. Mr. Bird reported to the Governing Body the auditors provided "a fresh set of eyes" to the City audit and there will be some recommendations for the City in the management letter. Staff has already started working on some of the recommendations and overall the audit went well.

April 2, 2007

The Interim City Manager thanked the Assistant to the City Manager Nikki Spencer for all her efforts and work put toward the Mayor's Prayer Luncheon. Ms. Spencer reported that 170 had been in attendance. Thereupon, Mayor Henningsen reported on the presentation Judge Webb made at Ottawa High School and noted both presentations were appreciated. The Mayor thanked the IT Director Chuck Bigham, Ms. Spencer, and other staff who worked on the Mayor's Prayer Luncheon.

Thereupon, there was additional discussion on the YMCA proposal.

### **Announcements**

Thereupon, the Mayor announced:

1. April 18, 2007: Meeting at 9:30 am AND 7 pm (YIG Washington presentation and City Commission Reorganization)
2. April 18, 2007: NO Joint City/County/USD 290 meeting scheduled for April due to attendance at the April Mayor's Prayer Luncheon.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

April 2, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
April 4, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fler, Commissioner Ramsey, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Chaplain Matthew Benorden, Hospice Care of Kansas.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting March 19 and 26, Regular Meeting March 21, and the Regular Agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation-Fair Housing Month**

Thereupon, Mayor Henningsen read a proclamation declaring the Month of April 2007 as "Fair Housing Month" in the City of Ottawa. Mayor Henningsen presented the proclamation to Mayor pro tem Richard Jackson who in turn presented it to Bill Wright, Investigation Administrator, for the Kansas Human Rights Commission and on the State Fair Housing Task Force.

**Proclamation-National Library Week**

Thereupon, Mayor Henningsen read a proclamation declaring the week of April 15-21, 2007 as National Library Week in the City of Ottawa. Mayor Henningsen presented the proclamation to Debbie Larcom, Public Relations Chair Board of Trustees, and Keith Entress, President of the Friends of the Library. Ms. Larcom thanked the Governing Body for the proclamation and recognition of National Library Week within the City of Ottawa and invited everyone to visit the Library.

April 4, 2007

### **Proclamation-Arbor Day and Award Presentation**

Thereupon, Mayor Henningsen read a proclamation to declare April 27, 2007 as Arbor Day in the City of Ottawa. Mayor Henningsen presented the proclamation to Tree Board Chairperson, Connie Thompson who thanked the Governing Body and the City of Ottawa for the proclamation. Ms. Thompson asked Assistant Park Superintendent/Forestry Specialist Joe Moody to provide information on the Poster Contest Winners.

Thereupon, Mr. Moody provided the following information as Mayor Henningsen and Ms. Thompson presented the awards to the winners:

Mr. Moody thanked everyone for supporting the Arbor Day Poster Contest in Ottawa. He explained this year there were 1,674 students and 106 teachers participating in the State of Kansas competition. The City of Ottawa belongs to the Northeast District. The North Central and Northeast Districts are overseen by District Forester Kim Bomberger. The Northeast District includes the 13 following counties: Franklin, Osage, Miami, Shawnee, Douglas, Johnson, Wyandotte, Leavenworth, Jefferson, Jackson, Atchison, Brown, and Doniphan.

Of the 370 posters that were submitted from North Central and Northeast Districts, 110 of them were from Ottawa students. Of the 31 teachers participating, 10 were from Ottawa. This is a direct result of the efforts of the Ottawa Tree Advisory Board and City staff visiting area 5<sup>th</sup> grade classrooms to promote the 2007 Arbor Day Poster Contest as well as our Annual 5<sup>th</sup> Graders in the Park.

On February 14<sup>th</sup>, the Tree Board met to judge the posters. Seven schools winners were selected. School winners are as follows:

Jackson Wingert is a student in Mrs. Donita Callahan's class at Bethel Christian Academy. He is the son of George Wingert.

Kyleigh Love is a student in Mrs. Diedre Altic's class at Eisenhower Elementary School. She is the daughter of Richard and LuDuana Love.

Shania Lamm is a student in Mrs. Cheryl Leitnaker's class at Eugene Field Elementary School winner. She is the daughter of Shanda Walker.

Meghan Hinman is a student in Mrs. Krista Hart's class at Garfield Elementary School winner. She is the daughter of Daniel and Stacy Hinman.

Amber Neal is a student in Mrs. Kelly Louderback's class at Hawthorne Elementary School. She is the daughter of Ron and Deana Neal.

April 4, 2007

Monica Jamison is a student in Mrs. Janet Huddlestun's class at Lincoln Elementary. She is the daughter of Delbert and Linda Jamison.

Brianna Pfizenmaier is a student in Mrs. Jo Robinson's class at Sacred Heart School. She is the daughter of Bill and Brenda Pfizenmaier.

**Overall City Winner:**

The City's overall winning poster was selected as the Northeast District Winner. In the State's Tree City USA Recognition Day the poster placed 2<sup>nd</sup>. The 2007 City of Ottawa Poster Contest Winner was Meghan Hinman, Garfield Elementary School.

**Resolution-Electric Utility Revenue Bonds**

Thereupon, there was presented a resolution declaring it necessary to repair, alter, extend, reconstruct, enlarge or improve the electric utility system of the City of Ottawa, Kansas, and to issue Electric Utility Bonds in an amount not to exceed \$9,900,000 for the purpose of paying a portion of the costs. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained the resolution authorizes the issuance of electric utility revenue bonds of not more than \$9,900,000 for the purpose of paying for the improvements to the electric utility system in the northeast part of the City. Following a study by SEGA it was illustrated that growth in the northeast part of the city, as well as, distance from the existing power plant has resulted in low voltage problems for that area. To alleviate issues of low voltage, construction of additional transmission, a substation and a transformer is proposed in the northeast section of 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. 1404-07.

**Resolution-Kansas Dept. of Transportation (KDOT), Montana/Sandcreek Road**

Thereupon, there was presented a resolution authorizing the Mayor and City Clerk to execute an agreement between the Kansas Department of Transportation (KDOT) and the City of Ottawa for the Montana/Sandcreek Road intersection project. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained the agreement authorized by this resolution outlines the responsibilities of the City and KDOT in relation to the improvement project at the intersection of Montana and Sandcreek Roads. 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. 1405-07.

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### **Ordinance-Rezone 2200 E Logan**

Thereupon, there was presented an ordinance re-zoning an area within the City of Ottawa, Kansas commonly known as 2200 E Logan, and repealing the corresponding section of the zoning map which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that approval of the rezone will change the zoning classification from Franklin County I-1 (Light Industrial) to City Zoning C-3 (General Commercial Zoning District). The property consists of approximately 14 acres and was annexed into the city in 2005. The property has been sold to a developer who has requested the C-3 zoning classification. A public hearing was held at which time no comments were made. The Planning Commission recommended approval by a vote of 7-0. 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. 3623-07.

### **Ordinance-Conditional Use Permit 122 W Tecumseh Street**

Thereupon, there was presented an ordinance for a Conditional Use Permit for a public storage facility located at 122 W Tecumseh Street requested by John Duncan, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained the property currently has a Conditional Use Permit for public storage, however, since the ownership of the building has changed a new permit must be issued. Staff hasn't received any complaints regarding the current property use. A public hearing was held at which time no comments were made. The Planning Commission recommended approval, with the condition of no outdoor storage, by a vote of 6-1. 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. 3624-07.

### **Ordinance-Establishing Court Fees**

Thereupon, there was presented an ordinance establishing court fees in cases heard in the Municipal Court for the City of Ottawa, Kansas. Commissioner Fleer made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained in correspondence with Municipal Court Judge James Campbell, he indicated that there was a need for reducing the court fees for minor violations. Parking tickets, animal at large, seatbelt violations (for adults) and tobacco violations for minors were all offenses that the Judge felt did not warrant the \$75 court fee. The fee for these minor

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violations listed in the ordinance will be \$10, with subsequent offenses in a 12-month period at the normal court fee rate. 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. 3625-07.

**Cereal Malt Beverage License (CMB)-306 S Main**

Thereupon, there was presented an application, submitted by Mark Moore, for property located at 306 S main (formerly Baja Charlies). The application was reviewed by the Police and Fire Departments and the City Attorney. No reason for denying the application was identified. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

**Ordinance-Tree Board Change to Municipal Code**

Thereupon, there was presented an ordinance repealing and replacing section 5-501 of the Municipal Code of the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this ordinance changes the residency requirement for members of the City's Tree Board. Currently all members are required to live in the City of Ottawa. New requirements will allow up to two members to live outside of the city limits so long as they reside in Franklin County. 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. 3626-07.

**Reports by Youth Delegates**

Thereupon, Youth Delegate Paul Thomas reported the members have been working on their project. Anna Stone and Darrah Jorgensen will soon be providing a presentation to the Governing Body of their trip to Washington, D.C.

**Reports by Interim City Manager**

Thereupon, Interim City Manager Wynndee Lee discussed with the Governing Body the opportunity to hear a presentation by the YMCA. Thereupon, the Governing Body agreed to have Staff set up a meeting with YMCA Representatives at 5 pm on Monday, April 09, 2007. The presentation will be placed on the Study Session Agenda.

The Interim City Manager reminded the Governing Body about the Water Summit meeting to be held May 8<sup>th</sup> in Paola and asked them to notify staff if they plan on attending.

April 4, 2007

### **Reports by Mayor**

Thereupon, Mayor Henningsen thanked everyone who attended the Mayor's Prayer Luncheon and asked that Judge Webb's message be taken to heart as we can all make a difference.

### **Announcements**

Thereupon, the Mayor announced:

1. April 9, 2007: Study Session at 4 pm with YMCA representatives making a presentation
2. April 16, 2007: Study Session at 4 pm
3. April 18, 2007: NO Joint City/County/School luncheon, cancelled due to Mayor's Prayer Luncheon.

### **Recess to Executive Session**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss Attorney Client privilege for a period of 20 minutes and to reconvene in Open Session at 7:58 pm in the same Work Study Session Room. Interim City Manager Wynndee Lee and City Attorney Bob Bezek were invited into the Executive Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, 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 7:58 pm.

### **Recess**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to recess again and to reconvene at 8:10 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 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 at 8:10 pm.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey 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 at 8:10 pm.

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Scott D. Bird, City Clerk  
April 4, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 9, 2007

The Governing Body met at 4:30 pm this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Fleer, Commissioner Jackson, Commissioner Jorgensen, and Commissioner Ramsey. A quorum was present.

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

**Public Comments**

None offered at this time.

**Resolution-Cemetery Fees**

Thereupon, the Governing Body reviewed a resolution and heard from Public Works Director Andy Haney regarding cemetery fees. Staff has reviewed fees for services in peer communities and found Ottawa to be charging below the average. Fees were last increased in 1994. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for April 18, 2007 to become effective May 1, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the Special Call meeting of March 29 and agreed to place this item on the next Regular Meeting Agenda for April 18, 2007.

**Proclamation-Volunteer Week**

Thereupon, the Governing Body reviewed a proclamation to declare April 15-21, 2007 as Ottawa Volunteer Week. The Governing Body heard from Lisa Rivers, Volunteer Center Director who provided information on upcoming events in honor of Volunteer Week. Thereupon, the Governing Body agreed to place this item on the April 18, 2007 Regular Meeting Agenda.

**Self-Contained Breathing Apparatus**

Thereupon, the Governing Body heard from Fire Chief Jeff Carner who discussed a recent acquisition of a Self-Contained Breathing Apparatus for the Fire Department made possible through a grant from FEMA. Chief Carner proposed a transfer of ownership on the used generator to Lincoln, Ottawa, Harrison (LOH) Fire District. Chief Carner explained how the transfer of ownership would not only benefit LOH but also the Ottawa Fire Department, as well as, all other fire departments in the county. Thereupon, the Governing Body agreed by consensus to transfer ownership of the used generator to LOH.

**Open Agenda**

Thereupon, Interim City Manager Wynndee Lee confirmed that Mayor Henningsen planned to attend the awards ceremony in Junction City on April 19<sup>th</sup> at 5 pm. This award ceremony will recognize the work done on the Ottawa swimming pool "Zero Depth Entry" and the "Bath house" project.

April 9, 2007

The City Manager asked the Governing Body if they planned on attending the County Planning Commission Meeting, April 19<sup>th</sup>, at 5 pm at the Annex. The meeting would be with KDOT on the K-68 Corridor. The City Manager asked if the Commissioners are interested in attending to let staff know so if needed a Special Call could be prepared.

The City Manager asked Police Chief Dennis Butler to address the upcoming award for Law Enforcement. Thereupon, Chief Butler stated he had been invited to attend the Victims Rights Conference to be held on Thursday, as Ottawa Law Enforcement would be presented an award for their work in Domestic Violence. The City Manager stated she would inform the Governing Body as soon as additional information is available and a press release would be done.

Thereupon, Commissioner Ramsey noted that in a recent issue of National Weekly there was an article published speaking to the issues of the "COPS Program" and "CDBG funding".

Thereupon, Commissioner Fleer inquired about City participation in the upcoming "County Clean-Up Day". Public Works Director Andy Haney stated the City hasn't participated in this program for several years because it was "free" to citizens taking items to the landfill and if items were brought to a City sight and unloaded it might be just as easy for the citizen to take items directly to the landfill. Mr. Haney stated there would be cost to the City if they participate. However, if the Governing Body wanted the City to participate they could. Participation by the City will be looked at for next years "Clean-Up Day".

### **Announcements**

Thereupon, the Mayor announced:

1. April 16,2007: Study Session at 4 pm
2. April 18, 2007: Public Hearing at 9:30 am and action on the condemnation

### **YMCA Presentation**

Thereupon, the Governing Body heard from YMCA Representatives Gene Dooley and Paul Smith on the recent Management Proposal presented to the Ottawa Recreation Commission. Thereupon, Mr. Dooley and Mr. Smith answered questions and concerns from the Governing Body.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey 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 at 5:43 pm.

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Scott D. Bird, City Clerk

April 9, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 16, 2007

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

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

**Public Comments**

None offered at this time.

Thereupon, Commissioner Jorgensen arrived at 4:01 pm.

**Resolution-Condernation 440 S Ash**

Thereupon, the Governing Body reviewed a resolution for the condemnation of an unsafe structure at 440 S Ash. The structure was damaged by fire in July of 2006, and no attempt has been made by the owners to make repairs. A public hearing has been called for Wednesday, April 18 at 9:30 am. Staff has not had any contact with the owners since the hearing was called. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for April 18, 2007.

**Neighborhood Revitalization Program**

Thereupon, the Governing Body reviewed applications for the Neighborhood Revitalization Program for three single family structures located at 741 Liberty, 733 Pecan and 1014 S Walnut. In addition, the owner of 931 N Locust has requested to be included in the program as the properties to the east and west are included in the program. This property is a vacant lot currently zoned Mixed Use (Commercial/Industrial). The review committee recommends each of the properties be included in the Neighborhood Revitalization Program, including the addition of 931 N Locust. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for April 18, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the April 2 and 9 Study Session and Regular Meeting Minutes from April 4 and agreed to place these items on the next Regular Agenda with changes.

**Monthly Financial and Activity Reports-March**

Thereupon, the Governing Body discussed the Monthly Financial and Activity Reports for the month of March.

April 16, 2007

### **Reorganization-City Commission**

Thereupon, Commissioner Ramsey recommended Commissioner Jorgensen be appointed as the next Mayor. The Governing Body agreed by consensus to this recommendation and placed this item on the next Regular Meeting Agenda for April 18, 2007.

Thereupon, Commissioner Jorgensen recommended Commissioner Ramsey be appointed Mayor pro tem. The Governing Body agreed by consensus to this recommendation and placed this item on the next Regular Meeting Agenda for April 18, 2007.

### **Ottawa Recreation Commission Applications**

Thereupon, the Governing Body will review applications for the Ottawa Recreation Commission from Randy Hinderliter, Richard DeLaTorre, John Holzhuter, and Victor Finch. The Governing Body will hold interviews with the four applicants at the end of the Regular Study Session.

### **Proposed Joint Meeting-YMCA Proposal**

Thereupon, Commissioner Ramsey asked about the proposed Joint Meeting with ORC Board, School Board, and the City to discuss the recent YMCA proposal. The Governing Body discussed this issue and agreed April 25 would be their first choice followed by May 1 and/or May 3 respectively, and preferably after 6 pm.

### **Governing Body Retreat**

Thereupon, the Governing Body discussed holding a “retreat” on May 7, 2007 beginning at NOON in the Study Session Room to discuss planning and goals for the City of Ottawa, Kansas. The “retreat” will end prior to the 4 pm Regular Work Study Session if needed.

### **Resolution-Cemetery Fees**

Thereupon, the Governing Body reviewed additional information provided by Interim City Manager Wynndee Lee and Public Works Director Andy Haney on the proposed Cemetery Fees resolution.

### **Open Agenda**

The City Manager informed the Gun Bill had been vetoed.

The City Manager shared with the Governing Body the plaque presented to Chief Butler at the recent 10<sup>th</sup> Annual Crime Victims’ Rights Conference in Wichita. The press release stated: “Chief Butler has gone above and beyond to crack down on sexual and domestic crimes, protect children from family violence and decrease violence against women,” Attorney General Paul Morrison stated. “He continues to go the extra mile to keep victims of these crimes safe and make sure the offenders are stopped.”

The City Manager thanked Chief Butler and his staff for all their hard work and efforts towards domestic violence in our City. Mayor Henningsen thanked Chief Butler on behalf of the Governing Body and expressed appreciation for all Chief Butler and his staff contribute to the community.

April 16, 2007

City Manager Wynndee Lee reminded the Governing Body there is a “Volunteer Recognition” being held at the Police Department at 6 tonight.

Thereupon, Commissioner Ramsey shared that Nancy Boyda had been in his office last week and had remembered the Commissioners’ visit in Washington.

**Recess**

Thereupon, the Mayor recessed the meeting for approximately 10 minutes to allow the candidates interviewing for the ORC Board to arrive.

**Interviews for ORC Board**

Thereupon, the Governing Body interviewed Randy Hinderliter, Richard DeLaTorre, John Holzuter, and Victor Finch for the unexpired term of Jason Camis on the ORC Board. This unexpired term will expire in 2009. Following the interviews and considerable discussion Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to appoint Tony DeLaTorre to the board. The motion was considered and upon being put, the motion passed by the following vote: Commissioner Jackson aye, Commissioner Fleer aye, Commissioner Ramsey aye, Commissioner Jorgensen aye, and Mayor Henningsen nay. Thereupon, the Mayor duly appointed Tony DeLaTorre to the ORC Board by at 4-1 vote.

**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.

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Scott D. Bird, City Clerk

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
April 18, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Ramsey, and Commissioner Jorgensen. Commissioner Fleer was absent. A quorum was present.

**Public Hearing-Condemnation at 440 S Ash**

Thereupon, the Mayor opened a Public Hearing for the condemnation of the structure located at 440 S Ash at 9:31 am.

During discussion it was explained the public hearing is for the purpose of hearing comments on the condemnation of the structure located at 440 S Ash. This structure was damaged by fire in July of 2006 and staff recommends this property be declared unsafe or dangerous and that the structure be demolished or repaired. Following public comments, it was recommended the hearing be closed and the Resolution for condemnation be adopted.

Thereupon, the Interim City Manager Wynndee Lee gave a power point presentation showing the condition of the structure.

There being no one to speak to this issue the Mayor closed the Public Hearing at 9:35 am.

**Resolution-Condemn 440 S Ash**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 440 S Ash. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained the public hearing had been held on this item and a staff report and pictures provided. Staff recommended the resolution for condemnation be acted upon. 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. 1406-07.

**Recess**

Thereupon, at 9:37 am Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to recess until 7 pm today. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed until 7 pm this date.

April 18, 2007

### **Reconvene**

Thereupon, Commissioner Ramsey made a motion to reconvene the meeting. Thereupon, the Mayor declared the meeting duly reconvened at 7 pm.

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Ramsey, Commissioner Fler and Commissioner Jorgensen. A quorum was present.

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

### **Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting April 2 and 9, Regular Meeting April 4, Special Call Meeting of March 29 and the Regular Agenda. 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 Sherry Engelbert, 1127 S Maple who requested an update on the traffic study being done on traffic lights at 15<sup>th</sup> & Ash and 13<sup>th</sup> & Ash. Interim City Manager Wynndee Lee stated more information would probably be available by mid May once the engineer had time to review the information on the study.

### **Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

### **Proclamation-Volunteer Week**

Thereupon, Mayor Henningsen read a proclamation declaring April 15-21, 2007 as "Volunteer Week" in the City of Ottawa. The proclamation was presented to Lisa Rivers, Volunteer Coordinator, ECKAN. Thereupon, Ms. Rivers thanked the media for the recent coverage on "Volunteer Week" and all those that volunteer within our community for their time and efforts. In addition, Ms. Rivers invited the Governing Body and those in attendance to a luncheon for the volunteers this Friday at the Carnegie Cultural Center from 11:30 am – 1 pm.

April 18, 2007

### **Presentation-Washington, D.C. Trip**

Thereupon, Youth In Government Delegates Darrah Jorgensen and Anna Stone gave a Power Point presentation on their recent trip to Washington, D.C. National League of Cities Conference.

### **Resolution-Cemetery Fees**

Thereupon, there was presented a resolution establishing rates for city owned cemeteries as authorized by Section 7-113 and 7-119 of the Municipal Code of the City of Ottawa, Kansas and rescinding Resolution No. 799-94. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained that at the City Manager's request, staff reviewed fees for services in peer communities and found Ottawa to be charging below the average. The last time the fees were increased was 1994. 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. 1407-07.

### **Applications for the Neighborhood Revitalization Program**

Thereupon, the Governing Body reviewed applications from the Neighborhood Revitalization Committee. Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to approve the applications.

During discussion it was explained the Neighborhood Revitalization Committee recommended approval for: 741 Liberty (single-family), 733 Pecan (single-family), and 1014 S Walnut (single-family). Additionally, a request has been reviewed to add 931 N Locust into the Neighborhood Revitalization Program. The property is a vacant lot currently zoned Mixed Use (Commercial/Industrial) and is surrounded on both the east and west sides by properties included in the program. The committee recommended approval of each application and the addition of 931 N Locust into the program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

### **Comments from Commissioner Jackson**

Thereupon, Commissioner Jackson stated that when God closes one door he opens another and he graciously waited for what God had in store for him. Outgoing Commissioner Jackson provided some highlights during his years of service as a City Commissioner.

- City Commissioner for 14 years
- Mayor 4 different times
- Served on Kansas League of Municipalities 7 years
- Served on League as President
- Served on League at the State & National levels

April 18, 2007

- On task force for Diversity and Inclusiveness
- Thanked the Citizens for allowing him to serve
- Youth in Government Program

Commissioner Jackson thanked his fellow commissioners for serving and asked them to remember they serve the people and to always challenge themselves to “do what is right”. Commissioner Jackson gave credit to City Staff and employees and noted they sometimes don’t receive the credit they deserve. In closing Commissioner Jackson thanked his wife LaDora for her support and for allowing him to serve.

Thereupon, Commissioner Ramsey presented Commissioner Jackson a plaque for all his years of service to the Governing Body and citizens of Ottawa.

Thereupon, the Mayor and fellow Commissioners thanked Commissioner Jackson for his years of service and all he does for the community. The Governing Body wished Commissioner Jackson well and stated he would be missed.

#### **Swearing in of Newly Elected Officials**

Thereupon, City Clerk Scott Bird administered the Oath of Office to the newly elected officials. Commissioners sworn in were Sara Humm, Gene Ramsey, and Blake Jorgensen.

#### **Comments from Mayor Henningsen**

Thereupon, Mayor Henningsen highlighted events during her tenure as Mayor.

- Swimming Pool Improvements
- Lowering mill levy
- Walgreen’s
- If I Were Mayor Contest
- Crystal Palace opening
- Washington D.C. Conference
- Federal Grant Money
- Mayor’s for Meals
- Volunteering
- Mayor’s Prayer Luncheon
- Dedicated and hard working Staff and employees

#### **City Commission Reorganization: Action to select the Mayor**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to appoint Commissioner Jorgensen as Mayor for the 2007-2008 term. The motion was considered and all present voted aye. Thereupon, Mayor Henningsen declared Commissioner Jorgensen the new Mayor. Thereupon, City Clerk Scott Bird administered the Oath of Office to Mayor Jorgensen.

April 18, 2007

### **Comments from Newly Appointed Mayor**

Thereupon, Mayor Jorgensen thanked the Governing Body for appointing him as Mayor. The Mayor thanked his wife and family for their support and motivation to run for office. Mayor Jorgensen expressed his appreciation in working with Commissioner Jackson in office and stated he had learned a lot from him. He welcomed newly elected Commissioner Sara Humm. Mayor Jorgensen thanked Commissioner Fler, Ramsey, and former Mayor Henningsen for their support, and knowledge.

Thereupon, Mayor Jorgensen presented former Mayor Henningsen a plaque and thanked her for her past year as Mayor during a dynamic year for the Governing Body.

Thereupon, Mayor Jorgensen reminded the Governing Body of the "Retreat" to be held May 7 here at City Hall beginning at Noon.

### **City Commission Reorganization: Action to select the Mayor pro tem**

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to appoint Commissioner Ramsey as Mayor pro tem for the 2007-2008 term. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor duly declared Commissioner Ramsey as Mayor pro tem for the 2007-2008 term and the oath of office was administered.

Thereupon, Mayor pro tem Ramsey stated Ottawa was in a growth mode which he hoped would continue and he was looking forward to serving the citizens for two more years.

### **Reports by Youth Delegates**

Thereupon, Youth Delegate Darrah Jorgensen announced members continue to work on their service project.

### **Announcements**

Thereupon, the Mayor announced:

1. April 23, 2007: Study Session at 4 pm
2. April 25, 2007: Chamber Quarterly Image Award Luncheon at Driver's at 11:45 am
3. April 30, 2007: Study Session at 4 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, 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 7:40 pm.

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Scott D. Bird, City Clerk  
April 18, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 23, 2007

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

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

**Public Comments**

None offered at this time.

**Boards and Commission Applications**

Thereupon, the Governing Body reviewed a list of vacancies and applications for boards and commissions within the City of Ottawa. It was explained some of the boards have terms beginning with a June meeting, thus, the recommendation of staff is to make appointments to vacant positions during one of the two regular commission meetings in May.

During discussion the Governing Body agreed by consensus to place the Library Board positions on the Regular Meeting Agenda for May 2, schedule interviews for the applicants wanting to serve on the Planning Commission and Board of Zoning Appeals that haven't been interviewed, and all open positions (with the exception of the Library Board) would be placed on a future agenda.

**Resolution-Open Records Request**

Thereupon, the Governing Body reviewed a resolution to establish fees for recovering the cost of copying and research resulting from Open Records requests. The current resolution was adopted in 1986. The draft resolution drops the per copy cost to \$0.25 and changes the research charge from \$5.00 to the rate of pay plus benefits of the employee(s) conducting the research. The League of Kansas Municipalities recommended \$0.25 as a reasonable charge for copies. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for May 2, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from April 16 Study Session and April 18 Regular Meeting and agreed to place this item on the next Regular Meeting.

**Bids-Parking Lot Improvement (1<sup>st</sup> and Hickory)**

Thereupon, the Governing Body discussed information from Staff, the City Engineer, and supporting bid sheets for the Parking Lot Improvement Project (1<sup>st</sup> and Hickory). The bid letting was conducted April 17 with three bids submitted ranging from \$185,426.02 to \$212,531.60 with Killough Construction submitting the low bid.

April 23, 2007

The Governing Body reviewed a bid for lighting needed in the parking lot. It was explained Staff is still working to determine if reductions for appropriate lighting can be achieved. Staff is prepared to award bids but wanted to inform the Commission of the need for the slight budget adjustment. Thereupon, the Governing Body agreed by consensus to allow Staff to award the bid to Killough Construction.

### **City Manager Search**

Thereupon, it was explained two entities, League of Kansas Municipalities and the Austin Peter Group, have expressed interest in assisting the Governing Body in a search for a new City Manager, The Governing body used the service of the League of Kansas Municipalities in the last search. Staff requested direction in assisting the Governing Body in the next step of the search process.

During discussion the Governing Body agreed to have Staff collect additional information on those who provide this type of service, cost last time, and to bring the information back to the Governing Body. Mayor Jorgensen requested the Governing Body consider what their expectations would be for the new City Manager.

### **City Commission Retreat**

Thereupon, the Governing Body discussed topics for their "Retreat" scheduled for May 7 at Noon. Items of discussion included:

- City Manager search
- Interim relationship expectations
- Budget Calendar
- CIP-with Department Directors present
- Electric Rate Study

Mayor Jorgensen asked the Governing Body to provide the Interim City Manager any additional items they wanted considered for an agenda.

### **Request from Franklin County Cancer Foundation**

Thereupon, the Governing Body reviewed a request from Heidi Kingsolver, Vice President of the Franklin County Cancer Foundation, requesting the use of the Prairie Spirit Rail Trail and Kanza Park for a benefit walk/bike ride on Saturday June 2<sup>nd</sup>. The Governing Body heard from Kathy Niehoff who answered questions on the event. Thereupon, the Governing Body agreed to this request and asked Ms. Niehoff to work with Staff on details of the event and liability insurance.

### **Open Agenda**

Thereupon, City Manager Wynndee Lee stated there would be a Special Call Meeting on Wednesday, April 25, 2007 at 7:30 pm at City Hall in the Commission Chambers. The meeting would be a Joint Meeting with ORC/USD 290/City to discuss the YMCA proposal.

April 23, 2007

Thereupon, the Governing Body discussed the time of Work Study Session with regards to additional time that might be needed on issue such as City Manager Search and Budget. The Governing Body agreed by consensus to stay later if needed instead of starting earlier.

**Adjournment**

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

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Scott D. Bird, City Clerk

April 23, 2007

## **STUDY SESSION MINUTES OTTAWA, KANSAS**

Minutes of  
April 30, 2007

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

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

### **Public Comments**

Thereupon, the Governing Body heard from Leon Staab from Burns and McDonnell Engineering and Public Works Director Andy Haney who provided the Governing Body detailed information on projects and priorities on the Stormwater Master Plan as follows:

- Project 1-Industrial Park Improvements (Priority Rating 1)
- Project 2-N. Oak and Dundee Street Improvements (Priority Rating 15)
- Project 3-N. Hickory and Polar Street System Improvements (Priority Rating 5)
- Project 4-Concrete Lined Channel (K-68, Beech to Willow) (Priority Rating 14)
- Project 5-Ash and Willow Street Improvements (Priority Rating 7)
- Project 6-Skunk Run Improvements (Priority Rating 6)
- Project 7-Country Club Lake Principal Spillway (Priority Rating 10)
- Project 8-Expanding Detention for Visitor Center (Priority Rating 11)
- Project 9-Kansas Highway 68 Culverts (Priority Rating 12)
- Project 10-S. Oak and Poplar Street System Replacement (Priority Rating 4)
- Project 11-Osage Drive Channel Improvements (Priority Rating 9)
- Project 12-Eisenhower Road Improvements (Priority Rating 3)
- Project 13-23<sup>rd</sup> Street Culverts (Priority Rating 2)
- Project 14-Lakeside Estates Detention (Priority Rating 13)
- Project 15-Kansas Highway 68 and Main Street Culvert Replacement (Priority Rating 8)

It was explained, the Planning Commission will review this information and then it will be brought back to the Governing Body with a recommendation.

### **Resolution-Public Hearing on Condemnation 931 S Locust**

Thereupon, the Governing Body reviewed a resolution to set the time and date of a public hearing for the condemnation of structure located at 931 S Locust. This structure received damages from fire in December of 2002. The owner did obtain permits to make repairs, however, no significant progress was made. Therefore, staff recommended this structure be ordered repaired or condemned. Thereupon, the Governing Body agreed to place this on the Regular Meeting Agenda for May 2, 2007 with the Public Hearing to be scheduled for 9:30 am on June 20.

April 30, 2007

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the April 23 Study Session and agreed to place this item on the Regular Meeting Agenda for May 2, 2007 with changes.

### **Proclamation-Building Safety Week**

Thereupon, the Governing Body reviewed a proclamation for Building Safety Week and agreed to place this item on the next Regular Meeting Agenda for May 2.

### **Proclamation-Teacher Appreciation Week**

Thereupon, the Governing body reviewed a proclamation for Teacher Appreciation Week and agreed to place this item on the next Regular Meeting Agenda for May 2.

### **Economic Development-Hill's Pet Nutrition**

Thereupon, the Governing Body heard from City Attorney Bob Bezek and Chamber CEO Tom Weigand who discussed the recent economic development opportunity with Hill's Pet Nutrition. The Governing Body was provided documents, reports and maps regarding the development prospect that City Staff, City Attorney and economic development partners worked together to recruit. Land acquisition was unsuccessful and Staff and the City Attorney requested discussion with the Governing Body to discuss the timeline and events surrounding the recruitment efforts as well as gain direction from the Commission on future developments.

The City Attorney encouraged the Governing Body to continue discussions regarding the following:

- How does the City acquire more property
- How will the City finance any land purchase
- If the City wants to be competitive in development the need to have the pieces in place

The City Manager stated the Hill's project had been a "Team Effort" with many people involved and a lot of extra hours to put the package together. She noted recruiting development is always a "Team Effort" and she thanked everyone involved for their hard work.

### **Committee Appointments**

Thereupon, due to the Commission reorganization, as well as a new member, the Governing Body discussed which boards/committees the members of the Commission are interested in for the next year. Thereupon, the Governing Body agreed by consensus to the following:

- Chamber (Gene Ramsey)
- O/FCED (Blake Jorgensen)
- Neighborhood Revitalization (Rocky Fleer)
- Bea Martin Peck (Sara Humm)
- Convention and Tourism (Deborah Henningsen)
- Main Street (Staff)
- KMEA (Rocky Fleer)

April 30, 2007

### **K-68 Corridor Study**

Thereupon, the City Planning Commission recommended to the City Commission support of the K-68 Corridor Study. The County determined they will participate but has also indicated they would encourage the City to be involved. Thereupon, City Manager Wynndee Lee reported on recent meeting information on the K-68 Corridor and asked the Governing Body if they were interested in participating financially for the corridor study. The Governing Body agreed by consensus to allow \$2,500 in funding towards the study.

### **Open Agenda**

Thereupon, Mayor Jorgensen reminded the Governing Body about the "Retreat" starting a Noon on May 7.

The City Manager stated as of today's date it might not be necessary to have a Work Study Session at 4 pm on Monday, May 7 and the Governing Body could continue their "Retreat" items of discussion.

### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to recess for a period of 5 minutes to allow Staff and others time to leave the room if needed before the interview process.

### **Planning Commission/Board of Zoning Appeals Interviews**

Thereupon, the Governing Body interviewed 4 people interested in the Planning Commission and the Board of Zoning Appeals open positions.

Thereupon, the Governing Body agreed by consensus to place the following appointments on the Regular Meeting Agenda for May 2:

- **Planning Commission:**
  - Richard Warren (reappointment)
  - Richard Jackson
  - Gregg Colbern
- **Board of Zoning Appeals:** John Wise
- **4<sup>th</sup> Judicial:** Marcia Gentry
- **Tree Board:** if applications received for Connie Thompson and John Heckert
- **Band:** all currently serving and new applicant
  - Miri Melton
  - Murle Mordy
  - Chris Reynolds
  - Terry Schoenfeld
  - Cathy Sutton
  - Kris Ramcharan (new applicant)

April 30, 2007

Thereupon, the Governing Body expressed their appreciation to all applicants. There was a large number of applicants and it made the selection process very difficult, as there was lots of interest and qualified candidates.

**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.

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Scott D. Bird, City Clerk

April 30, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
May 2, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Fleer, Commissioner Ramsey, and Commissioner Henningsen. A quorum was present.

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

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting April 16 and 23, Regular Meeting April 18, and the Regular Agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

The Governing Body heard from Gene Hirt, 1112 Augusta Lane, who expressed concern with heavy and fast traffic in the area of K-68 and Davis Road.

The Governing Body heard from Jeff Brewer, 412 Ash, who expressed support of the City/ORC/USD 290 jointly purchasing the "Swim For Life" building.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation-Building Safety Week**

Thereupon, Mayor Jorgensen read a proclamation declaring May 6-12, 2007 as Building Safety Week in the City of Ottawa, Kansas. The proclamation was presented to Wynndee Lee, Planning and Codes Administration Director.

**Proclamation-Teacher Appreciation Week**

Thereupon, Mayor Jorgensen read a proclamation declaring May 7-11, 2007 as Teacher Appreciation Week in the City of Ottawa, Kansas. The proclamation was presented to Sara Hornbuckle, a member of the Garfield School Parent Teacher Association.

May 2, 2007

### **Commission Appointment to Boards and Commissions**

Thereupon, the Governing Body reviewed appointments for City of Ottawa Boards and Commissions. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the appointments as presented.

During discussion it was explained this action appoints, or in some cases reappoints citizens to positions on the following Boards/Commissions/Committees. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Boards/Commission appointments duly approved as follows:

**Planning Commission:** Richard Warren (Reappointment), Richard Jackson (New Appointment), Gregg Colbern (New Appointment)

**Library Board:** Carolyn Kimbrel (Reappointment) and Maurice Bryan (New Appointment)

**4<sup>th</sup> Judicial Corrections Advisory Board:** Marcia Gentry (New Appointment)

**Tree Board:** Connie Gaeddert (Reappointment), and John Heckert (Reappointment)

**Board of Zoning Appeals:** John Wise (New Appointment)

**Band Committee:** All current members (Reappointment) and Kris Ramcharan (New Appointment)

Commissioner Ramsey expressed appreciation to all of those who had applied. He noted it made the appointment process more difficult for the Commissioners with so many qualified candidates.

### **Resolution-Public Record Fees**

Thereupon, the Governing Body reviewed a resolution establishing fees to be paid by persons requesting access to public records in accordance with the Municipal Code of the City of Ottawa, Kansas, 1997. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution updates the current open records resolution adopted in 1986. It modifies the research charge from a set \$5.00/hour to the rate of pay plus benefits of employee(s) conducting open records research, reduces the copy cost for such requests from \$0.50 to \$0.25 per page, and allows for prepayment charges in certain cases. 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. 1408-07.

May 2, 2007

### **Resolution-Public Hearing Notice 931 S Locust**

Thereupon, the Governing Body reviewed a resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa; at which time the owners, their agents, lien holders of record and any occupants of the structures located at 931 S Locust, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this structure was damaged by fire in December of 2002. The owner obtained permits to make repairs, however, no significant progress has been made. Staff opined that this structure should be ordered repaired or condemned. This resolution sets the date of the public hearing for Wednesday, June 20, 2007 at 9:30 am.

Thereupon, the Governing Body heard from David Williams Jr., 1202 Indiana Road in Princeton, who is the property owner of 931 S Locust. Mr. Williams asked the Governing Body to have an understanding of his situation. Thereupon, City Manager Wynndee Lee asked Mr. Williams to create a plan and timeline and take it to the Inspection Department as soon as possible. Ms. Lee stated he would want to be at the June 20, 2007 Public Hearing to address any additional concerns or provide an update on the progress of any improvements. Ms. Lee stated that at the public hearing neighbors might also be in attendance to express concerns. 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. 1409-07.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Darrah Jorgensen who stated members have been working on their service project, had a Goody's scavenger hunt, and over the last four months have been gathering information on the "Healthy Future of Ottawa".

### **Reports by Interim City Manager**

The City Manager explained that the EMS event scheduled for May 26<sup>th</sup> was to be held in Forest Park. Currently there are other activities scheduled at Forest Park on that date, so EMS requested the use of City Park and Park Street be blocked off during the event. Thereupon, the Governing Body agreed to this request with Staff working out the details with the EMS group.

### **Announcements**

Thereupon, the Mayor announced:

1. May 7, 2007: Commission Retreat at NOON
2. May 7, 2007: Study Session tentatively cancelled
3. May 14, 2007: Study Session at 4 pm
4. May 16, 2007: Regular Meeting at 9:30 am

May 2, 2007

## **Executive Session**

### **Recess**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss issues of attorney-client privilege for a period of 30 minutes and to reconvene in Open Session at 8:01 pm in the same Commission Chambers. Interim City Manager Wynndee Lee and City Attorney were invited to attend the Executive Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Ramsey 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 8:01 pm.

### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess again and reconvene at 8:31 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

## **Adjournment**

The meeting was reconvened at 8:31pm.

There being no further business to come before the Governing Body Commissioner Ramsey 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.

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Scott D. Bird, City Clerk

May 2, 2007

**SPECIAL CALL**  
**City Hall, Study Session Room**  
**“City Commission Retreat”**  
**OTTAWA, KANSAS**  
Minutes of  
May 7, 2007

The City Governing Body met at NOON this date for the Special Call Retreat with the following members present and participating to wit: Mayor Jorgensen, Commissioner Henningsen, Commissioner Fler, Commissioner Ramsey, and Commissioner Humm. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order to discuss various topics of City related business.

Following is the agenda the Governing Body would be referring to throughout the meeting:

**A. City Manager Search**

- i. Consider Process for Selection of Search Firm and Options
- ii. Begin Discussion of Characteristics, Strengths and Priorities for next City Manager

**B. Interim City Manager Discussion**

- i. Expectations from City Commission
- ii. Expectations from Interim City Manager
- iii. Calendar of Upcoming Items

**C. Utility Rates/Decisions**

- i. Current status of Electric Utility Fund
- ii. Choices for Electric Utility Fund – Memo from City Clerk Attached
- iii. Update on Northeast Substation

**D. CIP – 2:30 p.m.**

- i. Project List and Anticipated Years
- ii. Items to Add or Consider

**E. 2008 Budget**

- i. Timing and Process Discussion

**F. Other Items – May be added prior to 2:30 if need to be**

- i. Future of Auditorium \_\_\_\_\_
- ii. Economic Development in North Ottawa \_\_\_\_\_
- iii. Other Growth and Development \_\_\_\_\_
- iv. Community Task Force \_\_\_\_\_
- v. Discussion of storm water utility \_\_\_\_\_
- vi. Airport Update \_\_\_\_\_

**G. 2007 and 2008 Priorities**

- i. City Manager Selection \_\_\_\_\_

May 7, 2007

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss Attorney-Client privilege for a period of 10 minutes. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Flee, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened after the 10 minutes recess.

**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.

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Scott D. Bird, City Clerk

May 7, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
May 14, 2007

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

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

**Public Comments**

Thereupon, Commissioner Fler arrived at 4:04 pm.

**503 Willow Lane Concerns**

Thereupon, the Governing Body heard from Ted Fogle, 1521 Maple, who discussed his concerns regarding a property located at 503 Willow Lane. The Interim City Manager Wynndee Lee explained what action had been taken by the Inspection Department to date.

**City Manager Search**

Thereupon, the Governing Body heard from Mark Tomb, League of Kansas Municipalities, who discussed the detail of the League's proposal to assist with the City Manager Search. The Governing Body agreed to have their profile survey completed and returned to Human Resources by June 1.

**Northeast Substation Routing**

Thereupon, the Governing Body heard from Jack Werthman, SEGA, who discussed a recommendation for utility transmission routing. Mr. Werthman reviewed the preferred route for the new transmission as being "Route C" and illustrated in Red on the provided map. He explained there is still a lot of detail along the route to be considered. Thereupon, the Governing Body agreed by consensus to allow SEGA Representatives and Staff to pursue "Route C".

**Resolution-Utility Improvements, G.O. Bonds**

Thereupon, the Governing Body reviewed a resolution describing the City's intent to finance electric utility system improvements with the issuance of federally tax-exempt debt. In lieu of financing the utility improvements with revenue bonds, this resolution allows the City to issue G.O. Bonds, thus lowering the interest rate on the issuance. Thereupon, the Governing Body agreed to place this resolution on the Regular Meeting Agenda for May 16.

**Resolution-Fee Schedule Electric Utility Rates**

Thereupon, the Governing Body reviewed a resolution, which addressed the proposed fee schedule for electric utility rates. Information provided increases, as well as, what percentage increase is assigned to each classification.

May 14, 2007

Finance Director Scott Bird explained the rate increase if approved would not only help fund the Northeast Substation but would also allow the electric fund to become healthier. The Governing Body agreed to place this resolution on the Regular Meeting Agenda for May 16.

### **Ordinance-Concealed Carry**

Thereupon, the Governing Body reviewed a revised ordinance for concealed carry of firearms in city owned-facilities. The Assistant to the City Manager Nikki Spencer explained revisions reflect the recent changes by the Kansas Legislature to the state statute that became effective January 1, 2007. The city is still able to restrict concealed carry in enclosed, city-owned facilities including the swimming pool. However, city parks and recreation facilities that are not enclosed and have several points of entry will no longer be part of the restriction. Only minor changes have been made, including updating the list in the city clerk's office of areas still restricting concealed carry. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for May 16.

### **Resolution-ROW for Montana and Sand Creek Road**

Thereupon, the Governing Body reviewed a resolution to certify that the right-of-way acquired for the Montana and Sand Creek Road Intersection improvements. The form is KDOT 1306, required for the project to continue on its scheduled bid letting on June 20, 2007. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting for May 16.

### **Proclamation & Presentation-Mental Health Month**

Thereupon, the Governing Body reviewed a proclamation for Mental Health Month. The Governing Body reviewed a request from Diane Drake of the Elizabeth Layton Center to present a short video regarding mental health month at the Regular Meeting May 16. The Governing Body agreed to place the proclamation on the May 16 agenda and agreed by consensus to allow the presentation.

### **Proclamation-Public Works Week**

Thereupon, the Governing Body reviewed a proclamation for Public Works Week and agreed to place this item on the Regular Meeting Agenda for May 16.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the Study Session of April 30, Regular Meeting May 2, and Special Call May 7 and agreed to place these items on the next Regular Meeting Agenda for May 16.

May 14, 2007

### **Items for Discussion**

#### **Greensburg, Kansas Donations**

Thereupon, the Governing Body discussed an email received from the League of Kansas Municipalities regarding a municipal fund for financial assistance for the residents of Greensburg, Kansas. The F-5 tornado leveled 95% of their city. Donations will be distributed directly to the City Government of Greensburg to be used as needed. Thereupon, the Governing Body agreed by consensus to authorize City Staff to make a donation of \$5,000.

#### **Band Committee-Application**

Thereupon, the Governing Body reviewed a Band Committee application from Corkie Hedlund. A current member decided to step down. Ms. Hedlund is interested in filling this position with approval from the Governing Body. Thereupon, the Governing Body agreed by consensus to approve Corkie Hedlund as a Band Committee member.

#### **Monthly Financial and Activity Report-April**

Thereupon, the Governing Body agreed to defer this item until the next Study Session.

#### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee explained David Williams Jr., the property owner of 931 S Locust, has contacted Planning and Codes and a visit to the property has been scheduled.

Thereupon, Commissioner Fler discussed property in the area of Wilson and North Cherry.

Thereupon, Commissioner Ramsey stated the Chamber is working on the Franklin County Leadership Class for 2007-2008. Commissioner Ramsey announced the Ottawa Main Street Office would be moving into the Chamber Office.

Mayor Jorgensen announced Convention and Tourism will be holding second interviews for a Director in the next couple of weeks.

Commissioner Humm discussed a business in the 400 Block of South Main with regards to appliances and trash being set outside the business. Commissioner Ramsey addressed a similar concern on a residential property between 9<sup>th</sup> and 10<sup>th</sup> on South Main.

The Governing Body discussed possible agenda items for the Joint City/County/USD 290 lunch on May 16.

May 14, 2007

## **Adjournment**

There being no further business to come before the Governing Body Commissioner Humm made a motion, seconded by 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.

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Scott D. Bird, City Clerk

May 14, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
May 16, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Fler, Commissioner Ramsey, and Commissioner Henningsen. Commissioner Humm was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Joel R. Frederickson, First Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting April 30, Regular Meeting May 2, and Special Call May 7. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation-National Public Works Week**

Thereupon, Mayor Jorgensen read a proclamation declaring the week of May 20-26, 2007 as National Public Works Week. The proclamation was presented to Public Works Director Andy Haney. Mr. Haney expressed appreciation to the Governing Body for the proclamation. Mr. Haney discussed some of what his department does and noted they work hard so the community can have a good quality of life in our city. Mayor Jorgensen thanked Mr. Haney and his staff for all of his hard work on behalf of the city.

**Proclamation-Mental Health Month**

Thereupon, Mayor Jorgensen read a proclamation declaring the Month of May as Mental Health Month in the City of Ottawa. Thereupon, the Governing Body heard from Diane Drake, Director of the Elizabeth Layton Center who expressed appreciation for the proclamation. Ms. Drake gave a short video presentation, which expressed the "need" to be able to provide for Mental Health Care to anyone needing help.

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Ms. Drake recognized Greensburg, Kansas as those who would need Mental Health Care for an extended time and help would be provided by statewide outreach effort, including Ms. Drake's staff.

Ms. Drake stated it was very rewarding to have people who were willing to go before the Legislature for Mental Health funding. Due to people being willing to go and testify at Topeka, Representative Bill Feuerborn was able to save \$7 million in funding from being cut.

### **League of Kansas Municipalities-City Manager Search Contract**

Thereupon, Mayor Jorgensen stated the League contract had been reviewed by the City Attorney who gave a favorable opinion to the Governing Body to execute the contract if they agreed to do so.

Thereupon, there was presented a contract between the City of Ottawa, Kansas, and the League of Kansas Municipalities for the Executive Search Services for the position of City Manager. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to approve the contract.

During discussion it was explained the Governing Body has had the opportunity to review several proposals for executive search services. This contract would enable the League of Kansas Municipalities to assist in performing the search for a new City Manager. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved.

### **Resolution-Finance Utility System Improvements**

Thereupon, there was presented a resolution of intent of the City of Ottawa, Kansas, to finance certain electric utility system improvements with the issuance of federally tax-exempt debt. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution allows the City to finance utility improvements with the issuance of G.O. Bonds rather than revenue bonds, thus lowering the interest rate on the issuance. Even though the project will be financed with G.O. Bonds, the debt will be repaid with electric utility funds. 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. 1410-07.

### **Resolution-Electric Rate Schedule**

Thereupon, there was presented a resolution finding the advisability of and ordering the adoption of applicable rates, charges, rules and regulations, conditions and availability of services rendered by the electric department of the City of Ottawa, Kansas, and establishing an effective date

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therefore, and providing for the enforcement thereof and rescinding prior resolutions. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained several discussions have been held over the last few months regarding the need for adjustments in the electric utility rate schedule to offset the increasing cost of providing electrical service. Electrical rates have not been increased since 1995. This resolution and the accompanying fee schedule implements change starting September 1 of this year through January 1, 2010.

Thereupon, City Clerk Scott Bird explained the fee schedule as follows:

<b>Step</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Implementation</b>	<b>9/1/2007</b>	<b>1/1/2008</b>	<b>1/1/2009</b>	<b>1/1/2010</b>
<b>Residential</b>	1.00%	1.80%	4.00%	3.00%
<b>Business</b>	2.00%	2.33%	4.00%	3.00%
<b>Large</b>	2.00%	4.07%	4.00%	3.00%

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. 1411-07.

### **Ordinance-Carrying of Concealed Firearms**

Thereupon, the Governing Body reviewed an ordinance amending Chapter 38, Article X of the Municipal Code of the City of Ottawa, Kansas, by adding Section 38-1015 entitled "Carrying of Concealed Firearms Prohibited". Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained with changes to the concealed carry statutes being made during the recent legislative session, it was necessary to make minor revisions to the City Ordinance that went into affect January 1, 2007. The changes include the removal of the section related to City Employees and removal of parks/cemeteries as areas where concealed carry would be prohibited by licensed individuals. An updated list of city properties will be on file in the City Clerk's Office. 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. 3627-07.

### **Resolution-Montana and Sand Creek Road ROW**

Thereupon, the Governing Body reviewed a resolution certifying the right-of-way acquired for the Montana and Sand Creek Road intersection improvements. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution.

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During discussion it was explained the certifying form is required by the Kansas Department of Transportation to continue on its scheduled bid letting of June 20, 2007. 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. 1412-07.

### **Reports by Interim City Manager**

Thereupon, Interim City Manager Wynndee Lee stated the Ash Street traffic study would probably be on the Monday Study Session Agenda.

Ms. Lee stated a request from Greensburg, Kansas had been received for Inspection Staff. Additional staff has also been requested in other areas and the city will continue to get request, as Greensburg is ready for more help.

### **Reports by Mayor**

Thereupon, the Mayor continued discussion on Greensburg and how important it is to send staff when possible. Mayor Jorgensen reminded everyone of the additional help the City received after the micro-burst.

### **Announcements**

Thereupon, the Mayor announced:

1. May 16, 2007: Joint City/County/USD 290 lunch at NOON at the County
2. May 21, 2007: Study Session at 4 pm
3. May 28, 2007: Study Session cancelled due to Observance of Memorial Day and City offices will be closed.
4. June 6, 2007: Next Regular Meeting at 7 pm

### **Adjournment**

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 at 10:02 am.

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Scott D. Bird, City Clerk

May 16, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
May 21, 2007

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

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

**Public Comments**

None offered at this time.

**Property In The Area of Wilson and North Cherry**

Thereupon, the Governing Body discussed a memo from Interim City Manager Wynndee Lee that addressed Commissioner Fleer's concerns regarding water runoff in the area of Wilson and North Cherry.

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee, Mildred Heathman, 1026 N Cherry, and Pat Burns, 1025 N Cherry. Mrs. Heathman expressed concern about runoff onto her property from the neighbors duplex. However, she did say that 50 years ago their house had been built too low. The Governing Body agreed the current situation is a civil issue between property owners. The Governing Body agreed to have staff research how other cities are handling water issues created by "infill" projects.

**Ordinance-Future Land Use Map**

Thereupon, the Governing Body reviewed an ordinance amending the Future Land Use map. The city annexed a large area of land between Wilson and Logan/K-68 east of Davis. City staff felt a study of the land use map was in order. A consultant assisted in creating the plan, which was reviewed and modified by the Planning Commission. A public meeting with affected property owners has been held, as well as, a public hearing, at which time no comments or changes were made. The Planning Commission recommends approval by a vote of 7-0. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 6, 2007.

**Ordinance-Eliminate Parking Restrictions, Old Lincoln School**

Thereupon, the Governing Body reviewed an ordinance to eliminate parking restrictions in the old Lincoln School District area. The ordinance removes restrictions on Cedar and Hickory Streets that are no longer necessary. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda for June 6, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the May 14 Study Session and the May 16 Regular Meeting and agreed to place these items on the next Regular Meeting Agenda.  
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### **“Buckle Up, Lights On” Campaign**

Thereupon, the Governing Body reviewed a request from Jeffrey Richards, American Legion Post #60. Mr. Richards requested permission for American Legion Post #60, to pass out safety flyers on Friday, May 25 from 5 pm – 7 pm at the corner of 4<sup>th</sup> and Main. The safety flyers are part of a campaign that partners with the Kansas Governor’s Office, KDOT and the American Legion to raise awareness for safe driving and wearing a seatbelt. It was noted this activity will not disrupt traffic and will not include solicitation of donations. Thereupon, the Governing Body agreed by consensus to approve this request.

### **Budget Discussion #1: Special Funds**

Thereupon, the Governing Body reviewed with Finance Director Scott Bird the following Special Funds for the 2008 Budget Year:

- Special Alcohol
- Power Supply
- Revolving Loan
- Risk Management
- WWTP Debt funds

### **Monthly Financial and Activity Reports-April**

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

### **EMS Event-May 26<sup>th</sup>**

Thereupon, the Governing Body reviewed an additional request from the EMS group to block Hickory from 6<sup>th</sup> – 7<sup>th</sup> Street. This event is scheduled for May 26<sup>th</sup> from 10 am – 2 pm. Originally the group requested Park Street be blocked, however they additionally requested Hickory from 6<sup>th</sup> – 7<sup>th</sup> due to holding a bicycle rodeo as part of the event. The Governing Body discussed this item with staff and agreed to allow Hickory from 6<sup>th</sup>-7<sup>th</sup> to be blocked during this event.

### **Open Agenda**

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee who reported the traffic study in the area of 13<sup>th</sup> & 15<sup>th</sup> on Ash was complete and has been distributed. Ms. Lee explained the study showed there wasn’t a need for stop signs or signals in this area. Staff will be meeting with USD 290 about additional parking restrictions in the area and recommending better choices of parking for parents.

The Interim City Manager asked the Governing Body if they plan to attend the upcoming YMCA meeting so a Special Call could be drafted if needed. It was decided Commissioner Henningsen will plan to attend.

May 21, 2007

The Interim City Manager asked Police Chief Butler to report his findings on a concern Gene Hirt, 1112 Augusta Lane, brought before the Governing Body at a recent City Commission meeting. Chief Butler reported that out of 720 vehicles traveling in the area of Hemlock and Fairway Streets only 3 were driving more than 36 miles per hour. It was noted the speed limit in this area is 30 miles per hour.

Thereupon, Mayor Jorgensen reported the interview process for a Convention and Tourism Director are continuing with second interviews taking place over the past weekend. Negotiations are taking place and a Director should be named soon.

**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.

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Scott D. Bird, City Clerk

May 21, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 4, 2007

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

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

Thereupon, Commissioner Humm arrived at 4:01 pm.

**Public Comments**  
**Budget Presentations**

**Band Committee**

Thereupon, Chris Reynolds, Cathy Sutton, and Murle Mordy were present to address any questions the Governing Body had regarding the Band Committee. The Band Committee requested the same budget funding as last year which was \$3,000.

**Ottawa Main Street**

Thereupon, the Governing Body heard from Main Street Director PJ Stephenson and Treasurer Harold Maes who provided a presentation on the Main Street Program and distributed information on a Year-End Evaluation. On behalf of the Main Street Program Mr. Stephenson requested 2008 funding from the City in the amount of \$30,000 which is the same as last year. Thereupon, the Governing Body thanked Mr. Stephenson for the information provided.

**Bea Martin Peck Animal Shelter**

Thereupon, the Governing Body heard from Bea Martin Peck Animal Shelter representatives Betty Birzer, Dr. Larry Mages, and Emily Mathis. Bea Martin Peck provided shelter information to the Governing Body and requested \$64,525 for Budget Year 2008. It was noted last year the City budgeted \$45,500 for the shelter. Interim City Manager Wynndee Lee discussed the need for City Staff to complete a previously worked on contract and provide it to Bea Martin Peck for review.

**Pebble Beach Drainage**

Thereupon, the Governing Body heard from Mr. Bill Lynch, SW 3 Hillside Rd, Ottawa, who also owns property in the Pebble Beach Street area. Mr. Lynch expressed concerns about excessive overgrowth and trash in a detention pond area owned by the neighborhood association of this subdivision. Thereupon, the City Manager and City Attorney discussed action previously taken by the City, noting that the property owner of the detention pond has been very uncooperative. Ms. Lee explained that a bid to clean the growth and debris had been received this date and that the owner would be given 30 days to take care of the situation himself, and he would also be put on notice that if the situation was not resolved within that time frame, the city will pursue legal actions beyond the usual attachment of the cost of abating the nuisance to the taxes.

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### **Cereal Malt Beverage-Franklin County Shriners**

Thereupon, the Governing Body reviewed an application for a Cereal Malt Beverage License submitted by Bob Ramshaw on behalf of the Franklin County Shriners. Mr. Ramshaw was present to address any concerns of the Governing Body. The application is for a one day roping benefit event to be held at the Franklin County Fairgrounds. The application was reviewed by the Police and Fire Departments as well as the City Attorney. They found no reason to deny the application. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 6, 2007.

### **Resolution-Northeast Substation**

Thereupon, the Governing Body reviewed a resolution with Scott Bird, City Clerk, that would authorize the sale of approximately \$9,900,000 principal amount GO Bonds for the purpose of financing the design, construction and extension of utilities and the Northeast Substation. Bond Counsel has drafted the resolution for bond sale following the approval of the City Commission to continue the electric utility improvement project. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 6, 2007. Mr. Bird noted a bond sale would be scheduled between now and August 1.

Thereupon, Interim City Manager Wynndee Lee discussed the possibility of holding 3 night meetings for July 18, August 1, and August 15. Thereupon, the Governing Body agreed to hold these meetings at 7 pm on the dates requested.

### **Resolution-Vacation of 306 S Elm**

Thereupon, the Governing Body reviewed a resolution for the vacation of 306 S Elm. On May 22, 2007 the codes officer inspected 306 S Elm. The purpose of the inspection was to evaluate the structural integrity and safety of the residence. The code officer found the structure had been damaged by water and other elements to such a degree to render the structure unsafe. In addition, the structure was in a state of disrepair and disorder to a degree to constitute an immediate hazard to the residents of the house in particular, and the public in general. The resolution had been amended as the property owner and the City executed an agreement that provides an evidentiary basis for the Commissioner's findings. Thereupon, Staff requested approval of the amended Resolution at today's meeting. In addition, Staff requested another resolution be placed on the June 6, 2007 Regular Meeting Agenda to call for a public hearing per normal procedure. After the hearing, Staff would recommend an ordinance requiring repair or removal be adopted.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution for vacation of 306 S Elm. 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. 1413-07.

June 4, 2007

Thereupon, the Governing Body agreed to place the resolution to call for a public hearing (per normal procedures) on the Regular Meeting Agenda for June 6, 2007.

### **City Manager Search**

Thereupon, City Attorney Bob Bezek updated the Governing Body on the City Manager Search and asked those Commissioners that hadn't turned in their survey questions to Human Resources to please turn them in as soon as they could.

### **Resolution & Agreement Montana/Sand Creek Road Project**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who reviewed an agreement for engineering inspection services by consultant services for the Montana/Sand Creek Road intersection project. Mr. Haney stated the agreement authorizes appropriate inspection services for the project to be completed by Cook, Flatt and Strobel Engineers. Bid letting for the project is scheduled for June 20 in Topeka. In addition, a resolution was provided for the authorization of \$103,000 in temporary notes for the City's matching funds required for the project. Thereupon, the Governing Body agreed to place the agreement and resolution on the Regular Meeting Agenda for June 6, 2007.

### **Kansas Independent College Finance Authority-Ottawa University**

Thereupon, the Governing Body reviewed a request from Ottawa University to authorize a Certificate of Approval from the Kansas Independent College Finance Authority. It was explained this approval does not impose liability on the City, involve the City in the issuance of the notes, or the proposed project, but rather, is an accommodation by the City to satisfy requirements of the Internal Revenue Code. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for June 6, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the May 21 Study Session and agreed to place this item on the next Regular Meeting Agenda for June 6, 2007.

### **Haley Park Request**

Thereupon, the Governing Body reviewed a request from Ottawa Main Street for the use of Haley Park to present a summer concert series. Tracey Wade, Promotions Committee Chair has requested the use of Haley Park for four Tuesday evening concerts. Main Street would like to sell bottled water and popcorn during the event, as well as, place a portable toilet behind the park for attendees. It was noted the dates requested are currently available. Thereupon, the Governing Body agreed by consensus to approve this request.

June 4, 2007

### **Regular Meeting-June 20**

Thereupon, the Governing Body discussed the Regular Meeting for June 20. A public hearing for condemnation has been scheduled for 9:30 am, however, the ground breaking for the US 59 is scheduled for the same day at 10 am. The public hearing must commence at 9:30 am or shortly after per public legal notice. Mayor Jorgensen noted he has committed to KDOT to attend the ground breaking and would entertain discussion from the Commission on scheduling for that morning. Thereupon, the Governing Body agreed to hold the City Commission meeting at 9:30 am as scheduled. Mayor pro tem Ramsey will be in attendance to conduct the meeting.

### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee announced another K-68 meeting would be held Thursday from 2-4 and Nikki Spencer and she would be attending. Ms. Lee explained Ottawa's cost had been reallocated to be \$4,500 and asked for direction from the Governing Body. She explained there was some items in the allocation that her and Nikki would question at the meeting. Thereupon, the Governing Body directed Ms. Lee to stay with the \$2,500 as discussed previously.

The City Manager explained due to some changes at the post office the City now has a mailing address of PO Box 60. In addition, it was explained Fed-X, UPS, and others would still need to use the physical address of 101 S Hickory.

Thereupon, Commissioner Ramsey discussed the coffee shop meeting U.S. Representative Nancy Boyda, Second District Congresswomen held on Saturday. The meeting was very well attended with standing room only and was approximately 3 hours.

### **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 5:35 pm.

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Scott D. Bird, City Clerk

June 4, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
June 6, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Fler, Commissioner Ramsey, Commissioner Humm, and Commissioner Henningsen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Chaplain Matthew Benorden, Hospice Care of Kansas.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting May 14 and 21, and Regular Meeting May 16. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Ordinance-Future Land Use Map**

Thereupon, the Governing Body reviewed an ordinance adopting amendments to the Future Land Use Map of the Comprehensive Plan for the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the city had annexed a large area of land between Wilson and Logan/K-68 east of Davis. City staff felt a study of the Land Use Map was in order. A consultant assisted in creating the plan, which was reviewed and modified by the Planning Commission. A public meeting with affected property owners was held as well as a public hearing, at which time no comments or changes were made. The Planning Commission recommends approval by a vote of 7-0. 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. 3628-07.

June 6, 2007

### **Ordinance-Restricted Parking**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular parking by designating various streets and alleys, or portions thereof as restricted parking. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance eliminates parking restrictions in the old Lincoln School District area. The ordinance removed restrictions on Cedar and Hickory Streets that are no longer necessary. 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. 3629-07.

### **Application for Cereal Malt Beverage License**

Thereupon, the Governing Body reviewed an application for a Cereal Malt Beverage license. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to approve the application.

During discussion it was explained the application is for a one day roping event to be held at the Franklin County Fairgrounds by the Franklin County Shriners. The event benefits Shriner Hospitals and has already been approved by the Franklin County Fair Board. The application has been reviewed by staff from the Police and Fire Departments as well as the City Attorney and they found no reason to deny the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

### **Resolution-Bond Issuance \$9,900,000**

Thereupon, the Governing Body reviewed a resolution authorizing the public sale of approximately \$9,900,000 principal amount of General Obligation Bonds, Series 2007, of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this bond issuance is for the purpose of financing the design, construction and extension of utilities and the Northeast Substation. Staff has worked with bond counsel to draft the resolution for bond sale following the approval of the City Commission to continue the electric utility improvement 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. 1414-07.

### **Resolution-Public Hearing 306 S Elm**

Thereupon, the Governing Body reviewed a resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas; at which time the

June 6, 2007

owners, their agents, lien holders of record and any occupants of the structures located at 306 S Elm may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained that on May 22, 2007, the codes officer inspected 306 S Elm. The purpose of the inspections was to evaluate the structural integrity and safety of the residence. The code officers found the structure had been damaged by water and other elements to such a degree to render the structure unsafe. This resolution calls a public hearing on August 1, 2007, at 7 pm to determine whether the structure should be declared condemned and ordered repaired or removed. 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 1415-07.

**Agreement-KDOT, Montana/Sand Creek Road**

Thereupon, the Governing Body reviewed an agreement for federal-aid construction engineering inspection services by consultant. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to approve the agreement.

During discussion this KDOT (Kansas Department of Transportation) agreement is for engineering inspection services by consultant services for the Montana/Sand Creek Road Intersection project. This agreement authorizes appropriate inspection services for the project to be completed by Cook, Flatt and Strobel Engineers. Bid letting for the project is scheduled for June 20 in Topeka. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

**Resolution-Main Trafficway, Montana/Sand Creek Road**

Thereupon, the Governing Body reviewed a resolution authorizing the City of Ottawa, Kansas, to construct certain main trafficway improvements on Montana Road and authorizing the issuance of General Obligation Bonds of the City to pay a portion of the costs thereof. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this bond issuance is for the financing of the City's match for the Montana/Sand Creek Road intersection project. Total project estimates are \$625,000 with \$125,000 of the costs being paid with the proceeds of general obligation bonds of the City. The remaining balance will be paid by the Kansas Department of Transportation. 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. 1416-07.

June 6, 2007

**Ordinance-General Obligation Bonds, Montana/Sand Creek Road**

Thereupon, the Governing Body reviewed an ordinance authorizing the issuance of General Obligation Bonds of the City of Ottawa, Kansas, in an amount not to exceed \$93,750 for the purpose of making certain improvements to the portion of the Montana and Sand Creek Road intersection located outside the city limits. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this ordinance is necessary in conjunction with the previous resolution and the following ordinance. The city must use home rule powers to issue debt for the financing of that portion of the project outside the city limits. 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. 3630-07.

**Ordinance-Main Trafficway**

Thereupon, the Governing Body reviewed an ordinance designating certain streets within the City of Ottawa, Kansas, as a main trafficways, pursuant to K.S.A. 12-685 and repealing Ordinance No. 3481-07. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance designates Montana Road within the City Limits as a main trafficway. 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. 3631-07.

**Kansas Independent College Finance Authority**

Thereupon, the Governing Body reviewed an authorization of Certificate of Approval from the Kansas Independent College Finance Authority on behalf of Ottawa University. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the authorization of the Certificate of Approval. The motion was considered and upon being put, was approved by the following vote: Commissioner Fler nay, Commissioner Ramsey aye, Commissioner Humm aye, Commissioner Henningsen abstained, and Mayor Jorgensen aye. Thereupon, the Mayor declared the authorization of Certificate of Approval duly approved.

**Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Jack Shannon who announced delegates are currently working on their service project.

**Reports by Interim City Manager**

Thereupon, Interim City Manager Wynndee Lee asked Information Technology Director Chuck Bigham to update the Governing Body on the Government Access Channel and the City Web Site.

June 6, 2007

Mr. Bigham explained the Information Technology Department supports the Government Access Channel (GAC), as well as, the City Web Site. Improvements have included the following:

- Weather Ticker Tape available 24/7
- Items that were only on the Government Access Channel will also be available on the web site e.g. OHS prom walk-in, OHS Graduation, Cowboy Days, etc.
- Slide Show on GAC will be available on the web site through “Google”

Future Items

- On-line calendaring
- OMA Events
- Forest Park Shelter reservations
- City Hall Room reservations

Thereupon, Mayor Jorgensen congratulated and thanked Chuck Bigham and Mat Simonson, Multi-Media Specialist, for all their hard work on the GAC and Web Site.

**Announcements**

Thereupon, the Mayor announced:

1. June 11, 2007: Study Session at 4 pm
2. June 18, 2007: Study Session at 4 pm
3. June 20, 2007: Next Regular Meeting at 9:30 am (KDOT Groundbreaking for US 59 at 10 am at the Montana/Sand Creek intersection. If it rains it will be held at the Convention and Tourism Building.)
4. June 20, 2007: Joint City/County/USD 290 Luncheon at City Hall at NOON.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Fler made a motion, seconded by Commissioner Ramsey, 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 7:26 pm.

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Scott D. Bird, City Clerk

June 6, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 11, 2007

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

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

**Public Comments**

**2006 Audit Review**

Thereupon, The Governing Body heard from Audrey Odermann of Lowenthal, Singleton, Webb and Wilson, who reviewed the 2006 Audit Report and Financial Statements. Ms. Odermann and City staff responded to questions from the Governing Body. Thereupon, Mayor Jorgensen asked Ms. Odermann if she were to issue a letter grade to the City what would the City receive. Thereupon, Ms. Odermann stated an "A". She explained that it was the first time her firm had conducted the City's audit and with first time audits one never knows what to expect. She felt this audit went very smooth and the City Treasurer, as well as, other staff was very accommodating to the auditors request for information. Thereupon, Mayor Jorgensen thanked Ms. Oderman and City staff for their hard work on the audit.

**Street Curb Concerns**

Thereupon, the Governing Body heard from Don Lunger, 207 Red Jacket, who addressed concerns he had with City streets and curbs. Thereupon, Interim City Manager Wynndee Lee stated patching is currently being address for the short and long term.

**Budget Request-Ottawa Area Chamber of Commerce**

Thereupon, the Governing Body heard from Tom Weigand, President of the Ottawa Area Chamber of Commerce, who discussed the Chamber of Commerce 2008 Budget. Mr. Weigand's discussion included a request of \$48,000 from the City for the 2008 Budget. It was noted the City funded \$45,000 in the 2007 Budget. Mr. Weigand also expressed the importance for the City to have land and infrastructure available when developers and businesses were researching an area to develop.

**Introduction of New Employee**

Thereupon, IT Director Chuck Bigham introduced Paul Sommer, the new employee in the IT Department. Mr. Bigham stated Paul had joined the department as a Support Specialist. Paul and his family have lived in Ottawa for 10 years. He was previously employed in Lenexa.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the June 4 Study Session and agreed to place this item on the next Regular Meeting Agenda for June 20.

June 11, 2007

### **Budget Discussion-Community Services and Support**

Thereupon, the Governing Body heard from City Clerk Scott Bird who discussed the Community Services and Support Budget for 2008. Thereupon, Commissioner Ramsey asked if all of the entities reflected in this budget had submitted budget funding request for Budget Year 2008. Mr. Bird explained they had not and he would be in contact with them to assure request for budget funding would be forthcoming in writing to the Governing Body.

### **Monthly Financial and Activity Report-May**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for May. Thereupon, City Clerk Scott Bird stated the sales tax revenue was still running behind and he is anticipating it may be \$150,000 - \$200,000 short of the budgeted revenue for 2007.

### **Open Agenda**

Thereupon, the Governing Body discussed the following:

- Curb & Gutter at Ottawa University (started working on today's date)
- Timeline for City Manager surveys (moved back a week will be June 18)
- Cedar Street problems (it was explained there had been a water break in the 600 Block which seems to have caused the street problem) and this is to be addressed when weather permits

### **Adjournment**

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

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Scott D. Bird, City Clerk

June 11, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 18, 2007

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

The Mayor called the meeting to order.

**Resolution-Condemnation 931 S Locust**

Thereupon, the Governing Body reviewed a resolution for condemnation of 931 S Locust. A public hearing has been called for June 20 at 9:30 am. The structure was damaged by fire in December of 2002. The owner, Mr. Williams, met with the inspectors May 9, 2007 at which time he was given a letter stating what was needed before the hearing. Mr. Williams needed to apply for a permit to finish rehab of the house as well as provide a detailed plan with an acceptable timetable for completion. The property is in blighted condition and taxes have not been paid since 2002. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda for June 20, 2007.

**Public Comments**

**League of Kansas Municipalities-Mark Tomb**

Thereupon, the Governing Body heard from Mark Tomb with the League of Kansas Municipalities who discussed the status of the City Manager recruitment.

**Resolution-Stormwater Master Plan**

Thereupon, the Governing Body reviewed a resolution for accepting the Stormwater Master Plan. The executive summary has been presented by staff of Burns and McDonnell and this resolution merely states that the City Commission has accepted the findings of the Stormwater Master Plan. Planning Commission recommends adopted by a vote of 7-0. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for June 20, 2007.

**Resolution-\$125,000 GO Temporary Notes**

Thereupon, the Governing Body reviewed a resolution authorizing the issuance and delivery of \$125,000 of General Obligation Bonds for the purpose of temporarily financing a portion of the Montana and Sandcreek Road intersection project. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 20, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from June 6 Regular Meeting and the June 11 Study Session and agreed to place this item on the Regular Meeting Agenda for June 20, 2007.

June 18, 2007

Commissioner Ramsey inquired about the Beer Garden by the Shriners. Thereupon, City Clerk Scott Bird stated the Beer Garden will operator between 10 am until midnight the day of the event.

### **Budget Discussion: Wastewater Fund**

Thereupon, the Governing Body reviewed with Interim City Manager Wynndee Lee, Utility Director Jim Bradley, and City Clerk Scott Bird who discussed the Wastewater Fund Budget for 2008.

### **Joint Luncheon Discussion**

Thereupon, the Governing Body discussed that Members of the Community Task Force would like to attend the Joint Luncheon to update all three entities of the progress being made. Thereupon, the Governing Body agreed to have the Community Task Force attend the luncheon. Additional items for discussion at the luncheon are as follows:

- Adult Entertainment if the City Attorney can attend
- Chip and Seal road improvements
- ORC representatives attending meeting

### **Ottawa Recreation Commission (ORC) Monthly Reports**

Thereupon, the Governing Body discussed the ORC May monthly reports. Thereupon, Commissioner Ramsey asked if an ORC Board member could attend the next Study Session to discuss some of the Capital Improvements mentioned in the report.

Thereupon, Mayor Jorgensen stated the City staff has been attending the ORC meetings and wondered if a City Commissioner should attend as well. The Governing Body agreed and Commissioner Fleer offered to attend these meetings the second Tuesday of each month at 6 pm. Discussion included the possibility of Commissioners rotating attendance.

Thereupon, Interim City Manager Wynndee Lee explained the new ORC Director is planning to attend the next Study Session to be introduced and she would make them aware the Governing Body would like to discuss improvements mentioned in their monthly report.

There was discussion about the need for a Special Call Meeting if two of the commission attended an ORC meeting. Interim City Manager Wynndee Lee recommended one commissioner leave if two showed up in order to make sure they wouldn't be in violation of the Open Meetings Act.

### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee reported that all the updates and necessary changes have taken place to meet the state requirements and the recently adopted City Ordinance No. 3627-07 regarding "Carrying of Concealed Firearms Prohibited".

June 18, 2007

Thereupon, Commissioner Fleeer stated the City Manager contract agreement would need to be reviewed before hiring the new City Manager.

Thereupon, Commissioner Ramsey inquired about a Small Cities proclamation. The Assistant to the City Manager Nikki Spencer stated she did have the proclamation to be placed on the July 16<sup>th</sup> & 18<sup>th</sup> City Commission Agenda.

Commissioner Ramsey inquired as to whether a letter had been sent to Nancy Boyda after her visit to Ottawa. Thereupon, City Clerk Scott responded he had sent a letter to thank her for her visit. Commissioner Ramsey asked to extend an invitation for her to meet with the City in August.

**Adjournment**

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

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Scott D. Bird, City Clerk

June 18, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
June 20, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, and Commissioner Humm. Commissioner Henningsen and Commissioner Fler were absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Leonard Chesbro, New Life in Christ Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting June 4 and 11, and Regular Meeting June 6. 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 Gene Hirt, 1112 Augusta Lane, who thanked the Interim City Manager and Police Chief Dennis Butler for reviewing traffic and speed in the area of Davis and K-68. Mr. Hirt would like the City to still place a stop light in this area. In addition, Mr. Hirt asked the Governing Body to review the language in Section 2 of the former City Manager's contract before hiring a new City Manager.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Public Hearing-Condemnation of 931 S Locust**

Thereupon, Mayor Jorgensen opened a public hearing for the condemnation of 931 S Locust at 9:36 am.

During discussion it was explained the public hearing is for the purpose of hearing comments on the condemnation of the structure located at 931 S Locust. This structure was damaged by fire in December of 2002 and staff recommended this property be declared unsafe or dangerous and that the structure be demolished or repaired.

June 20, 2007

Thereupon, Interim City Manager/Planning and Codes Administration Director Wynndee Lee provided a presentation on the condition of the property.

Thereupon, Joann Williams, 1209 Indiana Terrace, Princeton, Kansas spoke on behalf of the property owner David Williams, Jr. who is Ms. Williams son. Ms. Williams distributed a letter to the Governing Body from her son as he wasn't able to be at this meeting. Ms. Williams expressed she felt the intent of the Planning Department was to demolish the property from the beginning. Thereupon, Planning and Codes Administration Director Wynndee Lee stated that this was not the intent of the department. No plan of action had been provided, and Ms. Lee clarified that the property must meet the code standards, as anyone's property would need to be in compliance.

City Attorney Bob Bezek explained to the Governing Body this particular property has had a reasonable amount of time to make progress on the property. City Staff need to take into consideration the property owner, as well as, the neighbors in the area. The request for adoption of the resolution will allow staff to move forward. However, this doesn't prevent the property owner from providing an action plan to continue improvements and avoid demolition.

There being no one else to speak to this issue the Mayor closed the Public Hearing at 9:54 am.

#### **Resolution-Condemn 931 S Locust**

Thereupon, the Governing Body reviewed a resolution to condemn an unsafe and dangerous structure located at 931 S Locust in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained a public hearing has been held on this item and a staff report including pictures were provided. Staff recommended the resolution for condemnation be acted upon. 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. 1417-07.

#### **Resolution-Stormwater Master Plan**

Thereupon, the Governing Body reviewed a resolution adopting the finding of Burns and McDonnell Engineering upon the completion of a Stormwater Master Plan for the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained upon the request of the City Commission, Burns and McDonnell completed a study and subsequent Stormwater Master Plan for the City of Ottawa. Findings have been presented to the City Commission and this resolution merely states that the

June 20, 2007

findings are being accepted. The Planning Commission reviewed the plan and recommended adoption by a vote of 7-0. 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. 1418-07.

**Resolution-GO Temporary Notes Montana and Sandcreek Road**

Thereupon, the Governing Body reviewed a resolution authorizing the issuance and delivery of \$125,000 principal amount of General Obligation Temporary Notes, Series 2007, of the City of Ottawa, Kansas for the purpose of temporarily financing a portion of the cost of certain internal improvements of the City. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained these notes are for the purpose of temporarily financing a portion of the Montana and Sandcreek Road Intersection 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. 1419-07.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 am.

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Scott D. Bird, City Clerk

June 20, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 25, 2007

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Fler, Commissioner Henningsen, and Commissioner Ramsey and Commissioner Humm. 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. Gene Hirt, 1112 Augusta Lane regarding concerns of some of the restrooms at Forest Park. Thereupon, the Mayor thanked Mr. Hirt for his concerns.

**Ordinance-312 E Logan Vacation**

Thereupon, the Governing Body reviewed an ordinance for the vacation of 10 feet of alley between Cedar and Oak Streets and Logan and K-68 Highway (address of 312 E Logan). The owner of the property, Leonard Chesbro, requested the vacation for providing additional space too the existing tract. The request was submitted to the Development Review Committee and the Utility Advisory Committee and no objections were reported. The Planning Commission recommended approval by a vote of 6-1. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for July 18, 2007.

**Resolution-Federal Emergency Management Agency's (FEMA)**

Thereupon, the Governing Body reviewed a resolution regarding the Federal Emergency Management Agency's (FEMA) requirements for federal, state, and local governments to take part in training for the National Incident Management System (NIMS). Elected officials, Department Heads, Public Safety employees and other staff are required to complete basic training and testing in an effort to establish uniform response strategies that will assist federal, state and local governments to achieve coordinated efforts during emergency situations. Alan Radcliffe, Franklin County Emergency Management, is prepared to facilitate the necessary training modules for the City Commission and staff. Thereupon, the Governing Body agreed to have the Assistant to the City Manager Nikki Spencer contact Mr. Radcliffe to see if the training could be held July 23. The Governing Body agreed to place the resolution on the July 18 Regular Meeting Agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes of the June 18 Study Session and agreed to place this item on the Regular Meeting Agenda for July 18.

**Ottawa Recreation Commission (ORC): Discussion**

Thereupon, the Governing Body heard from ORC Board Member Brian Sharp and the newly appointed ORC Director Therron Dieckmann. Thereupon, the following items were discussed:

June 25, 2007

- Playground structure near fields, 1, 2, 3 and 4 at the east end
- 20' by 30' shelter between Drake and South Fields
- New concession stand/restroom facilities near fields 1, 2, 3 and 4 AND to replace the existing restroom only structure between Drake and South Fields
- Paving the east and west gravel parking lots to improve parking and traffic flow.
- City's responsibility pertaining to items 5b and 5d in the ORC/City agreement.
- ORC Master Plan
- City create policy document with ORC
- Review all City/ORC agreements
- Request for a City Commissioner to attend ORC Board Meetings (an invitation was extended by Mr. Dieckman and Mr. Sharp)

### **Budget Discussion**

Thereupon, the Governing Body discussed the following 2008 Budgets: Electric Distribution, Electric Production, Warehouse and Utility Billing.

Thereupon, Commissioner Ramsey asked if a COLA percentage for employees was included in the budget figures and if included what is the percentage? Thereupon, Interim City Manager Wynndee Lee stated she would visit with the City Clerk and bring that information back.

### **Ottawa Jaycees Request**

Thereupon, the Governing Body reviewed a request from Ottawa Jaycees for the annual 4<sup>th</sup> of July Fireworks. In addition, the request included that the City include the Jaycees in the 2008 Budget in the amount of \$2,500. Thereupon, the Governing Body agreed to have staff issue a check included in the 2007 Budget in the amount of \$2,500 for this event.

The Governing Body agreed by consensus to consider \$2,500 toward Fireworks during the 2008 Budget process.

### **City Manager Search**

Thereupon, the Governing Body continued discussion on the scheduling for the next couple of months to review applications and to schedule interviews. No date was agreed upon. However, the Governing Body will provide the Assistant to the City Manager Nikki Spencer dates that work for their schedule and those dates will be provided to the League for consideration.

### **Forest Park Restrooms**

Thereupon, the Governing Body continued discussion regarding the Forest Park Restrooms with Staff. It was agreed some of the restrooms are dated. However, they are functional and citizens using the shelter and ball teams have requested the restrooms remain open and have stated "something open is better than nothing open". Public Works Director Andy Haney stated all

June 25, 2007

restrooms open to the public receive continued maintenance during the week and weekends. It was agreed the Governing Body and staff will continue discussion on the restrooms. Mr. Haney stated the restroom Mr. Hirt discussed earlier during public comments had recently received a coat of paint. It was noted that unfortunately some of the public restrooms routinely have vandalism inflicted upon them, which the City Park Staff has to address.

### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee stated staff is trying to schedule a photo shoot for the Governing Body. Thereupon, the Governing Body agreed to have staff try and schedule the photo shoot July 16<sup>th</sup>, at 3:30 or 3:45 pm before the Regular Work Study Session.

The City Manager announced there has been a challenge put before the Governing Body to give up one month of their salary and have it sent to Greensburg, Kansas.

Thereupon, Commissioner Henningsen asked if there is a water fountain at the swimming pool. Public Works Director Andy Haney stated he would check to see and bring the information back to the Governing Body.

Thereupon, Commissioner Fler distributed information Mildred Heathman regarding property located in the area of Wilson and N Cherry. Thereupon, Commissioner Ramsey asked staff to put this item on the Study Session Agenda for July 2 and have the City Attorney present.

### **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.

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Carolyn S. Snethen, Deputy City Clerk

June 25, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 2, 2007

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

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

**Public Comments**

**New Employee Introduction**

Thereupon, the Governing Body postponed the new Employee Introduction until the July 9 Study Session.

**Park Improvements**

Thereupon, the Governing Body heard from Gene Hirt, 1112 Augusta Lane, who thanked Public Works Director Andy Haney and staff for the improvements made recently in Forest Park.

**Davidson Benefit-Williamsburg**

Mr. Hirt stated he appreciated the City having a proclamation on today's agenda to recognize National Small Cities and Towns Day. Mr. Hirt invited the Governing Body to a fundraiser for the Davidson family being held Saturday, July 7 in Williamsburg, Kansas from 5-8 pm at the Community Building. Mayor Jorgensen reminded the Governing Body that the Davidson family had suffered the loss of family in a car accident.

**Resolution- Super Wash Car Wash**

Thereupon, the Governing Body reviewed a resolution accepting the public improvements by Super Wash Car Wash located at 2132 Princeton Rd. Utility staff has inspected the sanitary sewer and recommends acceptance of the improvements. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for July 18.

**Ordinance-Parking Restriction**

Thereupon, the Governing Body reviewed an ordinance for the restriction of Parking on the south side of 9<sup>th</sup> Street between willow and Lincoln Streets. A citizen concern prompted staff to look at parking in this area. Public Works, Police and Fire reviewed the situation and determined that the street was so narrow in this area that parking should be limited to no more than one side of the street. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for July 18.

July 2, 2007

### **Proclamation-National Small Cities and Towns Day**

Thereupon, the Governing Body reviewed a proclamation for National Small Cities and Towns Day and agreed to place this item on the Regular Meeting Agenda for July 18.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from June 20 Regular Meeting and the Study Session June 25 and agreed to place these items on the next Regular Agenda with a change.

### **Flood Update**

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee and staff who reviewed the following memorandum.

# Memorandum

To: Mayor and City Commission  
From: Wynndee Lee, AICP, Interim City Manager  
Date: 7/02/07  
Re: Flooding Update

From June 27 to July 1, 2007, the City of Ottawa received 10.74 inches of rain. Over 5 inches of rain fell in the 24 hours between 7 AM on June 30 and 7 AM on July 1. With this amount of rainfall, the Marias des Cygnes rose to a level where the city's north flood gates were closed on Saturday evening and south gates were closed about 2:30 AM Sunday morning. The Prairie Spirit Rail Trail gates were closed Sunday just after daylight. At 5:30 pm on June 30, Ottawa was declared a Disaster Area. The water depth of the Marais des Cygnes crested at a near record high of 41 feet. Only the 1951 flood (crest height of 42.97) and a flood in 1844 (crest height of 41 feet 6 inches) have boasted higher waters than this past week. Staff in every city department, especially Public Works, Utilities and Police and Fire, have been working around the clock to monitor and manage the situation.

For management of large amounts of rainfall, the City has three pumping stations located throughout the community. The Possum Run Station is located on the north side, behind the Dollar General Store; the Willow Pump Station is located at 1<sup>st</sup> St. and Willow; and the Skunk Run Station is located South of the wastewater treatment plant. Each of these stations has two pumps and in a situation such as this an auxiliary pump was placed at each station. As the City only owns one auxiliary pump, two additional auxiliary pumps were rented for this situation. The pumping stations went in to service Thursday June 28 at 7 PM. Additional pumping was provided by a pumper in the Fire Department at the north side.

July 2, 2007

A report from each Department is as follows.

**Finance Department:** Finance Director Scott Bird has reported that along with being determined a disaster area, all staff will need to record overtime of employees, materials purchased, as well as equipment usage for reimbursement from FEMA. City Hall, Carnegie Center and OMA were all checked for building issues, but none were identified.

**Utilities:** The wastewater treatment plant has been dealing with a higher than normal flow level. Flow readings were as follows: June 29 were 5.72 MG, June 30 6.88 MG, July 1 8.33 MG and July 2 9.46 MG. Capacity for the plant is 2.68 MG per day, so as you can see it has been operating at a much higher level during this event. Increased levels are due to rain water infiltration to the sewer system. If this event had occurred while the former treatment plant was operational, severe problems could have been expected as the plant was half the capacity of the current plant.

The Electric Division including the Power Plant experienced no issues with service delivery and were concentrated on identifying areas to cut power as needed. Service was cut off to Dollar General (north), Dodds Memorials, the transformer at the 10<sup>th</sup> and Burrough St. Substation, Woodward Center, Killough construction and a residence at 836 E. 10<sup>th</sup> St. Beyond performing cutoffs, the Power Plant basement took on water and the situation is being addressed currently.

The water plant experienced no issues with service delivery, however, the holding ponds surrounding the water plant flooded onto Beech and 2<sup>nd</sup> Streets. The intersection of 2<sup>nd</sup> and Beech was closed during the time that water was on the road.

**Police Department:** The Police Department did receive about twice the volume of calls during the period of June 28<sup>th</sup>-30<sup>th</sup>. Other than the increased volume of calls, the Police Department did experience flooding in the basement of the law enforcement center. Wet vacs as well as additional pumps have been used to get the situation under control. A contractor has been to assess the situation and Chief Butler believes that they have located how the water entered the building. Several employees responded to the situation from the Finance Department as well as VIPS, to assist in the clean up.

**Fire Department:** The Fire Department had no damages or flooding to their station. The Fire Department personnel assisted in the flood management activities where needed, even providing additional pumping. The FD also assisted in checking electrical situations for to identify cut-off needs as well as working with the Red Cross.

**Public Works:** Public works crews have been monitoring the levee as well as maintaining pump stations to deal with the excess water. Crews closed flood gates and placed barricades where roadways had become dangerous for travel. All pump stations were working as they are designed. Crews will continue to monitor the situation and address issues as the water recedes back to a normal level. Both PW and FD personnel monitored the levee all day on Sunday to ensure if any issues were spotted they could be dealt with immediately.

July 2, 2007

**Public Buildings and Facilities:** In addition to the Power Plant and Law Enforcement Center, the Don Woodward Center also took on water in the building. Orlis Cox and Forest Park continue to be holding water. Staff will assess the situation at each of the locations and proceed with repairs as needed.

**Personnel:** Nearly all public works staff was working during this event, enduring long hours and uncomfortable conditions. Ten to twelve additional utilities employees worked to resolve issues. The Fire Department had 6-7 additional employees working to either monitor the levee or provide additional pumping. Several other fire personnel were on standby to aid with road closures. Utility billing and custodial staff from the Finance Department assisted as needed. As water in the Marais des Cygnes and around the community recedes to a normal level, staff will continue to assess the situation.

For additional assistance to citizens in the area who have been displaced by flooding or need immediate assistance, the Red Cross has set up a station in Celebration Hall at the Franklin County Fairgrounds. City staff has surveyed the areas where water entered residences and can report that 6-12 dwellings were affected. For those citizens who feel that they have a viable claim against the city in regards to flooding, damage claim forms are available in the City Clerk's Office and Human Resource Department.

Thereupon, Interim City Manager Wynndee Lee stated there were a lot of staff and volunteers who helped with the flooding situation. Ms. Lee thanked everyone who has helped and noted some are still working extra hours. The City Manager stated updated information will be brought back to the Governing Body, as well as, some of the continuing budget discussions would include request to assist the City with this type of flooding in the future.

Thereupon, the Mayor thanked City Staff for all their efforts present and asked that his appreciation be passed onto all of the staff.

### **Budget Discussion**

Thereupon, the Governing Body reviewed the proposed budgets for G.O. Debt Retirement, and Economic Development. The Special Park and Recreation budget discussion was postponed to the July 9 Study Session.

Mr. Bird explained that the G.O. Debt Retirement Fund (0500) would probably see a ½ mill levy reduction. Mr. Bird announced that the Montana Road Project will not require bonds to be sold as the bid came in much lower than expected.

### **Block Party-Oak Between 15<sup>th</sup> & 16<sup>th</sup> Street**

Thereupon, the Governing Body reviewed a request from Peggy Porter for a Block Party on July 4. Ms. Porter would like to block off whatever section can be approved on Oak between 15<sup>th</sup> & 16<sup>th</sup> Streets. Thereupon, the Governing Body agreed by consensus to this request.

July 2, 2007

The Interim City Manager reported that staff recently turned down a Block Party request in the 800 Block of Ash due to traffic in the area. Staff did however; make recommendations on a different location.

### **Wilson and North Cherry Concerns**

Thereupon, the Governing Body postponed discussion on this item until July 9 Study Session.

### **Open Agenda**

#### **City Manager Search**

Thereupon, Interim City Manager Wynndee Lee reminded the Governing Body that Mark Tomb from the League would be here July 9 Study Session to discuss applicants with the Governing Body. Ms. Lee asked the Governing Body about starting the Study Session at 3 pm as there would be a number of items on this Study Session Agenda. Thereupon, the Governing Body agreed to start the Study Session at 3 pm on July 9.

Thereupon, Human Resources Director Melissa Fairbanks reported that there were 35 applicants.

#### **Flood Support Appreciation**

Thereupon, the Governing Body heard from Tony DeLatorre who thanked the ORC and City Staff for their efforts during the flooding and attention given to the Don Woodward Center. Mr. DeLatorre explained the new ORC Director Therron Dieckmann will be providing the Governing Body and updated report on the Don Woodward Center once a complete assessment is complete.

Thereupon, Commissioner Fler reported the address she had discussed earlier with a flooding problem is 421 E 3<sup>rd</sup>.

#### **Parking Lot-1<sup>st</sup> & Hickory**

Thereupon, Commissioner Henningsen inquired about the 1<sup>st</sup> and Hickory Street Parking Lot only having an entrance only the Hickory Street. Thereupon, Interim City Manager Wynndee Lee stated due to "vision" problems in this area and traffic flow entrance from Hickory Street is the safest.

Thereupon, Mayor Jorgensen asked if the parking lot would have time restrictions. Public Works Director Andy Haney stated this parking lot would not have any time restrictions.

#### **Mulberry Curbing**

Thereupon, Interim City Manager Wynndee Lee announced the Mulberry curbing by the OU Athletic Field has been completed.

July 2, 2007

**Announcements**

Thereupon, the following changes in meeting times were announced:

1. July 9, 2007: Study Session at 3 pm (Mark Tomb from the League will be present)
2. July 16, 2007: Study Session at 3:30 pm (Commission photo at 3:30 pm in the Commission Chambers)
3. July 23, 2007: Study Session at 4 pm (NIMS Training starting at 2:30 pm in the Commission Chambers).

**Adjournment**

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

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Scott D. Bird, City Clerk

July 2, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 9, 2007

The Governing Body met at 3 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Fler, Commissioner Henningsen, and Commissioner Ramsey and Commissioner Humm. A quorum was present.

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

**Public Comments**

Executive Session

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss non-elected personnel for a period of one hour and to reconvene in Open Session at 4 pm in the same Work Study Session. Thereupon, Mark Tomb from the Kansas League of Municipalities was invited to stay for the Executive Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, 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 4 pm.

**New Employee Introductions**

This item was postponed to a later date.

**Wilson and North Cherry Concerns**

This item was postponed to a later date.

**KDOT Resolution-Bid for Montana/Sandcreek Intersection**

Thereupon, the Governing Body reviewed a resolution requesting the City approve the low bid of Emery, Sapp and Sons for the Montana/Sandcreek Intersection Project. It was noted Emery, Sapp and Sons recently completed the apron project at the Municipal Airport. Emery, Sapp and Sons submitted the low bid with total project costs for the project to be \$554,985. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained Federal funds had been applied for in the amount of \$496,000, leaving the City portion at \$54,917. There could be "change orders" that result in changes to the

July 9, 2007

total cost. Any resulting reductions/additions to the project cost would most likely be applicable to the local share of the project cost, as the federal funds are from a specified “earmark”. 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. 1420-07.

### **ORC Water Damage**

Thereupon, the Governing Body heard a report from ORC Director Therron Dieckmann who updated the Governing Body on water damage from the recent flooding.

### **Budget Discussion**

Thereupon, the Governing Body reviewed the proposed budgets for Water Fund, Special Parks and Recreation, Special Street, and the Airport Fund.

### **Market Antiques-113 N Main**

Thereupon, City Manager Wynndee Lee provided the Governing Body with the following report on the damage at the Market Antique building at 113 N Main:

Update to City Commission  
Monday, July 09, 2007

Saturday morning – Approximately 1:30 a.m. Saturday morning it was reported that brick debris had fallen from between the Market Antiques building, 113 N. Main, and Peppers, 111 N. Main, onto the sidewalk. It appeared that some structural member had given way, causing damage. Owners/tenants were contacted, utilities disconnected including gas, and barricades installed. The property owners and tenants were advised that no members of the public could enter the buildings until the situation was resolved.

On Sunday morning, about 8:30 a.m. it was reported that further failure had occurred, resulting in more brick debris and further evidence of collapse of the 113 N. Main building. Incident Commander Dennis Nowatzke requested additional utility disconnect, closure of one lane of northbound traffic, additional signal control and barricades, and other public safety measures. The owner’s structural engineer did arrive on the scene late Sunday morning and conducted both an exterior and interior investigation, but was unable to determine the causes at this time. He did make recommendations as to what measures should be taken to stabilize the situation, including some demolition of the front façade of the 113 N. Main structure. The engineer further added that both adjacent structures may be experiencing some strain as well. It is anticipated once the stabilizing measures are in place, additional investigation into the structures will occur.

Monday morning a contractor was on site to remove the loose debris and façade of 113 N. Main. The area is also now covered with a tarp.

July 9, 2007

It is hoped that the situation can be stabilized and no further damage occur, however, that is not certain at this time. Other building owners downtown are encouraged to be diligent about resolution of any evidence of deterioration of brick, structure, roof, or foundation. Investigation and remediation can result in necessary, but affordable repairs before further damage is experienced.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Fler 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.

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Scott D. Bird, City Clerk

July 9, 2007

**SPECIAL CALL**  
**City Hall, Study Session Room**  
**OTTAWA, KANSAS**

Minutes of  
July 12, 2007

The City Governing Body met at 12 NOON this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, and Commissioner Henningsen. Commissioner Fleer was absent. A quorum was present.

The following were also present: Interim City Manager Wynndee Lee, City Attorney Bob Bezek, and City Clerk Scott Bird,

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel/City Manager Applications.

**Recess to Executive Session**

Thereupon Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss non-elected personnel for a period of 1 hour and to reconvene in Open Session at 1 pm in the same Work Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

*Thereupon, Commissioner Fleer arrived at 12:02 pm.*

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, 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 1 pm.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Humm 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.

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Scott D. Bird, City Clerk

July 12, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 16, 2007

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

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

**Public Comments**

**New Employee Introductions**

Thereupon, Power Plant Superintendent Jeff Oleson introduced Rocky Evans and Eric Jackson, Power Plant Operators.

**Veterans Day Request**

Thereupon, the Governing Body reviewed a request from the Veterans Day Committee for \$1,000 donation for activities during their annual celebration. In addition to the donation, they are requesting cooperation on several events during the celebration. Thereupon, the Governing Body agreed to this request as it was included in the 2007 Budget.

Thereupon, Harold Mayes, Chairperson of the Veterans Day Celebration Committee, asked the Governing Body for consideration of funding in the 2008 Budget.

**City Manager Contract**

Thereupon, the Governing Body heard from Gene Hirt, 1112 Augusta Lane who presented the Governing Body with information on City Manager contract/agreements from other cities. Mr. Hirt requested the Governing Body consider the information concerning termination payment to a City Manager when hiring the new City Manager.

**Wilson and North Cherry Concerns**

Thereupon, the Governing Body heard from City Attorney Bob Bezek who rendered an opinion that Mildred Heathman's concerns about property in the area of Wilson and North Cherry is between the property owners (referring to Ms. Heathman's neighbor to the South).

**Kansas Municipal Gas Agency Appointments**

Thereupon, the Governing Body considered appointing a Director and an Alternate to the Kansas Municipal Gas Agency. Currently Utility Director Jim Bradley serves the Director Position and would like consideration for reappointment. Mr. Bradley recommended Power Plant Superintendent Jeff Oleson be considered for appointment to the Alternate Director position. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for July 18, 2007 to appoint Jim Bradley as Director and Jeff Oleson as the permanent Alternate Director.

July 16, 2007

### **Ordinance-Zoning Adult Businesses**

Thereupon, the Governing Body reviewed an ordinance for proposed amendments to the Zoning Ordinance in relation to adult businesses. The Zoning Ordinance does not currently include any regulation for adult businesses as a land use. It was noted that Franklin County will be making changes to their zoning ordinance that will closely mirror the changes proposed thus creating a more uniform set of regulations between the City and County. It is further anticipated that other cities in the county may adopt similar regulations. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for July 18, 2007.

### **Ordinance-Municipal Code Adult Business Licensing**

Thereupon, the Governing Body reviewed an ordinance for amending Article X of Chapter 11 of the Municipal Code regarding adult business licensing. In addition, Consulting Attorney Jim Kaup had prepared a memo that thoroughly addressed the proposed changes to the Municipal Code. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for July 18, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the July 2, and 9 Study Session, and the July 12 Special Call Minutes and agreed to place these items on the Regular Meeting Agenda for July 18, 2007.

### **Speaker System**

Thereupon, the Governing Body reviewed an agreement for the purchase of a new downtown speaker system. The Chamber, Tourism, Over the Road Gang and Main Street have proposed partnering with the City to make the purchase and maintain the system. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the agreement with the City's share not to exceed \$425 (plus an additional \$1700 "in kind" for installation).

During discussion it was explained the breakdown of cost for the partners would be as follows:

- Over the Road Gang \$2,125
- Chamber of Commerce \$2,125
- Franklin County Convention and Tourism \$2,125
- Main Street \$1,500
- City \$425 (plus an additional \$1,700 "in kind" for installation)

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

July 16, 2007

### **Budget Discussion**

Thereupon, the Governing Body reviewed the proposed budgets for City Clerk/Finance, City Commission/City Manager, Planning and Codes Administration and Library. Discussion on the Library Budget included the final building payment from the Library proposed to be reduced to \$14,000. Part of the reduction included the Library, at their cost, replacing the downstairs carpet at a cost of approximately \$10,000. It was noted consideration for this item will be given when the 2008 budget is adopted.

### **Monthly Financial and Activity Report-June**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for June.

### **Open Agenda**

Thereupon, the Governing Body heard from Chief Butler who explained how the "A Child Is Missing" program works.

### **Executive Session**

#### **Recess**

There being no further regular business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss non-elected personnel for a period of 15 minutes and to reconvene in Open Session at 6:20 pm in the same 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 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 at 6:20 pm.

#### **Recess**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to recess again and reconvene at 6:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey 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 6:25 pm.

Thereupon, the Governing Body discussed possible times for City Manager interviews.

Thereupon, the Governing Body discussed rescheduling the NIMS training until August.

July 16, 2007

**Adjournment**

There being no further business to come before the Governing Body Commissioner Humm 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 6:35 pm.

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Scott D. Bird, City Clerk

July 16, 2007

**SPECIAL CALL**  
**City Hall**  
**2<sup>nd</sup> Floor Large Conference Room**  
**OTTAWA, KANSAS**  
Minutes of  
July 17, 2007

The City Governing Body met at 6:15 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, Commissioner Fler, and Commissioner Henningsen. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel/City Manager Interview.

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss non-elected personnel/City Manager Applicants until 8 pm and to reconvene in Open Session in the same 2<sup>nd</sup> Floor Large Conference Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, 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 at 8 pm.

**Recess**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to recess again and reconvene at 8:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey 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 8:15 pm.

**Adjournment**

There being no further business and no action items to come before the Governing Body Commissioner Humm 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 8:16 pm.

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Scott D. Bird, City Clerk  
July 17, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
July 18, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Henningsen, and Commissioner Fleer. Commissioner Ramsey was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Leonard Chesbro, New Life in Christ Church.

**Consent Agenda**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included minutes from Study Session Meeting June 18, 25, July 2, 9; Regular Meeting June 20 and Special Call Meeting of July 12. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation-Small Cities and Towns**

Thereupon, Mayor Jorgensen read a proclamation declaring Friday, July 20, 2007 as Small Cities and Towns Day in the City of Ottawa. City Clerk Scott Bird received the proclamation on behalf of Mayor pro-tem Ramsey who serves on the NLC Small Cities Council Steering Committee.

**Ordinance-312 E Logan Street**

Thereupon, the Governing Body reviewed an ordinance vacating the West 10 feet of the alley between Cedar Street and Oak Street and between Logan Streets and K-68 Highway, also known as 312 E Logan Street. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained the owner of the property, Leonard Chesbro, requested the vacation to provide additional space for the existing tract. The request was submitted to the Development Review Committee and the Utility Advisory Committee and no objections were reported. The Planning Commission recommends approval by a vote of 6-1.

July 18, 2007

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. 3632-07.

**Resolution-National Incident Management System (NIMS)**

Thereupon, the Governing Body reviewed a resolution adopting the National Incident Management System (NIMS) for the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained elected officials along with administrative and emergency response staff are required to complete basic training and testing in an effort to establish uniform response strategies that will assist federal, state and local governments to achieve coordinated efforts during emergency situations. It was noted the training scheduled for July will be rescheduled. This resolution is part of the FEMA requirements for adopting NIMS as the citywide standard for emergency management. 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. 1421-07.

**Resolution-Wal-Mart PUD “Super Wash Car Wash”**

Thereupon, the Governing Body reviewed a resolution accepting public improvements within Lots 4 & 6 of amended Wal-Mart PUD for Super Wash Car Wash, Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution accepts the sanitary sewer improvements for Super Wash located at 2132 Princeton Circle Drive. Utility staff inspected the sanitary sewer and recommends acceptance of the 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. 1422-07.

**Ordinance-Vehicular and Pedestrian Traffic**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular and pedestrian traffic including designation of parking restrictions within the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained this ordinance restricts parking on the south side of 9<sup>th</sup> Street from Willow to Lincoln. A citizen concern prompted staff to look at parking in this area. Public Works, Police and Fire reviewed the situation and determined the street was so narrow in this area that parking should be limited to one side of the street. 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. 3633-07.

July 18, 2007

### **Ordinance-Zoning Regulations Adult Businesses**

Thereupon, the Governing Body reviewed an ordinance amending Article 2, Section 2-3, definitions, Article 14, Section 14-3, permitted and Conditional Uses, and Article 30, Section 30-5, penalties, for the City of Ottawa Zoning Regulations. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained during a review of regulations earlier this year resulted in proposed amendments to the Zoning Regulations for the purposes regulating adult businesses as a land use. The Planning Commission held a public hearing in June and by a vote of 6-1 recommended to the City Commission approval of the amendments to Article 2 and Article 30. 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. 3634-07.

### **Ordinance-Municipal Code Adult Businesses**

Thereupon, the Governing Body reviewed an ordinance relating to Adult Businesses, amending Article X of Chapter 11 of the City of Ottawa Municipal Code, and repealing the existing Article X. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained that during the review of adopted regulations of adult businesses, it was recommended that amendments to the Municipal code also be adopted. The ordinance amends the sections of the Municipal Code creating a more demanding set of licensure and operational standards for a broader set of business enterprises than currently adopted due to the demonstrated secondary effects of such businesses. 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. 3635-07.

### **Appointments: Kansas Municipal Gas Agency (KMGA)**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to reappoint Jim Bradley, Utility Director, to the Director Position and Jeff Oleson, Power Plant Superintendent, as the Alternate Director on behalf of the City. 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, the Governing Body heard from Youth Delegate Anna Stone who reported delegates are working on the service project power point presentation. Delegates have visited other City's Youth Programs. An awards ceremony has been scheduled for Youth Action Council and Youth in Government programs on Monday, August 6.

July 18, 2007

### **Reports by Interim City Manager**

Thereupon, City Manager Wynndee Lee announced the League of Kansas Municipalities will be holding a “Whistle Stop” meeting to discuss flooding Monday, July 23, 2007, at 7 pm. Ms. Lee stated due to the Governing Body holding City Manager interviews on that date 2 Staff members would attend on the Governing Body’s behalf if they agreed. Thereupon, the Governing Body agreed Staff could attend on their behalf.

### **Reports by Mayor**

Thereupon, Mayor Jorgensen provided an update on the City Manager search. He stated an interview had been conducted July 17 for one candidate and additional interviews will take place on July 23 and July 25 for two candidates each date. The Mayor explained that a total of 43 applications had been received and 5 were selected for interviews. The two top candidates will be asked back for a second interview.

### **Announcements**

Thereupon, the Mayor announced:

1. July 23, 2007: Study Session 3 pm (Interviews following)
2. July 25, 2007: Special Call Meeting 6 pm (City Manager Interviews)
3. July 30, 2007: Study Session 4 pm
4. August 1, 2007: Next Regular Meeting 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Humm, 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 7:17 pm.

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Scott D. Bird, City Clerk

July 18, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 23, 2007

The Governing Body met at 3 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Fleer, Commissioner Henningsen, Commissioner Ramsey and Commissioner Humm. A quorum was present.

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

**Public Comments**

**New Employee Introductions**

Thereupon, Finance Director Scott Bird introduced Linda Hopkins who recently joined the Finance Department as Account Clerk I. Fire Chief Jeff Carner introduced two new Fire Department employees Dustin Donovan and Kallen Jennison. Police Chief Dennis Butler introduced his newest employee Alex Jones who will handle Custodian duties at the Police Department. Thereupon, the Governing Body welcomed the new employees.

**Budget Discussion**

Thereupon, the Governing Body reviewed the Information Technology, Public Works (Streets, Cemetery, Parks, Fleet Maintenance and Flood Control), and Police Department 2008 Budget request.

The following budget discussion will be deferred until the next Study Session July 30: Municipal Court, Fire Department, and Equipment Reserve.

**City Park Request**

Thereupon, the Governing Body reviewed a request from Nathan Rogers for a 3-day Youth Event sponsored by Calvary Baptist Church. Thereupon, the Governing Body agreed by consensus to this request.

**Open Agenda**

Thereupon, Commissioner Ramsey requested to be placed on the next Study Session Agenda to report on the recent NLC Small Cities Council Steering Committee meeting.

Commissioner Ramsey asked for an update on assistance from FEMA. City Clerk Scott Bird reported that Public and Individual assistance had been awarded in the recent declaration.

**Executive Session**

Thereupon, Mayor Jorgensen requested a motion to Recess into Executive Session to discuss non-elected personnel (City Manager Interviews) until 8 pm in the upstairs Large Conference Room and to reconvene in the same room.

July 23, 2007

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess into Executive Session in the second floor Large Conference Room to discuss non-elected personnel (City Manager Interviews) and to reconvene in the same conference room at 8 pm.

**Reconvene**

Thereupon, Commissioner Ramsey 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 7:45 pm.

**Adjournment**

There being no further business or action to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 7:45 pm.

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Scott D. Bird, City Clerk

July 23, 2007

**SPECIAL CALL-City Hall**  
**2<sup>nd</sup> Floor Large Conference Room**  
**OTTAWA, KANSAS**  
Minutes of July 25, 2007

The City Governing Body met at 6 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel/City Manager Interviews.

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess into Executive Session to discuss non-elected personnel/City Manager Interviews until 10 pm and to reconvene in Open Session in the same 2<sup>nd</sup> Floor Large Conference Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 9:30 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess into Executive Session for Attorney Client Privilege and reconvene at 10:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 10:25 pm.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 10:25 pm.

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Scott D. Bird, City Clerk  
July 25, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 30, 2007

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey and Commissioner Humm. Commissioners Fleer and Henningsen were absent. A quorum was present.

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

Thereupon, Commissioner Fleer arrived at 3:31 pm.

**Public Comments**

Thereupon, the Governing Body heard from Adam Frieden, 435 W 19<sup>th</sup>, who requested the City's consideration on leaving gravel down as an access to his building at the back of his residence. Mr. Frieden had, without City permission, gravel put down in a right-of-way. Thereupon, Mayor Jorgensen explained to Mr. Frieden a decision isn't possible at today's meeting. However, the Governing Body will work with Staff to respond to his request.

**YIG Presentation**

Thereupon, the Governing Body heard from the following Youth Delegates who discussed and provided a presentation which recommends the adoption of a Clean Air Ordinance:

- Sierra Wright, Jill Francis, Paul Thomas, Darrah Jorgensen, Anna Stone

Thereupon, Kathy Niehoff, and Darlene Armstrong, representatives of Franklin County Cancer Foundation spoke in favor of the Clean Air Ordinance.

Former Mayor Jackson commented on what a great job the Youth Delegates did on their presentation and the hard work that had been put into the project.

Eric Bushman, Olathe asked the Governing Body and Youth Delegates to consider the problem and how to address the smokeless bars and restaurants with smokers out in front of the business on the sidewalk smoking. Walking through the groups smoking is sometimes difficult, as well as, the cigarette butts left on the sidewalk.

Thereupon, there was discussion on the City of Lawrence's ordinance being before the Supreme Court. Thereupon, Interim City Manager Wynndee Lee reported the Supreme Court had upheld the City of Lawrence ordinance.

Thereupon, the Governing Body requested the Youth Delegates work with the City Managers Office and provide examples of ordinances from other cities that currently have a Clean Air Ordinance.

July 30, 2007

### **Introduction of New Employee**

Thereupon, Interim City Manager Wynndee Lee introduced Josh Shaw the current intern in the MBA program at KU working for the City. She explained Josh will be working throughout the City with different departments on specific projects for Department Directors. Thereupon, the Governing Body welcomed Josh to the City Staff.

### **Ottawa Municipal Auditorium**

Thereupon, the Governing Body discussed budget sheets and a draft agreement for management of the Auditorium by Ottawa University. Thereupon, Interim City Manager Wynndee Lee gave an overview of the agreement draft in conjunction with Dennis Tyner, OU Provost. The partnership is aimed at capitalizing on OU's expertise in theatre and arts entertainment for increased usage of the Auditorium. Thereupon, City Clerk Scott Bird reviewed the proposed budget information with and without the agreement being in place.

Thereupon, Commissioner Fler and Ramsey expressed concern entering into such an agreement without the new City Manager.

The Interim City Manager asked the Governing Body for direction on preparing the budget. Thereupon, Commissioner Ramsey asked that the budget be prepared with hiring a Director and explained the budget could be reduced, the agreement put into place, at a later date if the Governing Body desired to move forward with the new City Manager.

Interim City Manager Wynndee Lee asked the Governing Body if there was any additional information they would like to see with regards to the agreement. Commissioner Ramsey commented he would like to have information brought back that would define what would be provided for the \$45,000.

### **Resolution-Condemnation of 306 S Elm**

Thereupon, the Governing Body reviewed a resolution for condemnation of structures located at 306 S Elm. This property was declared an immediate hazard and occupants were ordered to vacate the premises on June 4, 2007. Several meetings have been held with the owner to identify concerns. The owner believes that replacing the roof will allow for his family to move back in. Staff created a current list for the property owner of needed repairs, with the most essential needs noted. A letter was provided signed by several homeowners in the area supporting condemnation. Following a public hearing, it is recommended the resolution for condemnation be acted upon. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for August 1, 2007.

July 30, 2007

**Resolution/Ordinance: Meeting Times**

Thereupon, the Governing Body reviewed a resolution and ordinance defining regular meeting times of the City Commission. The legal staff at the League of Kansas Municipalities has recommended cities include Study Sessions in the Municipal Code for Regular Meetings. Further, the League recommended that our Municipal Code clearly define how we deal with Regular Meetings that fall on an observed holiday. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for August 1, 2007.

**Ordinance-\$9,900,000 GO Bond/Utility System Improvements**

Thereupon, the Governing Body reviewed an ordinance authorizing the issuance and delivery of \$9,900,000 principal amount of General Obligation Bond for the purpose of financing utility system improvements. The Governing Body had previously approved General Obligation Bond financing for the northeast substation construction and extension of transmission lines. It was explained this ordinance authorizes the issuance of the bonds. Thereupon, the Governing Body agreed to place this item on the August 1, 2007 Regular Meeting Agenda.

**Resolution-\$9,900,000 GO Bond Details**

Thereupon, the Governing Body reviewed a resolution outlining the details of the General Obligation Bond issuance of \$9,900,000 for the purpose of financing the utility improvements, including the construction of the northeast substation and extension of transmission lines. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for August 1, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from July 16 and 23 Study Sessions; July 18 Regular Meeting; July 17 and 25 Special Call Meetings and agreed to place these items on the Regular Meeting Agenda for August 1, 2007 with a change.

**Federal Grant Awarded: Fire Department**

Thereupon, the Governing Body heard from Fire Chief Carner who reported the City had been awarded a Federal Grant that would cover the majority of the cost of 25 new "airpacs" for the Fire Department. The Federal money will be funded at 95% with the City funding 5%. The grant is in the amount of \$118,750. The Governing Body congratulated Chief Carner on his efforts and being awarded the grant.

**Budget Discussion**

Thereupon, the Governing Body reviewed the following 2008 Budgets: Fire, Transfers, Employee Benefits, Municipal Court, Human Resources, Equipment Reserve, and Auditorium 2008 Budget request.

July 30, 2007

In addition, to the Budgets mentioned above Interim City Manager Wynndee Lee reported an additional Airport Contract Funding request was received after the Airport Budget had been discussed in the July 9 Work Study Session. The City Manager recommended at this time that the requested increase be denied for the 2008 Budget until further investigation by a new City Manager can be conducted between now and the Budget 2009. Thereupon, the Governing Body agreed by consensus to the City Manager recommendation.

The Interim City Manager had received a request from a Commissioner to have the proposed Cost of Living Adjustments (COLA) and Merit-based pay increases for the City of Ottawa employees in comparison to other Kansas Municipalities. The City Manager explained a 1% reduction in the proposed COLA for employees would result in a savings of \$53,000 including all associated benefits. The City Manager strongly discouraged a reduction in the proposed COLA as the savings would not outweigh the potential harm of experiencing increased difficulties with the recruitment and retention of employees. It was noted that surveyed cities are providing some form of merit, or performance-based increase. Of these cities, Ottawa is at the lower end of the spectrum at 3%. Several cities are budgeting for merit rates as high as 6%. From the data collected it is safe to assume that Ottawa resides around or below the average for proposed personnel increases.

The Interim City Manager stated the entire budget would be brought to the Governing Body at next weeks Study Session. Information on items that were cut or reduced will also be provided.

### **Open Agenda**

Commissioner Ramsey reminded the Governing Body that the Chamber Legislative Action Committee Meeting will be held at City Hall this coming Saturday with the City Commission being invited to answer questions on City related issues.

The Interim City Manager announced that City Clerk Scott Bird is working on an issue regarding the Sales Tax and information will be brought to the Governing Body as soon as the research is completed.

City Clerk Scott Bird explained that when the mill levy drops it affects sales tax, as well as, vehicle tax. Mr. Bird will be presenting educational information on the mill levy at the Chamber Meeting on Saturday.

Commissioner Fleer asked if an additional emergency siren had been installed in the south part of town. The City Manager stated one had been purchased for the east side and is currently being installed.

The City Manager reported a drinking fountain at the swimming pool had been ordered.

July 30, 2007

City Clerk Scott Bird asked if the Governing Body would be able to meet August 22 for the Public Hearing and adoption of the 2008 Budget. Thereupon, the Governing Body agreed to hold the Public Hearing and adoption of the 2008 on August 22, at 7 pm, in a Special Call Meeting.

Commissioner Ramsey reported the National League of Cities conference to be held in New Orleans is now taking early registrations.

### **Announcements**

Thereupon, the Mayor announced:

1. August 1, 2007: Regular Meeting at 7 pm
2. August 15, 2007: Regular Meeting at 9:30 am
3. August 22, 2007: Special Call-2008 Budget Hearing 7 pm

### **Adjournment**

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

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Scott D. Bird, City Clerk

July 30, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
August 1, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, and Commissioner Fleer. Commissioner Henningsen was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Mary Lois Yates, from Hope House.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included minutes from Study Session Meetings July 16, 23, Regular Meeting of July 18; and Special Call Meetings of July 17 and 25. 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 Ms Rebecca Campbell, 530 S Maple who addressed the proposed Auditorium (OMA) agreement between the City and Ottawa University. Ms. Campbell attended the meeting on behalf of ACT Ottawa. Ms. Campbell asked the Governing Body to keep ACT Ottawa advised of things going on at OMA as ACT Ottawa is very interested in what goes on at the auditorium and the community. They would like to be a part of the process.

Thereupon, the Governing Body heard from Mr. Gene Hirt, 1112 Augusta Lane who addressed concerns he has with businesses leaving the downtown area. Foreclosures throughout the county are a concern as well. In addition, Mr. Hirt discussed his concerns about the Airport and County Taxes.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Public Hearing: Condemnation 306 S Elm**

Thereupon, the Mayor opened a Public Hearing at 7:10 pm for condemnation of structures located at 306 S Elm.

August 1, 2007

The Governing Body heard from the following neighbors and a realtor who addressed concerns:

Betty Moore, 421 W 4<sup>th</sup>  
Mike Schnieders, 326 S Elm  
Greg Colbern, 322 S Elm  
Betty Birzer, 1644 Chestnut (Realtor)

Some of the concerns noted follow:

- Safety for property owners entering the home
- Rodents and numerous cats
- Falling bricks
- Un-sanitary conditions
- Was once a beautiful home but has had no upkeep or maintenance in many years
- Structural problems
- Public Health nuisance
- Sewer, wiring, nuisance stacked around house
- Concern to buyers looking at another house for sale in the area
- No "Good Faith" efforts shown during the roof repair: i.e. clean up yard, trim trees etc.
- It is hoped deadlines for completion of improvements will be made clear and the Governing Body was reminded this issue didn't happen overnight. Action from the City should be swift if the deadlines aren't met.

Thereupon, the Governing Body heard from the contractor who had been hired by the property owner to repair the roof. He stated he was speaking on behalf of the property owner, noting that the roof repair would be completed soon. A structural engineer had found some problems and they are currently being worked out. Shoring to the roof will be done tomorrow.

Thereupon, the Governing Body heard from the property owner Clarence Koch. Mr. Koch explained the roof repair is the first phase of renovation. In working with the Planning and Codes Department he had received a prioritized list of needs for the property. He commented he had invested quite a bit of money on the roof and does plan to bring the home back to a good condition. Mr. Koch asked the neighbors to bear with him and his family while repairs are completed.

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained the purpose of the hearing is to give the public an opportunity to speak to the issue. Thereupon, limited pictures were provided to show the Governing Body part of the exterior/interior of 306 S Elm. Action tonight was to declare the structures as unsafe or

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dangerous, and to direct that such structures be demolished or repaired and made safe and secure. Staff does recommend it be repaired or removed.

Thereupon, the Governing Body heard from City Attorney Bob Bezek who explained this property is within the environs of the Historical Society. The City Attorney noted that as the City proceeds they are not the sole jurisdiction on this property. Other jurisdictions are included in this process.

Interim City Manager Wynndee Lee clarified for the neighbors that the structural engineer is allowing the property owners to go in and out of the property. However, the engineer clearly states the structure cannot be occupied in this current condition. There are structural issues with the property but not enough to keep the property owner totally out.

With no one else to speak to this issue the Mayor closed the Public Hearing at 7:30 pm.

#### **Resolution-Condemn 306 S Elm**

Thereupon, the Governing Body reviewed a resolution to condemn an unsafe and dangerous structure located at 306 S Elm in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained a public hearing had been held on this item and a staff report including pictures were provided. Staff recommended the resolution for condemnation be acted upon. Planning and Codes Administration Director Wynndee Lee explained that work must commence within ten days (which it already has) after the publication of this resolution and all work shall be completed within sixty days thereafter. However, Ms Lee stated that if progress continued at an aggressive rate the City would work with the property owner. If no progress continued past the roof repair the City would proceed to demolish as this issue has existed for several years. 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. 1423-07.

#### **Ordinance-Municipal Code Change "Regular Meetings"**

Thereupon, the Governing Body reviewed an ordinance amending Chapter 2, Article 1, of the Municipal Code of the City of Ottawa, Kansas, by Amending Section 2-107 entitled, "Regular Meetings". Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that on the advice of the League of Kansas Municipalities, staff created this ordinance and the following resolution that includes regular meeting times of the Governing Body to include both Regular City Commission Meetings and Study Sessions. Regular Commission Meetings are to take place on the first and third Wednesday of every month at 7 pm

August 1, 2007

and 9:30 am respectively. Study Sessions are scheduled at 4 pm on every Monday. This ordinance amends the municipal code to reflect the regular meeting times, including Study Session. 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 3637-07.

**Resolution-City Commission “Regular Meeting” Times**

Thereupon, the Governing Body reviewed a resolution defining regular meeting times of the Governing Body of the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fler, to adopt the Resolution.

During discussion it was explained this resolution details how regular and study session meetings of the Governing Body will be scheduled. The language includes how meetings that fall on a holiday will be rescheduled or cancelled. 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 adopted Resolution No. 1424-07.

**Accept Bid for \$9,900,000 General Obligation Bonds.**

Thereupon, the Governing Body heard from Bond Attorney Dotty Riley who reviewed the bid progress. Ms. Riley explained Piper Jaffray Inc. was the best bid as follows:

<u>Good Faith</u> <u>Check/Surety</u>	<u>Total</u> <u>Interest Cost</u>	<u>Discount</u>	<u>Premium</u>	<u>Net</u> <u>Interest Cost</u>	<u>True Interest</u> <u>Cost</u>
Surety	\$6,224,307.92	0	\$363,938.30	\$5,860,369.62	4.095891%

Ms. Riley explained how the bid process took place and noted it was awarded on “True Interest Cost”. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm to accept the lowest and best bid from Piper Jaffray Inc. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Piper Jaffray Inc. bid duly approved.

**Ordinance- General Obligation Bonds: \$9,900,000**

Thereupon, the Governing Body reviewed an ordinance authorizing the issuance and delivery of \$9,900,000 principal amount of General Obligation Bonds, Series 2007, of the City of Ottawa, Kansas, to pay for improvements to the City’s Electric Utility System; and providing for the levy and collection of an Annual Tax for purposed of paying the principal of and interest on the Bonds as they become due. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained the Governing Body has previously approved General Obligation Bond financing for the northeast substation construction and extension of transmission

August 1, 2007

lines. This ordinance authorizes the issuance of the bonds. 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. 3636-07.

### **Resolution-\$9,900,000 General Obligation Bonds**

Thereupon, the Governing Body reviewed a resolution prescribing the form and details of and authorizing the delivery of \$9,900,000 principal amount of general obligation bonds, Series 2007, of the City of Ottawa, Kansas, previously authorized by Ordinance No. 3636-07 of the City. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution outlines the terms of the General Obligation Bond issuance for the purpose of financing improvements to the City's utility system. 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. 1425-07.

### **Reports by Interim City Manager**

The City Manager gave an update on the Main Street Bridge. Ms. Lee stated the Kansas Department of Transportation (KDOT) has inspected the Main Street Bridge and reported KDOT does not have any concerns.

The tornado siren in the North East area of Ottawa has been installed and tested. Everything is working fine.

The City Manager announced the Federal appropriation request for the Industrial Road passed the House of Representatives at \$200,000. Even though not the amount requested the efforts made by Congresswoman Boyda is appreciated. A letter will be sent to Senators, Brownback and Roberts requesting their support for this project. The Community Center request by the City and Neosho County Community college was apparently denied.

### **Reports by Mayor**

Thereupon, the Mayor gave an update on the City Manager search. Forty-five applicants applied with two candidates being asked back for second interviews next week. The City Attorney has been working on background history for each candidate. There may be an offer extended to a candidate within the next two weeks.

The Mayor reminded the Governing Body there is a Special Call meeting this Saturday, August 4 beginning at 10 am in the Commission Chambers. In addition, Special Call meetings have been called for August 8<sup>th</sup> and 9<sup>th</sup> to conduct second City Manager interviews.

August 1, 2007

### **Announcements**

Thereupon, the Mayor announced:

1. August 6, 2007: Study Session at 4 pm
2. August 13, 2007: Study Session at 4 pm
3. August 15, 2007: Joint City/County/USD 290 lunch at the County at Noon
4. August 15, 2007: Regular Meeting at 9:30 am
5. August 20, 2007: Study Session at 4 pm
6. August 22, 2007: Special Call-Public Budget Hearing at 7 pm

### **Adjournment**

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

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Scott D. Bird, City Clerk

August 1, 2007

**Special Call Meeting**  
**City Hall Commission Chambers**  
**Chamber Legislative Session**  
**Minutes**  
**Saturday, August 4, 2007**

Thereupon, the Governing Body attended a Public Forum sponsored by the Chamber of Commerce Legislative Action Committee. Former Mayor and City Commissioner Richard Jackson was the moderator for the event. The Public Forum began at 10 am in the City Hall, City Commission Chambers.

City Commission present: Mayor Jorgensen, Commissioner Ramsey, and Commissioner Flier.

Thereupon, City Clerk/Finance Director Scott Bird provided a presentation on mill levy calculations and how it affects taxes.

Thereupon, the Governing Body addressed questions from those in attendance concerning the follow topics:

- **Taxes**
- **Emergency Response**
- **Flood Control**
- **Other**

**Adjournment**

Thereupon, the Public Forum adjourned at 11:00 am.

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Scott D. Bird, City Clerk

August 4, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
August 6, 2007

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

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

**Public Comments**

None offered at this time.

**911 Budget Request**

Thereupon, the Governing Body heard from Sheriff Craig Davis who presented the proposed 911 Budget for 2008. Mr. Davis answered questions and concerns from the Governing Body.

**Budget Discussion: Entire Proposed 2008 Budget**

Thereupon, the Governing Body reviewed the entire proposed budget with Interim City Manager Wynndee Lee and City Clerk Scott Bird.

**Partial Items of Discussion by Interim City Manager**

**Budget Process**

- Department Directors looked for reductions toward Governing Body's goal of reducing the mill levy funding.
- Enough cuts could be made in 2007 collectively to create carryover into 2008.
- Ms. Lee stated she sincerely appreciates all of the work that goes into departmental budgeting, as well as, the work by Finance Department Staff to compile the budgets. Ms. Lee furthermore expressed that it is a team that understands the needs of their departments and the community and they work hard to achieve them with funds available.

**Capital Needs-Unfunded**

- Important capital items requested were not included in the final budget. Some are listed on the Capital Improvements Plan (CIP) and may be considered in bond issue.
- The repeated unfunding of items does not mean they are not necessary. It simply suggest the needs will grow.
- Over the last several budget years staff has been dedicated to trim any "fat" that may exist. Many of the capital items continue to be needed.
- Ms. Lee's greatest concern is that the city continues to put off items to some unknown future and actually places a bigger strain on the financial picture.
- Projected costs will increase and in some cases at a rate much higher than the interest associated with borrowing.
- General Fund was cut by \$3,009,300 (list provided)
- Utilities cut by \$2,040,000 (list provided)

August 6, 2007

- Projects discussed by citizens, commissioners, and staff are not in the budget or CIP at this time.
  - Repairs to atrium at City Hall
  - Formation of a building improvement reserve fund for the many buildings owned by the City of Ottawa
  - ADA improvements to sidewalks the community
  - Sidewalk and curb replacements
  - Equipment reserves for Public Works
  - And many other items
- Projects in recent years have been largely funded by grant funds, rather than local tax dollars
- Public supports finding all funding possible, it needs to be noted that at the current mill levy rate, new investments cannot be made. Recent grant projects include:
  - Swimming Pool Improvements
  - PAPI lights
  - Domestic Violence Grant
  - Fire Pumper Truck
  - Partial funding for Sewer Crossing, Stormwater Master Plan, Transportation Master Plan, Comprehensive Plan, and funds awarded for SCBA equipment
  - A chart of recent grant supported projects was provided
- Debt will undoubtedly have to be issued, saving for some projects in order to utilize cash is essential
- Ms Lee expressed caution about the lack of sufficient funding for equipment, staffing, and lack of investment in roads etc, while at the same time the community has grown in population and territory in recent years.
- Pledge was to reduce the mill levy, but it was predicated on an increased revenue source that would more than off-set the proposed mill reduction.
- The city did reduce six mills last year.
- Projected revenues are not coming in as anticipated, particularly in sales tax
- The City Commission and Staff anticipated reducing the mill levy further; the sales tax revenue is not at the level to prudently achieve that goal.
- Ms. Lee referenced a memo provided by City Clerk, Scott Bird which explains his discovery relative to the city's share of county sales tax. It was anticipated city sales tax collections would grow by 4% for 2007. Current collection is 7% below projection and 3% below last year's actual. This creates a \$50,000 shortfall in anticipated annual revenue.

Thereupon, Ms. Lee's recommendation to the Governing Body is to not cut the mill levy for 2008, but delay further reduction until the sales tax revenue does increase to the level anticipated during 2006. A decrease in the mill levy will also decrease revenue in vehicle taxes, as well as, further decrease in the city's share of county sales tax revenue. It was explained further reduction in mills will put the city in a precarious position.

August 6, 2007

In addition, Ms Lee explained that while issues have been addressed in the electric and wastewater utilities, the water fund continues to have a lower cash balance than appropriate. It will be necessary for the City Commission to consider a water rate increase later this year or early in 2008. Also, a stormwater utility has been discussed somewhat and continued discussion on this topic is essential.

### **Budget Discussion by City Clerk**

- Complete look at proposed budget for 2008 provided
- Considerable concern due to downturn in the economy and a correction in the way the state calculates county sales tax
- Sales Tax has caused concern over the anticipated revenue and caused staff to eliminate needed capital items.
- Referred to the memo provided on “County Assessed Sales Tax”
- Concerns by City Clerk Scott Bird as follows:
  - Declining balance in the Water Fund
  - An increase in water rates will need to be considered in the near future to reverse the negative trend in the Water Fund. Mr. Bird noted this is a paramount as infrastructure needs for the community will only continue to grow.
  - General Fund: Mr. Bird explained the 2008 budget year was to be a turn around year for the General Fund cash balance. Due to the reasons mentioned above it is not expected to be the case.
  - Two public hearing notices had been prepared for the Governing Body’s consideration. One anticipates a reduction of the overall budget by two mills and the other anticipates a steady mill levy between 2007 and 2008.
  - Health of the General Fund and the ability to respond with manpower and equipment are essential elements to the community’s long-term success.

After considerable discussion on the proposed budget the Governing Body agreed by consensus to not decrease the mill levy at this time. The Governing Body agreed it is very important for the citizens to have a clear understanding as to why the mill levy wasn’t going to be reduced at this time.

Staff clarified with the Governing Body that budget funding for the Chamber of Commerce be increased from \$45,000 to \$48,000. In addition, Bea Martin Peck funding was set at \$49,500.

### **Report by Mayor**

Thereupon, the Mayor announced the Governing Body would hold a Special Call Meeting at 6 pm on August 14 for non-elected personnel and attorney-client privilege in the 2<sup>nd</sup> Floor Large Conference Room.

August 6, 2007

Thereupon, the Mayor requested a motion to go into Executive Session for Attorney-Client Privilege.

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess into Executive Session to discuss attorney-client privilege for a period of 20 minutes and reconvene in Open Session in the same Work Study Session Room at 5:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Flear, 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 pm.

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Flear, to recess into Executive Session to continue discussion regarding attorney-client privilege for a period of 10 minutes and reconvene in Open Session in the same Work Study Session Room at 5:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, 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 at 5:25 pm.

### **Adjournment**

There being no further business to come before the Governing Body Commission Henningsen made a motion, seconded by Commissioner Humm, 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 5:25 pm.

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Scott D. Bird, City Clerk

August 6, 2007

**Special Call Meeting-City Hall**  
**2<sup>nd</sup> Floor Large Conference Room**  
**Ottawa, Kansas**  
**Minutes**  
**Wednesday, August 8, 2007**

The City Governing Body met at 6:15 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, Commissioner Fleer, and Commissioner Henningsen. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel/City Manager Interviews. Thereupon, the City Attorney and City Manager Candidate were invited to be present.

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess into Executive Session for two hours for non-elected personnel to conduct City Manager Interviews and to reconvene in the same 2<sup>nd</sup> Floor Large Conference Room at 8:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey 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**

There being no regular business to come before the Governing Body Commissioner Humm 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 8:15 pm.

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Scott D. Bird, City Clerk

August 8, 2007

**Special Call Meeting-City Hall**  
**2<sup>nd</sup> Floor Large Conference Room**  
**Ottawa, Kansas**  
**Minutes**  
**Thursday, August 9, 2007**

The City Governing Body met at 5:30 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, and Commissioner Henningsen. Commissioner Fler was absent. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel/City Manager Interviews. Thereupon, the City Attorney and City Manager Candidate were invited to be present.

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess into Executive Session for 2 ½ hours for non-elected personnel to conduct City Manager Interviews and to reconvene in the same 2<sup>nd</sup> Floor Large Conference Room at 8 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Commissioner Fler arrived at 6:05 pm.

Commissioner Henningsen excused herself at 6:30 pm

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to reconvene the meeting at 8 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to recess again into Executive Session for 35 minutes to continue discussion for non-elected personnel and to reconvene in the same 2<sup>nd</sup> Floor Large Conference Room at 8:35 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to reconvene the meeting at 8:35 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

August 9, 2007

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess again into Executive Session for 15 minutes to continue discussion for non-elected personnel and to reconvene in the same 2<sup>nd</sup> Floor Large Conference Room at 8:50 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to reconvene the meeting at 8:50 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 regular business to come before the Governing Body Commissioner Humm made a motion, seconded by Commissioner Ramsey, 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 8:53 pm.

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Scott D. Bird, City Clerk

August 9, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
August 13, 2007

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

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

**Public Comments**

Thereupon, the Governing Body heard from Youth-in-Government Director Lisa Rivers. Ms. Rivers announced applications were available to youth in grades 8-12. The deadline for returning applications is Wednesday, September 12. Interviews will take place the week of September 17<sup>th</sup>-21<sup>st</sup>, Orientation in October, with induction and Loyalty Oath October 3<sup>rd</sup> at the 7 pm City Commission Meeting.

**Neighborhood Revitalization Program**

Thereupon, Commissioner Fler reported on applications for the Neighborhood Revitalization Program for properties located at 409 E 5<sup>th</sup>, 127 S Locust and 512 S Locust. It was noted that all of the applications are for residential properties. Thereupon, the Governing Body agreed to place the applications on the next Regular Meeting Agenda for August 15, 2007.

**Ordinance-Standard Traffic Ordinance (STO)**

Thereupon, the Governing Body reviewed an ordinance incorporating by reference the 2006 Standard Traffic Ordinance (STO) as promulgated by the League of Kansas Municipalities. It was explained this ordinance is adopted annually in order to consider any changes to the STO from the previous year. One change to highlight is that of the restriction of work utility vehicles on interstates, highways and within corporate city limits. If the Governing Body so chooses, an ordinance can be passed to exempt work utility vehicles of this restricting within the corporate city limits of Ottawa. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for August 15, 2007.

**Resolution-Lakeside Estates**

Thereupon, the Governing Body reviewed a resolution accepting the public improvements for Lakeside Estates located north of 17<sup>th</sup> Street. Utility staff has inspected the water and sewer improvements and recommends acceptance of the improvements. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for August 15, 2007.

**Resolutions-111 N Main and 113, 115, 117 N Main**

Thereupon, the Governing Body discussed with staff resolutions discussing the immediate hazard at buildings located at 111N Main and 113, 115,117 N Main. It was explained these buildings were involved in a partial collapse occurring in early July. Staff would like the structures declared an immediate hazard due to the delay of stabilization of the buildings.

August 13, 2007

Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda.

### **Items for Discussion**

Thereupon, the Governing Body discussed with staff the K-68 Utility Infrastructure. Updated information regarding the future infrastructure needs for the growth in the northeast section of Ottawa. Staff discussed the following:

- Utility Infrastructure needed due to growth in the area
- There is a location for the lift but the City doesn't have all the easements
- Planning Dept. has been working on this for 3 years
- Needs outside of TIF District
- December is a target date for the transformer completion for the substation
- With regards to Eastgate the City could capture new electric accounts that are currently being served by KCPL. A new circuit will be needed to do this.
- Due to Coves of Tallgrass water has had to be moved up on the priority list for Fire protection, as well as, to meet the Kansas Department of Health & Environment regulations.
- Eastgate is looking into TIF Financing

### **Franklin County Breast Cancer Support**

Thereupon, the Governing Body reviewed a request from Cora Kunard, Franklin County Breast Cancer Support Group, to allow the Health Careers Class at OHS to affix pink ribbons on the light poles on Main Street from 1<sup>st</sup> to 5<sup>th</sup> Streets. Thereupon, the Governing Body agreed by consensus to this request.

### **Monthly Financial and Activity Report-July**

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

### **Electric Service Concerns**

Thereupon, the Governing Body heard from Director of Utilities Jim Bradley who addressed current peaks of electricity usage at 39.6 mega watts. Mr. Bradley noted a STAG is currently down with a breaker problem. Mr. Bradley commended the Power Plant staff for the outstanding job they have done during attempts to keep the plant running and serving the community.

### **Levee Inspection**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who stated the levee inspection had received the status of "acceptable" which is the highest rating provided.

August 13, 2007

**Open Agenda**

Thereupon, Commissioner Ramsey asked about the uneven surface on Cedar Street. Public Works Director Andy Haney stated Killough's Construction has been contacted and they will roll the street and see if it helps smooth the surface.

Thereupon, Mayor Jorgensen asked the Governing Body to decide which presented dates would work to attend the NIMS training and provide their training date choice to the Assistant to the City Manager Nikki Spencer.

Thereupon, Interim City Manager Wynndee Lee announced Dare Camp will be having a closing ceremony tomorrow evening and the Attorney General will be in attendance. Ms. Lee stated she would express the Governing Body's regrets due to the Special Call Meeting on the City Manager Search to be held at the same time.

**Adjournment**

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

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Scott D. Bird, City Clerk

**Special Call Meeting-City Hall**  
**Work Study Session Room**  
**Ottawa, Kansas**  
**Minutes**  
**Tuesday, August 14, 2007**

The City Governing Body met at 6 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, Commissioner Fler, and Commissioner Henningsen. A quorum was present.

Thereupon, the Mayor called the Special Call Meeting to order and requested a motion to recess into Executive Session to discuss non-elected personnel and attorney client privilege.

**Executive Session**

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session for 1 hour and 15 minutes for non-elected personnel to discuss City Manager applicants and to reconvene in the same Work Study Session Room at 7:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fler, to reconvene the meeting at 7:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

**Recess**

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Ramsey, to recess again into Executive Session for 45 minutes to continue discussion on non-elected personnel and to reconvene in the same Work Study Session Room at 8 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 8 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

**Recess**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to recess again into Executive Session for 15 minutes to continue discussion on non-elected personnel and to reconvene in the same Work Study Session Room at 8:15 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

August 14, 2007

**Reconvene**

Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to reconvene the meeting at 8:15 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 regular business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Humm, 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 8:16 pm.

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Scott D. Bird, City Clerk

August 14, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
August 15, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, and Commissioner Humm. Commissioner Fleer was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Joel R. Fredrickson, First Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included the agenda. 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. Gene Hirt, 1112 Augusta Lane who commented on the meeting held at the Senior Center on Monday evening with approximately 110 in attendance. Mr. Hirt explained the meeting was a defense meeting to discuss the proposed mill levy increase by the Franklin County Commission. At the meeting tempers had flared and it was emotional for some. Mr. Hirt complimented the City Commission on handling themselves in a professional manner. He expressed the County Commissioners didn't seem to understand what making "cuts" to the budget meant. He concluded by stating how much he appreciated the detailed listing of the budget cuts the city made that had been prepared by Interim City Manager Wynndee Lee. Mr. Hirt asked the Governing Body to continue their good work as City Commissioners.

Thereupon, Mayor Jorgensen thanked Mr. Hirt for recognizing the Governing Body's efforts.

Thereupon, Commissioner Henningsen thanked Mr. Hirt for recognizing the Governing Body's efforts, as well as, him noticing the efforts and cuts made by Department Heads and Staff. Commissioner Henningsen explained even though all Governing Body members don't always agree they do show respect to each other.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

August 15, 2007

### **Neighborhood Revitalization Program Applications**

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

During discussion it was explained the Neighborhood Revitalization Program Committee has reviewed the applications and recommends approval to the Governing Body. The properties are: 409 E 5<sup>th</sup> (single-family), 127 S Locust (single-family), and 512 S Locust (single-family). It was noted that each of the properties meet the requirements of the program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

### **Ordinance-Standard Traffic Ordinance (STO)**

Thereupon, the Governing Body reviewed 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 of 2007, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance No. 3590-06. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance is required to be passed annually to reflect any changes in the Standard Traffic Ordinance (STO). The STO is developed by the League of Kansas Municipalities and is incorporated by reference into the City's Municipal Code for the regulation of traffic. 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. 3638-07.

### **Resolution-Lakeside Estates**

Thereupon, the Governing Body reviewed a resolution accepting utility improvements within the Lakeside Estates Planned Unit Development, Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained the Lakeside Estates Planned Unit Development is located north of 17<sup>th</sup> Street. Water and Sanitary Sewer Improvements have been installed with inspection occurring throughout the installation. Utility staff recommends acceptance of the utility 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. 1426-07.

August 15, 2007

**Resolution-113-115-117 N Main Immediate Hazard**

Thereupon, the Governing Body reviewed a resolution declaring 113-115-117 N Main within the City of Ottawa, Kansas as an immediate hazard. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained the building located at 113-115-117 N Main began showing signs of a collapsing structure in early July. This building shares a party wall with 111 N Main which is unstable. Owners for both building have had their own engineers assess the situation, however, this resolution will allow the City to compel the owners to progress with stabilization and repair. Stabilization efforts have commenced for 111 N Main, however, no work has progressed at 113-115-117 N Main. 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. 1427-07.

**Resolution-111 N Main Immediate Hazard**

Thereupon, the Governing Body reviewed a resolution declaring 111 N Main within the City of Ottawa, Kansas an immediate hazard. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained for reasons discussed in the previous item, staff suggest the resolution be passed declaring the building an immediate hazard. 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. 1428-07.

**Reports by Youth**

There were no reports from Youth Delegates. However, Commissioner Ramsey reminded everyone that applications for the Youth-in-Government are currently being taken from 8-12 grades. If any youth are interested they could contact the Youth Director Lisa Rivers.

**Reports by Interim City Manager**

Thereupon, the Interim City Manager asked Utility Director Jim Bradley to update the Governing Body on Electric usage.

Mr. Bradley stated a new system peak of 39.9 mega watts had been set, the problem with the Stag Unit was discovered and it probably back on-line as of today's meeting. Mr. Bradley expressed appreciation to the Power Plant Employees for the outstanding job they have done this week. He also thanked the community for conserving energy during these peak times.

Ms. Lee reminded the Governing Body of the Joint City/County/USD 290 lunch meeting at Noon that will be held at the County. Ms. Lee asked if there were any known agenda items. The only item mentioned by the Governing Body was discussion on the 2008 Budget.

August 15, 2007

### **Reports by City Commission**

Thereupon, Commissioner Henningsen requested the Ottawa Municipal Auditorium discussion be deferred until the August 27 Study Session as she will not be able to attend the August 20 Study Session. Thereupon, the Governing Body agreed by consensus to defer the discussion until August 27.

Thereupon, City Clerk Scott Bird clarified for the Governing Body that the budget could be adopted on August 22 with either option the Governing Body is looking at with regards to the auditorium. If needed the adopted budget could be adjusted to a lower amount but could not be adjusted higher.

### **Announcements**

Thereupon, the Mayor announced:

1. August 15, 2007: Joint City/County/USD 290 Lunch at County Noon
2. August 20, 2007: Study Session at 4 pm
3. August 22, 2007: Special Call Public Hearing/Adoption 2008 Budget at 7 pm
4. August 27, 2007: Study Session at 4 pm
5. September 5, 2007: Regular Meeting at 7 pm

### **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.

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Scott D. Bird, City Clerk

August 15, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
August 20, 2007

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

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

**Public Comments**

Thereupon, the Governing Body heard from Gene Hirt, 1112 Augusta Lane who requested clarification regarding the incorrect sales tax calculations by the State of Kansas. Thereupon, Mayor Jorgensen and Staff explained the amount the State is addressing is approximately \$60,000 (for 6 months of incorrect calculations). What this means in dollars to the County is approximately \$67,000. The details are still being reviewed. If the money does have to be reimbursed to the County it will included approximately \$60,000 from the City of Ottawa and \$7,000 of reimbursement from the other cities in Franklin County.

**Ordinance-Budget**

Thereupon, the Governing Body reviewed an ordinance required in the event the City Commission approves a budget with a flat mill levy. The ordinance is necessary in the budget when property tax revenues are at an amount exceeding the level in the 2007 Budget. Thereupon, the Governing Body agreed by consensus to place this item on the August 22, 2007 Special Call Meeting, for the Budget Hearing and 2008 Budget adoption.

**Resolution-Capital Improvement Program (CIP)**

Thereupon, the Governing Body reviewed a resolution and worksheets on CIP for year 2007, 2008, and 2009. Thereupon, reports were provided from the following:

- Police Department: Records Management System
- Information Technology Department: City Fiber Network
- Utilities:
  - Northeast Substation and 161kv transmission line
  - Northeast sanitary sewer lift station and associated gravity lines and river crossing force mains
  - Northeast water system
  - STAG generating unit
  - Vulnerability Study
  - First phase of construction of sanitary sewer system relief sewers
- Public Works:
  - Flood control pump replacement

August 20, 2007

- Parks Maintenance Building
  - Replace Timber Playground at Forest Park
  - Overlay Cemetery Streets
  - Ottawa Municipal Airport-remark runways
  - Salt storage facility
- Fire Department: Aerial Fire Truck

Thereupon, the Governing Body agreed to place the resolution on the City Commission Special Call meeting for August 22, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from July 30 and August 6 Study Sessions, August 1 Regular Meeting and August 4, 8, 9 Special Calls and agreed to place these items on the next Regular Meeting for September 5, 2007.

### **Financial Support Request**

Thereupon, the Governing Body reviewed a request from Franklin County regarding financial support for the Southeast Kansas Officials Association Quarterly Meeting on October 18. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to deny this request for financial support. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request duly denied.

### **Open Agenda**

Thereupon, Interim City Manager Wynndee Lee requested the Governing Body allow City Attorney Bob Bezek to report on allegations made in a recent newspaper editorial by Kelley Hawkins with regards to the auditorium.

Thereupon, the City Attorney addressed allegations made by Ms. Hawkins that Commissioner Henningsen and Interim City Manager Wynndee Lee would be creating a conflict of interest if they were involved in working on a possible partnership between Ottawa University and the City to manage the auditorium. Mr. Bezek explained to have a conflict there needs to be a monetary advantage. There is none in this situation therefore the alleged conflict does not exist.

The City Attorney explained Ms. Lee is on the Board of Trustees at Ottawa University and Commissioner Henningsen is employed by Ottawa University. However, Mr. Bezek stated there is no conflict of interest with either Ms. Lee or Commissioner Henningsen. Ms. Lee would not be voting on anything with regards to the auditorium issue and Commissioner Henningsen holds no executive position at the University.

Thereupon, the Interim City Manager stated additional auditorium information will be placed on a future Study Session Agenda.

August 20, 2007

### **Announcements**

Thereupon, the Mayor announced:

1. August 22, 2007: Special Call Public Hearing/Adoption of 2008 Budget at 7 pm

Mayor Jorgensen requested a motion to recess into Executive Session to discuss Attorney-Client Privilege.

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess into Executive Session to discuss Attorney-Client Privilege for a period of 10 minutes and to reconvene in the same Work Study Session Room at 5:39 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to reconvene the meeting at 5:39 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess again into Executive Session for an additional 5 minutes and to reconvene at 5:44 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to reconvene the meeting at 5:44 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 Commissioner Fleer made a motion, seconded by Commissioner Humm, 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 5:45 pm.

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Scott D. Bird, City Clerk

**Special Call Meeting-City Hall**  
**City Commission Chambers**  
**Ottawa, Kansas**  
**Minutes**  
**Wednesday, August 22, 2007**

The City Governing Body met at 7 pm this date for the Special Call Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, and Commissioner Fleer. Thereupon, Commissioner Henningsen participated by conference call. A quorum was present.

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

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the consent agenda with the removal of items 7 and 12. The consent agenda included the agenda. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Item 7 and 12 were removed from the Agenda due to this meeting being a Special Call meeting. Item 7 is Public Comments and Item 12 is Reports by City Commission.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Purpose of Special Call**

Thereupon, the Mayor noted the purpose of this Special Call Meeting is to hold a public hearing on and to give consider of the adoption of the 2008 Budget.

**Public Hearing**

Thereupon, the Mayor explained a public hearing has been scheduled to receive comments about the proposed 2008 City Budget. The published mill levy cannot be increased, but can be reduced. After public comments have been received it is recommended the hearing be closed and, barring any amendments, the budget be adopted.

Thereupon, The Mayor opened a Public Hearing at 7:04 pm to consider the City's proposed 2008 Budget.

August 22, 2007

Thereupon, the Interim City Manager Wynndee Lee asked City Clerk Scott Bird to provide information first and then she would provide additional information.

Mr. Bird expressed his concern for cash reserves in the General Fund and Water Fund. Mr. Bird encouraged the Governing Body to look beyond the 2008 Budget. The status of the sales tax issue of approximately \$60,000 is still an unknown. That alone amounts to about three-fourths of a mill if it has to be paid. Mr. Bird asked the Governing Body to remember recreation needs, as well as, other capital needs that are not being met and will only get worse. If the employees are expected to give their best for the well being of the community, they must be equipped to do so. In closing Mr. Bird encouraged the Governing Body to adopt the budget as published with a flat mill levy.

Ms. Lee stated the City began the budget fully expecting to be able to accommodate the commission's desire to reduce the City budget by two mills. Ms. Lee explained neither the City Clerk nor herself could recommend a two mill cut. The overall cash position the city faces in the general fund affected most significantly by the revenue issues. Ms. Lee reviewed what was funded, the budget cuts, and the revenue. Ms. Lee stated City Staff has presented a budget that is lean, and while she congratulated them, there is reason to be concerned as well. As staff continues to get to budgets that are marginal, the City has less ability to respond to needs or request that were not specifically known at budget time.

Ms. Lee said it would be remiss to not call attention to the fact that while the issue at hand is at the 2008 budget, in reality, consideration should be given to the future. Possibly the most significant factor for 2009, aside from sales tax revenue losses, the valuation this year is experiencing a one-time boost relative to the American Eagle Distribution Center. A decrease in this year's proposed mill levy could easily result in a need to raise the mill levy for 2009, even without needed capital projects. These issues result in Ms. Lee's recommendation that the city commission adopt the budget with a flat mill levy rate to prepare for future needs and revenue issues, allowing the cash carryover to not be reduced any further. In closing Ms. Lee thanked the Finance Staff, Nikki Spencer and all the department directors along with the Governing Body for the difficult choices relative to the 2008 budget.

Thereupon, the Governing Body heard from Mr. Gene Hirt, 1112 Augusta Lane who expressed his appreciation to the Governing Body and Staff for the cuts made. However, Mr. Hirt expressed concern that maybe the cuts were too much as he believed sales tax would continue to come in less than expected. Overall, Mr. Hirt stated the Governing Body and Staff did a good job on the budget.

Thereupon, the Governing Body heard from Ms. Emily Mathis, Director Bea Martin Peck Animal Shelter, who thanked the Governing Body for doing what they could for the Animal Shelter.

August 22, 2007

There being no further comments to speak to this issue the Mayor closed the Public Hearing at 7:18 pm.

### **Adoption of 2008 Budget**

Thereupon, following 11 public budget discussions at Work Study Sessions, as well as, tonight's overview and comments during the public hearing, adoption of the 2008 budget was recommended. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the City 2008 Budget as published at 39.433 mills. Commissioner Ramsey stated the Governing Body and Staff had worked long and hard and wished the budget could have been decreased by 2 mills, but in reality that would have put the future of the community at risk. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the City 2008 Budget duly adopted.

### **Ordinance-Tax Revenues for Budget Year 2008**

Thereupon, the Governing Body reviewed an ordinance attesting to an increase in tax revenues for Budget Year 2008 for the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the budget ordinance is required if the budgeted tax levy exceeds line 15 of the 2008 state budget form. 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. 3639-07.

### **Reports by Mayor**

Thereupon, the Mayor thanked the Interim City Manager Wynndee Lee, Staff, and the Governing Body for their hard work and efforts on the budget which was more difficult without a fulltime City Manager. The Mayor recognized Ms. Lee for an admiral job she has done during this time without a City Manager.

Thereupon, the Mayor stated it was expected that the new City Manager would be announced tomorrow morning.

### **Announcements**

Thereupon, the Mayor announced:

1. August 27, 2007: Study Session at 4 pm
2. September 3, 2007: No Study Session, City Hall Offices Closed for Observance of Labor Day
3. September 5, 2007: Regular Meeting at 7 pm
4. September 10, 2007: Study Session at 4 pm

August 22, 2007

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 7:23 pm.

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Scott D. Bird, City Clerk

August 22, 2007

## **STUDY SESSION MINUTES OTTAWA, KANSAS**

Minutes of  
August 27, 2007

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

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

### **Public Comments**

1. Mildred Heathman, 1026 N Cherry: Discussed her continuing concern about storm water run-off around her property, as well as, other property owners where development is occurring.
2. Aaron Bien, Bienie's Body Shop at 126 N Poplar: Asked the Governing Body give attention to, and make a priority for street improvements in the Capital Improvement Plan.
3. PJ Stephenson, Ottawa Main Street: Requested permission for "Downtown" to hold a sidewalk sale in conjunction with the Car Show Saturday, September 15<sup>th</sup> from 10 am until 2 pm. The Governing Body agreed by consensus to this request.
4. Kristi Schooley-Hale, 1439 S Cedar: Discussed her concern with the Yard Sale policy the city adopted. It was explained the policy was adopted due to complaints from citizens with regards to sign placement, non removal of signs, and those using a Yard Sale as a business throughout the entire season.
5. Gene Hirt, 1112 Augusta Lane: Discussed his visit to Fort Scott where he inquired about the newly named City Manager.

### **Cereal Malt Beverage License-Zarco 66**

Thereupon, the Governing Body reviewed an application for Cereal Malt Beverage License for Zarco 66 located at 2518 E Logan. The application had been forwarded to the City Attorney, Fire Department and Police Department. The City Attorney had noted from the original application that the stated Manager and/or Agent of the business didn't live in Franklin County as required. The owner of the business was contacted and named a Franklin County resident as Manager/Agent. Thereupon, the Governing Body agreed to place this item on the September 5, City Commission Agenda.

### **Ordinances-Rezone Properties**

Thereupon, the Governing Body reviewed ordinances to rezone properties located at 611 N Davis, 1829 E Logan, 1802 E Wilson, 749 N Davis and 903 N Davis. The City initiated the rezone due to the properties being annexed in 2006 and the tracts should be rezoned from their county designation to a proper city zoning designation. Public hearings have been held by the Planning Commission with no public comments recorded except on 903 N Davis. It was noted the Planning Commission recommends the approval of the rezones by a vote of 7-0 for each property. Thereupon, the Governing Body agreed to place these rezones on the next Regular Meeting Agenda.

August 27, 2007

### **Ordinance-Amending Zoning Regulations**

Thereupon, the Governing Body reviewed an ordinance for amending the zoning regulations regarding development standards and height and yard regulations. These amendments correct conflicts in the zoning regulations that were discovered by staff. A Staff Memo was provided to outline the changes. A public hearing was held, at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. Thereupon, the Governing Body agreed to place the amendments on the next Regular Meeting Agenda for September 5, 2007.

### **Ordinance-One-Way Streets**

Thereupon, the Governing Body reviewed an ordinance that addresses one-way streets in the area of old Lincoln School and Eugene Field School. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for September 5, 2007.

### **Proclamation-Ottawa High School Wall of Honor**

Thereupon, the Governing Body reviewed a proclamation for Ottawa High School Wall of Honor Days and agreed to place this item on the next Regular Meeting Agenda for September 5, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from August 13 and 20 Study Sessions, August 15 Regular Meeting and August 14 Special Call and agreed to place these items on the Regular Meeting agenda for September 5, 2007.

### **Ottawa Community Arts Council (OCAC)**

Thereupon, the Governing Body reviewed information with Tonia Salvini, Ottawa Community Arts Council (OCAC), regarding upcoming new programs planned for the Carnegie Center, as well as, information regarding insurance secured by the Carnegie Center for their upcoming programming. Thereupon, the Governing Body thanked Ms. Salvini for the sharing the OCAC information.

### **Over the Road Gang President**

Thereupon, the Governing Body reviewed a request from John Wise, Over the Road Gang President, requesting exclusive use of Forest Park from September 14-16 for the Annual Ol' Marais River Run Car Show. Thereupon, the Governing Body agreed by consensus to this request.

### **Hall Chiropractic Request**

Thereupon, the Governing Body reviewed a request from Dr. Rory Hall, Hall Chiropractic, for the blocking off of 2<sup>nd</sup> Street from Main Street to the alley on Saturday, October 6 from 9am-1 pm. Hall Chiropractic will be holding a free Health Fair and would also like to reserve Haley Park from 8 am – 1:30 pm for the event. Thereupon, the Governing Body agreed by consensus to approve this request.

August 27, 2007

### **FEMA-Recent Flooding**

Thereupon, City Clerk Scott Bird gave an update on FEMA assistance due to recent flooding. Mr. Bird explained that the ORC Director, Therron Dieckmann did a great job of gathering information and assisting him on the ORC reporting of flood damage.

Thereupon, Interim City Manager Wynndee Lee thanked City Clerk Scott Bird and City Treasurer Donna Kipper for their endless hours of work and effort in working on this project.

### **ORC Bleachers**

Thereupon, the Interim City Manager Wynndee Lee announced the Ottawa Recreation Commission is replacing some of the old bleachers. ORC is replacing some of the old wooden bleachers with new aluminum ones at ORC expense.

### **Executive Session**

Thereupon, Mayor Jorgensen requested a motion to go into Executive Session to discuss non-elected personnel.

### **Recess**

Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss non-elected personnel for a period of 5 minutes and to reconvene in the same Work Study Session Room at 5:13 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to reconvene the meeting at 5:13 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to recess again into Executive Session for an additional 12 minutes and to reconvene at 5:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

### **Reconvene**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to reconvene the meeting at 5:25 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

August 27, 2007

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to authorize execution of a contract for Richard U. Nienstedt as City Manager. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor announced the contract for the position of City Manager for the City of Ottawa will be duly executed by a unanimous vote for Richard U. Nienstedt as City Manager.

**Adjournment**

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

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Scott D. Bird, City Clerk

August 27, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
September 5, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler, and Commissioner Humm. A quorum was present.

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

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Study Sessions: July 30, and August 6, 13, 20  
Regular Meetings: August 1 and 15  
Special Calls: August 4, 8, 9 and 14

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 Gene Hirt, 1112 Augusta Lane, who complimented the Governing Body on their choice of City Manager and the contract that was executed.

Thereupon, the Governing Body heard from P.J. Stephenson, Ottawa Main Street, who expressed express his appreciation to the Public Works Department for the care the department gives to trash and the flower gardens downtown. He stated that other communities have expressed complaints about trash and un-kept gardens in their downtowns and the lack of city participation.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation: Wall of Honor**

Thereupon, Mayor Jorgensen read a proclamation declaring September 13<sup>th</sup> and 14<sup>th</sup> as Ottawa High School Wall of Honor Days in the City of Ottawa, Kansas. The proclamation was presented

September 5, 2007

to Susan Geiss, Wall of Honor Selection Committee representative. Ms. Geiss thanked the Governing Body for the proclamation and invited everyone to attend the events taking place on the 13<sup>th</sup> and 14<sup>th</sup>. Ms. Geiss explained Charles Gillette (OHS Class of 1950), Gary Hornbuckle (OHS Class of 1957), and Gary Mavity (OHS Class of 1965), would be officially inducted at half-time of the Ottawa High School football game on Friday, September 14.

### **Resolution-Capital Improvement Program**

Thereupon, the Governing Body reviewed a resolution adopting a Capital Improvement Program for the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained over the past several months staff, the Planning Commission and the City Commission have worked to identify future projects and equipment needs. The Capital Improvement Program is not meant to be a “contract” however, it is meant to guide staff and the City Commission in making budgeting decisions, finding alternative funding sources and planning for large capital projects. The motion was considered and upon being put, the resolution was adopted by a 4-1 vote as follows: Commissioner Henningsen aye, Commissioner Humm aye, Commissioner Fleer aye, Commissioner Ramsey nay, and Mayor Jorgensen aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1429-07.

### **Cereal Malt Beverage License-Application: Zarco 66**

Thereupon, there was an application for a Cereal Malt Beverage License presented for review. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to approve the application.

During discussion it was explained an application for packaged Cereal Malt Beverage license was submitted for Zarco 66 located at 2518 E Logan. The application has been reviewed by staff of the Fire and Police Departments, as well as, the City Attorney. Staff found no reason to deny the request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

### **Ordinance-Amending Zoning Regulations**

Thereupon, there was presented an ordinance amending Article 15, Section 15-3, Development Standards, Section 15-4 Height and Yard Regulations, and Article 24, Section 24-2, Height and Yard Regulations, for the City of Ottawa Zoning Regulations. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained that while researching a request, staff discovered there were conflicts in the zoning regulations relating to setback areas in an industrial area. These

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amendments are being made to correct conflicts in the regulations. In addition, there were incorrect references in Article 15. 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. 3640-07.

**Ordinance-Vehicular and Pedestrian Traffic**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular and pedestrian traffic by designating various streets and alleys for one-way use. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this ordinance amends the Municipal Code which lists Cedar Street adjacent to the old Lincoln School and Tremont Avenue next to Eugene Field School as one-way without an ordinance to support the entry. This ordinance also removes the one-way travel in the 500 Block of Poplar Street adjacent to Hawthorne School, according to the wishes expressed by USD 290. 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. 3641-07.

**Ordinance-Rezone: 611 N Davis**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, commonly known as 611 N Davis, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance is for the rezone of property annexed in 2006. Staff initiated the rezone and recommends the zoning designation to be changed from Franklin County Zoning A-1 (Agricultural Zoning District) to City Zoning R-1 (Low Density Residential Zoning District). A public hearing has been held at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. 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. 3642-07.

**Ordinance-Rezone: 1829 E Logan**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, commonly known at 1829 E Logan, and repealing the corresponding section of the zoning map which is a part of the Ordinance No. 3501-05 of the City of Ottawa, Kansas.

September 5, 2007

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance is for the rezone of property annexed in 2006. Staff initiated the rezone and recommends the zoning designation be changed from Franklin County Zoning R-E ((Residential Estate Zoning District) to City Zoning R-2 (Medium Density Residential Zoning District). A public hearing was held by the Planning Commission at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. 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. 3643-07.

#### **Ordinance-Rezone 1802 E Wilson**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, commonly known as 1802 E Wilson, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of 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 is for the rezone of property annexed in 2006. Staff initiated the rezone and recommends the zoning designation be changed from Franklin County Zoning A-2 (Transitional Agricultural Zoning District) to City Zoning R-2 (Medium Density Residential Zoning District). A public hearing was held by the Planning Commission at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. 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. 3644-07.

#### **Ordinance-Rezone 749 N Davis**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas commonly known as 749 N Davis, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of 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 is for the rezone of property annexed in 2006. Staff initiated the rezone and recommends the zoning designation be changed from Franklin County Zoning A-1 and R-3A (Agricultural and Single Family Residential Three Acre Zoning District) to City Zoning R-1 (Low Density Residential Zoning District). A public hearing was held by the Planning Commission at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. 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. 3645-07.

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### **Ordinance-Rezone 903 N Davis**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, commonly known as 903 N Davis, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this ordinance is for the rezone of property annexed in 2006. Staff initiated the rezone and recommends the zoning designation be changed from Franklin County Zoning C-2 (Highway Commercial Zoning District) to City Zoning C-2 (Restricted Commercial Zoning District). A public hearing was held by the Planning Commission at which time the owner, Mr. Foster, commented that he wanted to make sure he could continue his business and residence with this zoning. The Planning Commission recommends approval by a vote of 7-0.

Thereupon, the Interim City Manager clarified this property was grandfathered in for its existing use. If the property was sold it could be used by a new owner for the same use as it is currently being used. If the property was abandoned the property could be rezoned for a different use. 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. 3646-07.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Darrah Jorgensen who explained the Youth In Government year had come to an end and applications are currently being taken for next years program. Ms. Jorgensen inquired as to where the Governing Body was on the proposed Clean Air Ordinance the Youth Delegates had presented at a previous Study Session. Thereupon, Mayor Jorgensen explained City Staff had been working on a draft ordinance. The Interim City Manager stated the "draft" proposed ordinance and information would be brought forward in the next few weeks.

### **Reports by City Commission**

Thereupon, Commissioner Humm complimented the Public Work Staff for work recently done in the cemetery on the "road patch" work.

### **Reports by Mayor**

Thereupon, Mayor Jorgensen announced the new City Manager Richard Nienstedt was in attendance at tonight's meeting. The Mayor introduced Mr. Nienstedt and noted his contract had been signed and he will start for the City of Ottawa October 15. In addition, the Mayor stated Mr. Nienstedt will be visiting the Ottawa Community approximately one day a week until his start time.

September 5, 2007

### **Announcements**

Thereupon, the Mayor announced:

1. September 10, 2007: Study Session at 4 pm
2. September 17, 2007: Study Session Cancelled, NIMS Training 3-5 pm
3. September 19, 2007: Joint City/County/USD 290 Lunch Noon at City
4. September 19, 2007: Next Regular Meeting at 9:30 am

### **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 7:25 pm.

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Scott D. Bird, City Clerk

September 5, 2007

## STUDY SESSION MINUTES

### OTTAWA, KANSAS

Minutes of

September 10, 2007

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

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

#### **Public Comments**

1. Mr. Gene Hirt, and P.J. Stephenson, Ottawa Main Street Director, reported on a Downtown survey project. Mr. Hirt and Mr. Stephenson reported the survey findings to the Governing Body. In addition, Mr. Stephenson stated a map of the Historical Business District is being updated and will be shared electronically in the near future. Thereupon, the Governing Body thanked Mr. Hirt and Mr. Stephenson for the update.

Thereupon, the Governing Body continued discussion on the following:

- New businesses downtown
  - Funding for Ottawa Main Street and O/FCED
  - Current location of Ottawa Main Street
  - Old post office empty building
  - Concern of additional brick deterioration in the downtown area
1. Youth in Government Delegate Paul Thomas reported what the Youth in Government had completed so far with regards to the proposed Clean Air Ordinance:
- Researched why second-hand smoke is dangerous for non-smokers
  - Gathered a list of businesses, clubs, organizations, and individuals who support a clean-indoor air ordinance.
  - Offered a survey for grades 8, 9, 10, 11, and 12 asking if they would prefer a clean-indoor air ordinance (80% said they wanted said ordinance).
  - Presented findings to the city commission during a study sessions.
  - Presented various clean-air ordinances from other cities to the city commission.

In closing, Mr. Thomas requested the Governing Body offer the citizens a public forum to move forward on this issue. Mr. Thomas challenged the commission to allow the City of Ottawa to be a leader rather than a follower in this matter. Thereupon, the Mayor thanked Mr. Thomas for his report.

September 10, 2007

**Proclamation: Constitution Week**

Thereupon, the Governing Body reviewed a proclamation to declare September 17 through 23, 2007, as Constitution Week. The Governing Body agreed by consensus to place this item on the September 19, 2007 Regular Meeting Agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes for Special Call August 22 and Study Session minutes from August 27 and agreed to place these items on the next Regular Meeting Agenda for September 19.

**Ottawa Municipal Auditorium Discussion/RFP Consideration**

Thereupon, the Governing Body discussed with Interim City Manager Wynndee Lee information on the auditorium. Ms. Lee explained an RFP would be an invitation for those interested persons/organizations to submit a proposal to provide the services desired to enhance the OMA. Thereupon, the Governing Body agreed by consensus to allow staff to prepare information for an RFP. Ms. Lee stated she would be sharing this information with the new City Manager.

The Governing Body agreed by consensus that once the new City Manager was on board they would like to take tours of some of the city buildings.

**Clean Air Ordinance**

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee and City Attorney who reported on July 30, 2007, delegates representing Youth in Government presented information related to the negative effects of secondhand smoke and the success of certain clean air actions taken by other communities in the State of Kansas. Youth also provided examples of Clean Air Ordinances and asked the Governing Body to consider the adoption of similar legislation. At the direction of the City Commission staff reviewed those Ordinances, as well as others, and developed a draft Ordinance. The City Attorney had reviewed the draft ordinance and responded with a memo outlining several suggestions and points of discussion for the Governing Body's consideration toward the further development of this issue.

After considerable discussion on this issue the Governing Body agreed to have additional information brought back at a future date and to plan a public forum on this issue.

**Report on Increased Fines for Repetitive Violations**

Thereupon, the Governing Body heard from Interim City Manager Wynndee Lee who reported on an ordinance that was adopted that had increased fines for repetitive violations of certain nuisance and running at large policies available to the Municipal Court Judge. Ms. Lee reported on the effectiveness of this legislation.

September 10, 2007

### **Jaycees Request**

Thereupon, the Governing Body reviewed a request from the Ottawa Jaycees who requested permission for fireworks for an Ottawa University football game on September 15, 2007. The Ottawa Jaycees will have insurance issued in the City of Ottawa's name. The fireworks will be ignited from the practice field with all safety precautions taken. Thereupon, the Governing Body agreed by consensus to this request.

### **Announcements**

Thereupon, the Mayor announced:

1. September 17, 2007: Study Session Cancelled, NIMS Training 3-5 pm
2. September 19, 2007: Joint City/County/USD 290 lunch at noon at the City of Ottawa. City Manager Richard Nienstedt will be in attendance at this meeting.
3. NOTE: October 6-9, Kansas League of Municipalities Annual Conference in Overland Park (The Mayor reminded the Governing Body to sign up for attendance at the conference if they planned on attending)

### **Adjournment**

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

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Scott D. Bird, City Clerk

September 10, 2007

**Special Call**  
**National Incident Management System Training**  
**City Commission Chambers**  
**Ottawa, Kansas**  
**Minutes**  
**Monday, September 17, 2007**

The City Governing Body met at 3 pm this date for the National Incident Management System Training (NIMS) with the following members present and participating to wit: Mayor Jorgensen, Commissioner Humm, Commissioner Ramsey, Commissioner Henningsen and Commissioner Fler. A quorum was present.

Thereupon, Franklin County Emergency Management Director Alan Radcliffe provided the (NIMS) training session to the Governing Body and other City Employees.

**Adjournment**

Thereupon, the training adjourned at 5:15 pm.

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Scott D. Bird, City Clerk

September 17, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
September 19, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fleer, and Commissioner Humm. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Chaplain Matthew Benorden, Hospice Care of Kansas.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Study Sessions: August 27  
Special Calls: August 22

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

The Governing Body heard from Gene Hirt, 1112 Augusta Lane, who recently attended the K-State Experimental Field presentation and tour. Mr. Hirt spoke to the issue of the importance of maintaining and distribution of water for drinking and livestock. Part of the tour included a trip to Judd Ranch west of Pomona which included seeing how the development of a water system can make a big difference.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamation: Constitution Week**

Thereupon, Mayor Jorgensen read a proclamation declaring September 17 – 23 as "Constitution Week" in the City of Ottawa. The proclamation was received by Emily Kirkpatrick, Vice Regent of General Edward Hand Chapter, Daughters of the American Revolution. Ms. Kirkpatrick thanked the Governing Body for honoring this historical event.

September 19, 2007

**Recognition: Retirement**

Thereupon, Mayor Jorgensen stated Captain David Brooks, Ottawa Fire Department had started with the Fire Department on January 1, 1976 and will retire on September 25, 2007. Captain Brooks served almost 32 years in the emergency services field. Thereupon, Captain Brooks thanked the Governing Body for the recognition and expressed his thanks to previous Fire Chief and co-workers during his tenure. Captain Brooks invited the Governing Body to his retirement reception to be held Monday, September 24, 2007, from 2-5 at the Fire Department.

**Reports by Interim City Manager**

Thereupon, Interim City Manager Wynndee Lee asked Nikki Spencer, Assistant to the City Manager, to provide an update to the Governing Body on the Clean Air responses from citizens. Ms. Spencer reported 35 emails and 8 telephone calls have been received to date.

The City Manager presented the Ottawa Main Street and Potter's Wheel Coffee House request for permission to host a fall music series in Haley Park located at 2<sup>nd</sup> & Main. The request was from 7pm-10 pm on the following dates:

- September 21, 22, 29
- October 6, 13, 20, 27
- November 3, 10, 17
- December 1

Thereupon, the Governing Body agreed by consensus to this request.

**Reports by City Commission**

Thereupon, Commissioner Henningsen thanked Captain Brooks for his 32 years of service with the City.

**Announcements**

Thereupon, the Mayor announced:

1. September 19, 2007: Joint City/County/USD 290 lunch at City Hall at Noon. Commissioner Ramsey asked that the Clean Air Ordinance be discussed at this joint meeting.
2. September 24, 2007: Study Session at 4 pm
3. October 1, 2007: Study Session at 4 pm
4. October 3, 2007: Regular Meeting at 7 pm
5. October 6-9, 2007: Kansas League of Municipalities Annual Conference in Overland Park.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, 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 am.

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Scott D. Bird, City Clerk  
September 19, 2007

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
September 24, 2007

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Fler, Commissioner Henningsen and Commissioner Humm. 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. Gene Hirt, 1112 Augusta Lane, who stated he had attended the County Commission meeting held this date and that the County had indicated a desire to reclaim the sales tax which had been identified as having been miscalculated earlier in the year. He also reported the County expressed intent to use the funds for employee benefits.

**Voting Delegates for LKM and NLC**

Thereupon, Mayor Jorgensen asked for nominations for 3 voting delegates and 3 alternate delegates for the upcoming League of Kansas Municipalities meeting. After discussion it was decided Mayor Jorgensen, Commissioner Henningsen and Interim City Manager Wynndee Lee would serve as voting delegates and Assistant City Manager Nikki Spenser, Public Works Director Andy Haney and City Clerk Scott Bird would serve as alternate delegates.

Thereupon, the Mayor asked for one voting delegate and one alternate name for the National League of Municipalities meeting in New Orleans. Thereupon, it was decided that Mayor Jorgensen would serve as the voting delegate and Commissioner Fler would serve as alternate.

**Ordinances to rezone property at 609 Bennett Road and 2502 E. Wilson**

Thereupon, the Governing Body reviewed an ordinance to rezone property located at 609 Bennett Road and 2502 E. Wilson. Staff explained this proposal would move 609 Bennett from County C-2 (Highway Commercial Zoning District) to City MU/CI (Mixed Use Commercial/Industrial Zoning District) and the property at 2502 W. Wilson from County A-2 (Transitional Agriculture Zoning District) to City MU/CI (Mixed Use Commercial/Industrial Zoning District). Both properties were annexed in 2006 and the proposed rezones were requested by the owners. The Planning Commission held public hearings related to the rezones. No public comments were recorded and the Planning Commission unanimously recommended approved. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting agenda scheduled October 3, 2007.

**Ordinance to consider a Conditional Use Permit**

Thereupon, the Governing Body reviewed an ordinance for a conditional use permit requested by Ransom Memorial Hospital (RMH) to allow temporary offices at 204 E. 14<sup>th</sup> Street. The property

September 24, 2007

is owned by the Hospital charitable foundation and will only be used for offices during a time of the RMH basement remodel. Upon completion, and the move of RMH IT staff, the conditional use permit will expire. After conducting a public hearing the Planning Commission recommended approval by a vote of 7-0. The Governing Body considered this issue and agreed to place it on the next Regular Meeting agenda scheduled October 3, 2007.

### **Report -Over the Road Gang**

Thereupon, the Governing Body heard from Mr. John Wise, President of the Over the Road Car Club, who thanked the City Commission and City Staff for support before and during the River Run Car Show. Mr. Wise reported that the show was a considerable success with approximately 1,260 cars registered for the three day event. The Governing Body thanked Mr. Wise and congratulated the car club for bringing such a successful annual event to the community.

### **Ordinance to consider a Conditional Use Permit**

Thereupon, the Governing Body reviewed an ordinance for a conditional use permit requested for 2961 Labette Road. The owner, Kendra Titus, is currently operating a dog kennel which is allowed by County Zoning Districts A-2 as a special use. As part of the Urban Growth Zone a conditional use permit is required by the City. After conducting a public hearing the Planning Commission recommended approval by a vote of 7-0. The Governing Body considered this issue and agreed to place it on the next Regular Meeting agenda scheduled October 3, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the September 17 Special Call, September 10 Study Session and the September 5 Regular Meetings and agreed to place them on the next Regular Meeting agenda with one correction.

### **ECKAN Volunteer Center Request**

Thereupon, the Governing Body discussed and approved a request from the ECKAN Volunteer Center for the use of Haley Park for the Empty Bowls event scheduled for October 27<sup>th</sup> from 9 am to 3 pm.

### **Residency Requirement Discussion**

Thereupon, the Governing Body heard a request and reviewed information from staff to consider relaxing a long standing policy requiring city employees to reside within Franklin County. It was explained that Department Directors believe the policy inhibits qualified candidates who live outside Franklin County from applying and/or accepting city positions. After discussion, it was requested this item be brought back to a future meeting. Commissioner Ramsey spoke in opposition to this proposal.

September 24, 2007

### **Water Rates and Study**

Thereupon, the Governing Body reviewed a memo related to the Water Rate Study and heard a recommendation from the Finance Director that in light of cash concerns in the Water Fund, a flat fee be considered for all water meters served by the utility until further study can be completed. After discussion, additional information was requested to be brought to the next study session.

### **Public Works Equipment**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who informed that a 30 year old traffic control arrow board trailer had failed during the car show. Parts are not available and a replacement is estimated to cost approximately \$5,000, the same amount set aside in 2007 for Equipment Reserves. It was recommended these funds be used. The Governing Body agreed by consensus to move forward to replace this equipment as recommended.

### **Main Street Bridge Gates**

Thereupon, Public Works Director Andy Haney announced that the Main Street bridge gates would be closed for inspection between Midnight and 2 a.m. on October 4 and 5.

### **Clean Air Public Forum**

Thereupon, the Mayor asked if a date could be set for the Clean Air Public Forum. After discussion, it was decided that October 25 would be the first choice with October 18 the fall back date.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Humm 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.

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Scott D. Bird, City Clerk

September 24, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 1, 2007

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Fleer, Commissioner Henningsen and Commissioner Humm. 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, President of the Over the Road Gang, who requested use of the following facilities for the 2008 Ole' Marais River Run:

- Forest Park September 19, 20 and 21
- Haley Park September 20
- City Park September 20
- Road Closure – Main Street to Forest Park and Fifth and Hickory to 7<sup>th</sup> and Hickory
- Banner to be displayed at 17<sup>th</sup> and Main
- Barricades and Bleachers

The Governing Body agreed by consensus to these requests.

**Community Center Update**

Thereupon, the Governing Body heard from Ed York and Interim City Manager Wynndee who gave an update on the Community Center Task Force and reviewed a proposed footprint of the facility. Mr. York explained that so far about \$4,000,000 has been cut from the cost of the building, which is currently estimated at 130,000 square feet. He also mentioned that the School District and Ottawa University is showing interest in the project.

**Ordinance-School Zone**

Thereupon, the Governing Body considered an ordinance to remove old Hawthorne School from the listed schools and agreed to place this item on the agenda for October 3.

**Ordinance-One-Way Traffic**

Thereupon, the Governing Body considered an ordinance to remove one-way designation for the alley adjacent to the old Hawthorn School and to clean up minor language in the Eugene Field School alley listing. It was agreed to place the item on the October 3 agenda.

**Proclamations**

Thereupon, the Mayor stated that proclamations had been requested for Fire Prevention Week, Breast Cancer Awareness Month and Domestic Violence Awareness Month. The Governing Body agreed to place these items on the October 3 regular meeting agenda.

October 1, 2007

### **Employee Residency Requirements**

Thereupon, the Governing Body discussed a proposed change to the City's personnel policy, which requires full time employees to reside within the county limits within one year of hire. After considerable discussion it was decided that the policy should remain the same, but that the City Manager has the authority to grant an extension of the one year rule on a case-by-case basis.

### **ECKAN Volunteer Center**

Thereupon, the Governing Body heard from ECKAN Volunteer Coordinator Lisa Rivers who requested permission to use two corners at 2<sup>nd</sup> and Main for collection donations during the Empty Bowls event, which had been previously approved to be located at Haley Park. After discussion it was agreed that due to safety concerns the volunteers could solicit donations from north bound traffic only at the SE corner of Second and Main.

### **Domestic Violence Awareness Month**

Thereupon, Crystal Camis, Franklin County Director of Women's Transitional Care, requested permission to affix purple ribbons to the light poles and trees along Main Street in an effort to raise awareness of the social problem. The Governing Body agreed to this request.

### **Other Items**

Thereupon, the Governing Body reviewed the Financial and Activity Reports for the month of August.

Interim City Manager Wynndee Lee informed the Governing Body of a 2006 failure in the wall of Skunk Run between 9<sup>th</sup> and 10<sup>th</sup> Streets, which has been controlled, but will need to be corrected in the near future.

Ms Lee also reminded the Governing Body that there is a joint meeting scheduled with the Ottawa Recreation Commission at the Ottawa Middle School on October 10<sup>th</sup> at 6 p.m.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Henningsen made a motion, seconded by Commissioner Humm, 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 5:36 p.m.

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Scott D. Bird, City Clerk

October 1, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
October 3, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, and Commissioner Fleer. Commissioner Humm was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Dwayne See, Cornerstone Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Regular Meeting: September 5  
Study Sessions: September 10  
Special Calls: September 17

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

Mr. Gene Hirt, 1112 Augusta Lane, complained of a strong odor coming from the area of K-68 Highway and Spruce.

Mr. Hirt asked if someone could address a concern which had been shared with him about police monitoring of the local downtown restaurants.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Proclamations**

**Fire Prevention Week**

Thereupon, the Mayor read a proclamation in honor of "Fire Prevention Week". The proclamation was received by Assistant Fire Chief Richard Oglesby. Mr. Oglesby stated there would be 150 programs throughout the month which included education in the schools.

October 3, 2007

### **Breast Cancer Awareness Month**

Thereupon, Mayor Jorgensen read a proclamation announcing Breast Cancer Awareness Month in the City of Ottawa, Kansas. The proclamation was received by Pat Atchison on behalf of the Franklin County Breast Cancer Support Group. Ms. Atchison encouraged women to get mammograms as early detection is the key.

### **Domestic Violence Awareness Month**

Thereupon, the Mayor read a proclamation declaring the month of October as Domestic Violence Awareness Month in the City of Ottawa, Kansas. The proclamation was received by Crystal Camis who thanked the Governing Body for the proclamation. Ms. Camis explained efforts are being made to bring the statistics of domestic violence down.

### **Ordinance-Rezone 609 Bennett Road**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the City of Ottawa, Kansas, commonly known as 609 Bennett Road, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained the City annexed this property in 2006 and initiated the rezoning. The property is to be rezoned from Franklin County C-2 (Highway Commercial Zoning District) to City MU/CI (Mixed Use Commercial/Industrial Zoning District). Public hearings were held at which time no comments were recorded. The Planning Commission recommended approval by a vote of 7-0. 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. 3647-07.

### **Ordinance-Rezone 2502 E Wilson**

Thereupon, the Governing Body reviewed an ordinance rezoning an area within the City of Ottawa, Kansas, commonly known at 2502 E Wilson, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained the City annexed this property in 2006 and initiated a rezone of the property at 2502 E Wilson from Franklin County A-2 (Transitional Agriculture Zoning District) to City MU/CI (Mixed Use Commercial/Industrial Zoning District). Public hearings have been held at which time no comments were recorded. The Planning Commission recommends approval by a vote of 7-0. 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. 3648-07.

October 3, 2007

**Ordinance-Conditional Use Permit 204 E 14<sup>th</sup> Street**

Thereupon, the Governing Body reviewed an ordinance granting a conditional use permit to allow temporary offices located at 204 E 14<sup>th</sup> Street requested by Ransom Memorial Hospital, in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained the property in question is owned by the Hospital's charitable foundation and will only hold offices during the time of RMH's basement remodel. Upon completion of the remodel, RMH's IT staff will return to the hospital. A public hearing has been held at which time one comment was recorded. The Planning Commission recommends approval by a vote of 7-0. Thereupon, the Interim City Manager Wynndee Lee clarified the conditional use permit "conditions" as follows:

1. No parking on site.
2. The conditional use will expire when operations cease or in 24 months.
3. Staff will inspect the property at the time it is turned into offices and then again when it is returned to a residential structure.

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. 3649-07.

**Ordinance-Conditional Use Permit 2961 Labette Road**

Thereupon, the Governing Body reviewed an ordinance granting a conditional use permit for a Dog Kennel located at 2961 Labette Road requested by Kendra Titus, in the Urban Growth area of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the owner of the property, Kendra Titus, is currently running a dog kennel which is allowed by County Zoning District A-2 as a special use. As this property is in the Urban Growth Area a conditional use permit is required. A public hearing has been held and no comments were recorded, however, a letter from a neighbor was received. The Planning Commission recommends approval by a vote of 7-0. 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. 3650-07.

**Ordinance-School Zones**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular and pedestrian traffic by designating various streets and alleys, or portions thereof, as School

October 3, 2007

Zones. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleece to adopt the ordinance.

During discussion it was explained this ordinance removes Hawthorne School from the listed school districts in Ottawa. 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. 3651-07.

### **Ordinance-One-Way Use**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular and pedestrian traffic by designating various streets and alleys, for One-way Use. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey to adopt the ordinance.

During discussion it was explained this ordinance removes the one way designation for the alley adjacent to the old Hawthorne School. The ordinance also corrects some “technical errors” related to the listing of the alley of Eugene Field School. 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. 3652-07.

### **Youth-In-Government Delegates**

Thereupon, the following Youth Delegates were administered the Oath of Office by City Clerk Scott Bird for the 2007-2008 Youth-In-Government:

Caci McClelland (11)  
Darrah Jorgensen (9)  
Ben Manis (9)

Hannah Bryan (11)  
Nathan Nowatzke (9)  
Anna Stone (9)

Abby Guenther (10)  
Paul Thomas (9)  
Amy Barnes (9)

### **Reports by Interim City Manager**

Thereupon, the Interim City Manager Wynndee Lee announced a request from Ottawa Recreation Commission requesting permission to use Forest Park for a 5K race called, “Race for the Taste”. The event will be held 8 am – noon, Saturday, October 27, 2007. In addition, the request included closing the park to incoming traffic from 8 am – noon. Thereupon, the Governing Body agreed by consensus to this request.

Ms. Lee stated a Public Forum on the Clean Air Ordinance has been scheduled for October 25, 2007, Franklin County Annex, at 7 pm.

October 3, 2007

Ms. Lee announced staff will be meeting with Joan Wagnon, Department of Revenue, in Topeka on October 9<sup>th</sup> on the sales tax issue.

### **Reports by City Commission**

Thereupon, Commissioner Ramsey congratulated all of the Youth Delegates.

Thereupon, each of the newly appointed delegates had an opportunity to share with the Governing Body why they wanted to be a part of the Youth-In-Government program.

### **Announcements**

Thereupon, the Mayor announced:

1. October 6-9, 2007: LKM Annual Conference, Commission to Attend
2. October 8, 2007: Study Session cancelled
3. October 15, 2007: Study Session at 4 pm
4. October 17, 2007: Next Regular Meeting at 9:30 am
5. October 17, Joint City/County/USD 290 lunch at USD 290 at noon

### **Adjournment**

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 at 7:36 pm.

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Scott D. Bird, City Clerk

October 3, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 15, 2007

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

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

**Public Comments**

Thereupon, Mayor Jorgensen welcomed the new City Manager Richard Nienstedt and thanked Interim City Manager Wynndee Lee for all of her efforts and doing a great job while serving as City Manager.

Thereupon, the Governing Body heard from Gene Hirt, 1112 Augusta Lane who explained he had received a letter from Police Chief Dennis Butler which addressed his concern regarding police monitoring downtown restaurants. Chief Butler assured him that practice was not taking place.

Mr. Hirt noted he had visited with Director of Utilities Jim Bradley about a strong odor in the area of K-68 Highway and Spruce. Mr. Bradley had clarified what the odor was and how the City attempts to take care of it when it happens.

Mr. Hirt indicated he had attended a County Commission meeting during discussion of the K-68 Corridor and noted the County had agreed to commit \$45,000 in funding toward the study and was wondering what the City had committed. Thereupon, the Mayor stated the City had agreed to \$2,500 in funding for the project. Mr. Hirt expressed concern about K-68 Highway west of Ottawa being a greater concern than east of town.

Commissioner Ramsey stated he had spoke with Representative Humrickhouse about Highway K-68 repairs west of Ottawa. Humrickhouse had explained to Commissioner Ramsey that KDOT doesn't have Highway K-68 west of Ottawa in any transportation plan for repair at this time.

Mr. Hirt discussed the building at 119 N Main with regards to exterior damage, water damage inside and the landlord responsibilities to provide a safe building for tenants. Planning and Codes Administration Director Wynndee Lee stated an inspection had been scheduled today. Ms. Lee noted that anytime utilities change names at a business an inspection is done and that is often when problems are discovered.

**Resolution-City Water Rates**

Thereupon, the Governing Body reviewed a resolution to modify the city water rates. As requested by the City Commission, staff provided a resolution for the increase of water rates to start to restore the health of the water fund balance. The proposed rates will have a \$1.50 per

October 15, 2007

month increase per account: Residence, Rural Residence, Small Business, Large Business, School and City. The following will see an 8% increase per month over the current rate structure: Bulk Water, Wholesale Water and Rural Large Business. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for October 17, 2007.

### **Resolution-City of Ottawa Bank Accounts**

Thereupon, the Governing Body reviewed a resolution authorizing the establishment of bank accounts with local Ottawa banks, and authorizing certain agents to act within the scope of their duties to deposit funds, withdraw funds, and transfer funds between accounts. Thereupon, it was explained this resolution will removed Interim City Manager Wynndee Lee and add City Manager Richard Nienstedt. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for October 17, 2007.

### **Agreement-K-68 Corridor Study**

Thereupon, the Governing Body reviewed the partnership agreement for the K-68 Corridor Study. It was explained that after a little over a year of meetings, this agreement, along with a coming project agreement, outlines each of the study entities agree to share in the interest, goals and vision of the corridor and work together in creating guidelines that are necessary to create and maintain a safe and vibrant corridor. Representatives from Franklin County and Louisburg have already executed the agreement. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

### **Franklin County Children's Coalition**

Thereupon, the Governing Body heard from Sara Caylor, Vice-Chair of Franklin County Children's Coalition who requested the use of the Municipal Auditorium for Winter Adventures. The request is to waive the fee for using the Auditorium on Friday, December 28. Thereupon, the Governing Body agreed by consensus to this request.

### **Proclamations**

Thereupon, the Governing Body reviewed proclamations for "Lights on After School Day" and "Month of the Young Adolescent" and agreed to place these items on the next Regular Meeting Agenda.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the September 19 and 24 Study Session and October 1 Regular Meeting and agreed to place these items on the next Regular Meeting Agenda.

### **Monthly Activity and Financial Report**

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

October 15, 2007

### **Domestic Violence Grant**

Thereupon, the Governing Body heard from Chief Dennis Butler who discussed the renewal application for the Domestic Violence Grant was denied. Chief Butler explained they were advised they had received 245 applications requesting \$121,983,802 in funding and only earmarked \$32,850,060 for the Rural programs. In addition, Chief Butler stated the City will continue to operate the DV Unit and Sheriff Davis has committed to continue supporting this as well. However, County Attorney Heather Jones is unable to continue funding the DV Coordinator's position in her office. WTCS has obtained funding from other sources to continue funding the advocate for Franklin County.

### **Report on Sales Tax Issue**

Thereupon, City Manager Richard Nienstedt reported the City and County had visited with Joan Wagon regarding the sales tax calculation error. Half of the owed amount has already been withheld from City funds and the remaining amount would be suspended until the City and County could come to an agreement. Mr. Nienstedt stated the City and County would be meeting soon to resolve the issue if the Governing Body agreed. Thereupon, the Governing Body agreed to allow staff to meet with the County to resolve the issue.

### **City Commission Reports on LKM and EENR Conference**

Thereupon, the Governing Body reported on the recent conference and sessions they attended.

### **Open Agenda**

Thereupon, Assistant to the City Manager Nikki Spencer explained a tentative date of December 3 had been scheduled for the Legislative Dinner. Confirmation on the location site had not been received yet.

Thereupon, Commissioner Ramsey suggested a "retreat" planning session be scheduled with the new City Manager.

Thereupon, Mayor Jorgensen announced a Chamber Coffee has been scheduled for Thursday, October 25, at City Hall @ 8 am to welcome the new City Manager.

Thereupon, the Governing Body and City Manager discussed the format for the "Clean Air" public forum.

### **Announcements**

Thereupon, the Mayor announced:

1. October 17, 2007: Joint City/County/USD 290 lunch at USD 290 at noon.
2. October 25, 2007: Clean Air Public Forum at County Annex at 7 pm

October 15, 2007

**Adjournment**

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

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Scott D. Bird, City Clerk

October 15, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
October 17, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, and Commissioner Humm. Commissioner Fleer was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Joel R. Fredrickson, First Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Regular Meeting: September 19  
Study Sessions: September 24 and October 1

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

Thereupon, Ottawa Library President Mary Redeker, 839 E Wilson, invited citizens to a Retirement Reception for the Library Director Barbara Dew. The reception will be held on October 30, 2007, from 3-6 pm. Ms. Redeker stated Barbara is known as an encouraging mentor to trustees, staff, Friends of the Library, and patrons. Ms. Redeker noted Ms. Dew's service has been commendable, and she has risen to the challenges of library management and service for 32 consecutive years.

Thereupon, Library Director Barbara Dew, 12 Brookside Lane, thanked the Governing Body for their support and appreciated the good working relationship she had with the Governing Body and City Staff over the years. The Governing Body, Staff and Chamber audience recognized Barbara with a standing ovation.

Mr. Gene Hirt, 1112 Augusta Lane, expressed praise to Interim City Manager Wynndee Lee for doing a great job during the time the City was without a full time City Manager.

Mr. Hirt also welcomed new City Manager Richard Nienstedt and stated he thought Mr. Nienstedt would do an outstanding job for the City of Ottawa.

Mr. Hirt stated he still has concern for the downtown area.  
October 17, 2007

### **Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

### **Introduction of New Employee**

Thereupon, Planning and Codes Administration Director Wynndee Lee introduced the newest member of the Planning Team Kevin Cousins. Ms. Lee explained Kevin's position as Plans Examiner. In addition, Ms. Lee introduced Vic Finch who has assisted the City as a consultant and his help had been greatly appreciated.

### **Proclamations**

#### **Lights on After School Day**

Thereupon, Mayor Jorgensen read a proclamation proclaiming October 18 as "Lights on After School Day" in the City of Ottawa. The proclamation was presented to Becky Nevergold, Executive Director of Ottawa Communities in Schools. Ms. Nevergold thanked the Governing Body for the proclamation.

#### **Month of the Young Adolescent**

Thereupon, Mayor Jorgensen read a proclamation declaring the month of October as "Month of the Young Adolescent". The proclamation was received by Ms. Jolene Alexander, President of the Kansas Association for Middle Level Education and OMS Teacher. Ms. Alexander thanked the Governing Body for the proclamation and asked several of the youth in attendance to share the "The Top 10 Ways You Know that You Are in the Presence of Young Adolescents".

### **Resolution-Modified Rates for Water Rates**

Thereupon, the Governing Body reviewed a resolution finding the advisability of and ordering the adoption of modified rates for services rendered by the Water Department of the City of Ottawa, Kansas, and establishing an effective date. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm to adopt the resolution.

During discussion it was explained as requested by the City Commission, staff has provided this resolution for the increase of water rates to start to restore the health of the water fund balance. The following rates will have \$1.50 per month increase per account: Residence, Rural Residence, Small Business, Large Business, School and City. The following rates will see an 8% increase per month over the current rate structure: Bulk Water, Wholesale Water, and Rural Large Business. City Clerk Scott Bird stated the rate change would go into effect November 1, 2007. 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. 1430-07.

October 17, 2007

### **Resolution-Establishment of Bank Accounts**

Thereupon, the Governing Body reviewed a resolution of the Governing Body of the City of Ottawa, Kansas, authorizing the establishment of bank accounts with local Ottawa Banks, and authorizing certain agents to act within the scope of their duties to deposit funds, withdraw funds, and transfer funds between accounts. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution removes Interim City Manager Wynndee Lee and adds new City Manager Richard U. Nienstedt to the list of officers or employees of the City who are authorized, within the scope of their duties, to deal with the financial matters of 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 duly numbered Resolution 1431-07.

### **Agreement-K-68 Corridor Study**

Thereupon, the Governing Body reviewed a partnership agreement for the K-68 Corridor Study. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to approve the agreement.

During discussion it was explained after a little over a year of meetings, this agreement, along with a coming project agreement, outlines that each of the study entities agree to share in the interest, goals and vision of the corridor and work together in creating guidelines necessary to create and maintain a safe and vibrant corridor. Representatives from Franklin County and Louisburg had previously executed the agreement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement approved as presented.

### **Reports by City Manager**

Thereupon, Mayor Jorgensen welcomed City Manager Richard Nienstedt.

Mr. Nienstedt stated it was a pleasure to be here on behalf of the City of Ottawa. He expressed appreciation to Interim City Manager Wynndee Lee and the entire City Staff for a well run City. In addition, Mr. Nienstedt thanked the Governing Body for their support.

The City Manager discussed the following items:

- Retirement of IT Director at the County and the possibility of shared staff with the City and County.
- Concerns expressed by Mr. Hirt during a previous meeting have been addressed by Police Chief Butler and Utility Director Jim Bradley.
- Reminded the Governing Body that the Youth in Government delegates would be having an orientation at City Hall, Friday October 19.
- Asked the Governing Body to let him know if they had any agenda items for the Joint City/County/USD 290 luncheon being held at noon this date.

October 17, 2007

Thereupon, Interim City Manager Wynndee Lee thanked the Governing Body for the opportunity to learn and grow during this time without a City Manager. Ms. Lee expressed appreciation to all Department Heads, Planning and Codes Staff, and the Assistant to the City Manager who all stepped up to the plate and took on extra duties and made sure projects and issues were addressed as normal.

### **Reports by City Commission**

Thereupon, Commissioner Henningsen asked if the Sales Tax issue should be discussed at the joint meeting. It was explained staff will meet with County officials on Monday, October 22.

Thereupon, Commissioner Ramsey thanked Wynndee Lee for taking on the Interim City Manager duties. Commissioner Ramsey also welcomed the new City Manager Richard Nienstedt.

### **Reports by the Mayor**

Thereupon, there was discussion on the Clean Air Public Forum agenda format to be held October 25.

Thereupon, Mayor Jorgensen thanked Interim City Manager Wynndee Lee for her great leadership during the Interim. The Mayor stated he was happy to have the new City Manager on board, excited for the future and moving to new heights.

### **Announcements**

Thereupon, the Mayor announced:

1. October 17, 2007: Joint City/County/USD 290 lunch at USD 290 at noon
2. October 25, 2007: Chamber Coffee in Honor of Mr. Nienstedt at 8 am in the Commission Chambers
3. October 25, 2007: Clean Air Public Forum at County Annex at 7 pm
4. November 7, 2007: Next Regular Meeting

### **Executive Session**

Thereupon, the Mayor requested a motion to move into Executive Session for approximately 5 minutes to discuss Attorney Client Privilege.

### **Recess**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to recess into Executive Session for 5 minutes and to reconvene in the same Commission Chambers at 10:15 am. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

October 17, 2007

**Reconvened**

Thereupon, 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 at 10:15 am.

**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 5:16 am.

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Scott D. Bird, City Clerk

October 17, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 22, 2007

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

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

**Public Comments**

Thereupon, the Governing Body heard from Gene Hirt, 1112 Augusta Lane who expressed gratitude that the County agreed to the City's proposal on paying the second half of the sales tax owed. Mr. Hirt stated he hopes the County will remember they planned on using the funds towards County employee salaries.

Mr. Hirt spoke to the issue of businesses with unpaid sales tax in Franklin County.

**Transportation Master Plan (TMP)**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who provided an update on the Transportation Master Plan. Mr. Haney explained staff solicited Statements of Qualifications from all Kansas firms on the pre-approved list provided by KDOT. Mr. Haney stated the City had received a federal "earmark" grant of \$200,000 with only \$169,000 in funding now being available. After an evaluation of consultant submission, TranSystems Corporation was selected by staff. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to accept TranSystems Corporation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the TransSystems Corporation proposal duly approved.

**Skunk Run Repair**

Thereupon, the Governing Body reviewed bid information regarding the repairs for Skunk Run. Each of the bids received for this project exceeded the engineer's estimate. The low bid was from Killough Construction at \$65,975. David Hamby, BG consultants, has reviewed the Killough proposal and recommends proceeding with the project. Last year it was decided this repair would be funded out of Street Rehabilitation funds. City Clerk Scott Bird reported this fund is capable of absorbing the expense. Staff requested authority to execute the agreement with Killough Construction. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to allow staff to execute the agreement and not to exceed \$65,975. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the bid from Killough duly approved.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the October 3 Regular Meeting and agreed to place this item on the next Regular Meeting with one correction.  
October 22, 2007

### **Clean Air Public Forum**

A Public Forum is scheduled for Thursday, October 25 at 7 pm in the County Annex Commission Chambers. The Commission will hear comments on the proposed clean air ordinance. It was agreed each individual or group would have 3 minutes to speak.

The City Manager stated this would be a “fact finding” meeting and discussed the following with the Governing Body:

- Staff present 1 minute overview
- Youth Delegates 3 minutes
- Meeting will be taped
- Two hour time limit
- Have an agenda
- Sign up sheet for those that would like to speak

### **Veteran’s Day Committee Request**

Thereupon, the Governing Body reviewed a request from the Ottawa Veteran’s Day Committee. The group requested permission to perform a WWII re-enactment at Forest Park on Saturday, November 10. The reenactment would include weapon firing demonstrations where blanks and pyrotechnics will be used. In addition, they requested permission to have camp fires in the park to show the lifestyle of the period. Thereupon, Fire Chief Carner stated the park and areas would be restored to its original condition after the event. Thereupon, the Governing Body agreed by consensus to this request.

### **Open Agenda**

Thereupon, the City Manager reported the Kansas Department of Transportation is in the process of holding Regional Draft Review Meetings for the Long Range Transportation Plan. It was explained the City Manager, Public Works Director and Planning Director are planning on attending the Wednesday, October 31 meeting in Olathe from 9 am – Noon.

Thereupon, the Mayor announced an Executive Session is requested before today’s meeting is adjourned.

Mayor Jorgensen reported he had spoken to 7<sup>th</sup> Grade Students regarding the “If I Were Mayor” essay contest. There was discussion on last year’s contest and possible changes to this year’s local contest.

Thereupon, Commission Fleer stated Ms. Heathman had asked her to thank the Governing Body and City Attorney, on her behalf, for their assistance on her recent property issue.

October 22, 2007

Thereupon, Commissioner Ramsey inquired about the work on the building in the 100 Block of Main and if there was any safety issues in the sidewalk area. Thereupon, City Attorney Bob Bezek addressed Commissioner Ramsey's concerns.

Thereupon, Mayor Jorgensen reported the City had met with Franklin County on the Sales Tax issue and the County had agreed to allow the City to pay the remaining amount over a period of 12 months. Payments would begin in January 2008 and be approximately \$2,500 monthly. Mayor Jorgensen stated the City Attorney would draft a letter to notify the State that an agreement had been reached between the City and County.

### **Executive Session**

#### **Recess**

Thereupon, Mayor Jorgensen requested a motion to go into an Executive Session to discuss Attorney-Client Privilege for a period of 10 minutes.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss matters of Attorney-Client Privilege for a period of 10 minutes and to reconvene in open session in the same Study Session Room at 4:45 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey 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 4:45 pm.

#### **Recess**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to again move into an Executive Session for a period of 5 minutes for matters of Attorney-Client Privilege. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 4:50 pm.

#### **Adjournment**

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

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Scott D. Bird, City Clerk  
October 22, 2007

**City Commission**  
**Public Forum-“Clean Air Ordinance”**  
**Franklin County Annex-Commission Chambers**  
Ottawa, Kansas  
October 25, 2007

The City Governing Body met at 7 pm this date for the Public Forum-“Clean Air Ordinance” discussion held at the Franklin County Annex, 1428 S Main, in the County Commission Chambers. The following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, Commissioner Humm and Commissioner Fler. A quorum was present.

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

Thereupon, the Mayor announced the following Public Forum Protocol:

- There will be a 3 minute time limit for each speaker
- A sign up sheet for those wanting to speak is available
- If speaking please state your name and address for the record
- Derogatory comments will not be tolerated
- If additional information is needed it will be requested
- First: Staff comments
- Second: Youth In Government comments
- Third: Public Comments
- Closing Comments from Mayor or City Commission
- Adjournment

**Staff Comments**

Thereupon, City Manager Richard Nienstedt provided a short history on how this issue came before the Governing Body. Mr. Nienstedt explained there had been 140 email responses on this issue with 20 of the emails being opposed and 120 supporting some type of ordinance. The Governing Body and City Staff will include the Public Forum information as well.

**Youth in Government Comments**

Thereupon, the Governing Body heard from Anna Stone, Youth Delegate who gave a brief review of the “Clean Air Ordinance” Youth Service Project.

**Register Speakers**

Richard Jackson, 1129 N Mulberry: Spoke **in favor** of a total smoking ban in public places. Mr. Jackson commented that the right to smoke ends his right to clean air.

October 25, 2007

Gene Hirt, 1112 Augusta Lane: Mr. Hirt asked the Governing Body to **use caution** when determining a distance from an entrance.

Leroy Hildebrant, 2645 Indiana Terrace: Mr. Hildebrant spoke **in opposition** of the ban. Mr. Hildebrant stated it should be up to the property owners to decide.

David Hood, 1119 N Hickory: Mr. Hood spoke **in favor** of an ordinance. Mr. Hood stated he hated walking through smoke.

Jim Bass Sr., 613 S Poplar: Mr. Bass spoke **in opposition** of the ordinance. Mr. Bass stated citizens don't have to go to restaurants that allow smoking.

Donna Adell, 601 Burrough: Ms. Adell spoke **in favor** of clean air. Ms. Adell thanked the Youth in Government for their efforts. She expressed concern for her husband who has asthma and how frightening the attacks were. Ms. Adell stated second hand smoke can be just as dangerous as active smoking.

Helen Hood, 1119 N Hickory: Ms. Hood spoke **in favor** of an ordinance. She thanked the Youth in Government and Youth Action Council for the time they had taken on this project.

Sue Thompson, Princeton, KS: Ms. Thompson spoke **in opposition** of the ordinance. She stated she had smoked for 45 years and had a heart attack in July. In addition, she expressed the need to be able to vote on something this important and a business owner should have the right to decide what they want to do.

John Wise, 811 W 5<sup>th</sup>: Mr. Wise spoke **in opposition** of the ordinance. He stated it should be up to the places of employment.

Larry Speer, 831 E 8<sup>th</sup>: Mr. Speer spoke **in opposition** of the ordinance. He stated people who own businesses should have the right to choose. He thought indoor regulations might be okay but was opposed to any regulations on outdoor smoking.

Sierra Wright, 1504 S Eisenhower: Ms. Wright spoke **in favor** of the ordinance. She explained she was a former member of Youth in Government and clarified for the record that she was 18 not a minor. In addition, she stated what is more powerful is that this program is all volunteer and she thanked the Youth in Government for their efforts.

Brad Wheat, 719 W 7<sup>th</sup>: Mr. Wheat spoke **in opposition** of the ordinance. Mr. Wheat expressed business owners have the right to decide.

October 25, 2007

Kathy Niehoff, 605 E 16<sup>th</sup>: Ms. Niehoff spoke **in favor** of an ordinance. She commended the youth. Ms. Niehoff stated her parents had smoked and smoking affects her greatly. There needs to be a distance away from buildings.

Tom Weigand, Executive Director Chamber of Commerce: Mr. Weigand reported 2 years ago 75% of the community was **in favor** of restrictions. A poll taken showed most feel smoking does cause health issues. Mr. Weigand thinks Ottawa currently loses restaurant business to Lawrence and Olathe.

Roberta Compton, 1511 Thomas Road: Ms. Compton spoke **in opposition** of the ordinance. She explained she didn't feel it was necessary as businesses are already moving that direction. Ms. Compton stated out of 29 restaurants she calculated 22 are non-smoking and 5 have smoking sections. Clubs are private and should choose themselves and she couldn't speak to bars.

Claudia Williamson, Centropolis: Ms. Williamson spoke **in opposition** of the ordinance. She expressed we all have a right to freedom and business people should choose what they want in their own business.

Paul Thomas, 3159 Labette Terrace: Mr. Thomas spoke **in favor** of the ordinance. He stated he believed we do lose to Lawrence. Mr. Thomas also has asthma.

Teresa Brockert, Ottawa: Ms. Brockert spoke **in opposition** of the ordinance. She stated there are a lot of tax dollars spent for education. Ms. Brockert explained she used to have a smoke area, doesn't smoke around others and now has to leave the school grounds. In addition, she stated she has a right to smoke courteously.

Kelli Bogart, 746 Pine: Ms. Bogart spoke **in opposition** of the ordinance. She explained she was a smoker and stated business owners should decide at their discretion.

Sue Thompson, Princeton: Spoke **second time**. Suggested restrictions for young adults to smoke be age 21. In restaurants smokers wait on smokers and smokers tip well.

Nathan Nowatzke, 1247 S Elm: Mr. Nowatzke spoke **in favor** of the ordinance. He stated smoking sections don't make a difference, smoke goes where it wants.

Darrah Jorgensen, 432 E 11<sup>th</sup>: Ms. Jorgensen spoke **in favor** of the ordinance. She explained the Youth in Government delegates were not trying to make people quit smoking. Ms. Jorgensen stated perfume does not cause cancer or endanger health. Smoking is a health issue.

Helen Hood, 1119 N Hickory: Spoke **second time**. Ms. Hood stated she has the right to make her own choices but she doesn't have a choice when people smoke around her.

October 25, 2007

Jim Bass Sr., 613 S Poplar: Spoke a **second time**. Mr. Bass explained that in California exhaust fans are used. Nicotine is being used to treat some diseases.

Sierra Wright, 1504 S Eisenhower: Spoke a **second time**. Ms. Wright stated children are being exposed and an ordinance would have the potential to save lives.

Cassie Balou, 601 Burroughs: Spoke **in favor** of the ordinance. She stated it could make a big difference in lower insurance rates. Ms. Balou explained Ottawa does loose her business as she goes to Lawrence.

### **Public Comments Closed**

Thereupon, Mayor Jorgensen closed the public comments at 8:20 pm and requested City Commission comments.

### **City Commission Comments**

Commissioner Fleer stated the Governing Body needed to respect non-smokers. Commissioner Fleer asked with only 5 area restaurants allowing smoking, does the commission really want to take that away from the smokers?

Commissioner Humm thanked all who came out to voice their opinion which would allow the Governing Body to make a decision. Commissioner Humm thanked the Youth in Government and as a former Youth Delegate noted she was proud of how hard they had worked on this project.

Commissioner Henningsen thanked everyone for voicing their opinion. She stated it would be a tough decision and she admired the Youth for their effort.

Commissioner Ramsey stated no ordinance has been written and no conditions have been set at this time.

Commissioner Fleer stated the Governing Body appreciates the input of those present and the Governing Body hates to infringe on someone's rights.

Thereupon, Mayor Jorgensen stated the Governing Body will discuss this issue further.

### **Adjournment**

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 at 8:25 pm.

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Scott D. Bird, City Clerk  
October 25, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 29, 2007

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

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

**Public Comments**

**Presentation by Mayor Jorgensen**

Thereupon, Mayor Jorgensen expressed appreciation to the Interim City Manager Wynndee Lee. The Mayor stated Ms. Lee kept the City moving forward in spite of interruptions such as the flooding, the building collapse in the 100 Block of North Main and other issues throughout the City. The Mayor presented Ms. Lee with a plaque of appreciation from the Governing Body for her hard work and dedication.

Ms. Lee thanked the Governing Body for their support during her tenure as Interim City Manager. In addition, Ms. Lee thanked the Department Directors, Administrative Staff, and the Planning and Codes Department who stepped up to the plate and made sure issues continued to be addressed in a timely manner.

Ms. Lee thanked her family for all the sacrifices they made which allowed her to work late nights and weekends.

**Library Director**

Thereupon, Barbara Dew, outgoing Library Director introduced new Library Director Jeff Coyle. Jeff is a native of Atchison, Kansas. Mr. Coyle had been living in Texas but stated he is happy to be back in Kansas.

**Gene Hirt, 1112 Augusta Lane**

Mr. Hirt stated the information provided on the proposed rezone of 2033 S Princeton is incorrect with regards to comments made at the Public Hearing.

Mr. Hirt requested a change to the October 15, 2007 minutes.

**Ordinance-Rezone 2033 S Princeton**

Thereupon, Commissioner Ramsey announced he would abstain from discussion on this item.

Thereupon, the Governing Body reviewed an ordinance to rezone 2033 S Princeton St. from R-1 (Low Density Residential Zoning District) to C-3 (General Commercial Zoning District). The owner

October 29, 2007

of the property is planning on building a new bank on the property and the adjoining properties they own. The Planning Commission held a public hearing at which time one comment was recorded. The Planning Commission recommended approval by a vote of 6-0. The Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for November 7, 2007.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from October 15 Study Session and the Regular Meeting from October 17 and agreed by consensus to place these items on the Regular Meeting Agenda with one change.

### **Clean Air Ordinance Discussion**

Thereupon, the City Manager Richard Nienstedt explained that after the Public Forum staff requests direction on this issue.

After continued discussion on this issue the Governing Body agreed to have City Attorney Bob Bezek draft information on different options. City Manager Richard Nienstedt will provide the Governing Body results of the survey being conducted by the Convention and Tourism Director.

### **Wellsville Ambulance Report**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who discussed concerns regarding the Wellsville Ambulance and areas of cooperation. The Governing Body also expressed concern and agreed by consensus to allow the Mayor and City Manager to meet with the County to address concerns.

### **E-Community Project**

Thereupon, the City Manager stated that after an article in the Ottawa Herald, staff began to pursue a program called the E-Community Project aimed at fostering economic growth in small communities by creating an environment more conducive to small-business entrepreneurship.

City Manager Intern Josh Shaw is working with Chamber Director Tom Weigand on the application process. Thereupon, the Governing Body heard from Josh Shaw and Tom Weigand who provided an overview of the application process. Thereupon, the Governing Body agreed by consensus to support the project and to allow the application process to move forward.

### **Report on “No Parking” Restriction**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt and Public Works Director Andy Haney on a parking issue in the old Lincoln School area.

October 29, 2007

During discussion it was explained staff had received a comment through the city website regarding the “no parking” restriction on the east side of the 700 Block of north Cedar. A resident requested to move the “no parking” restriction to the west side of the road since the Lincoln School is no longer in operation at this location. Staff is continuing to research the area and will bring back more information at a later date.

**Open Agenda**

Thereupon, the Governing Body heard from City representative to the Ottawa Recreation Commission Brian Sharp who gave a brief report on the Ottawa Recreation Commission.

Thereupon, the City Manager stated everything went well on Saturday during the funeral at OU Chapel for a local fallen soldier. Mr. Nienstedt expressed appreciation to Police Chief Butler, Fire Chief Carner and staff for doing a great job. In addition, Mr. Nienstedt noted how organized the approximately 250 motorcycle members of the Patriot Guard were.

Thereupon, Mayor Jorgensen discussed November meeting dates with the Governing Body.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Humm 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.

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Scott D. Bird, City Clerk

October 29, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
November 5, 2007

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

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

**Public Comments**

Gene Hirt, 1112 Augusta Lane: Mr. Hirt discussed the K-68 Corridor Master Plan with regards to what different partners are funding. Mayor Jorgensen explained the City of Ottawa wanted to be included in the discussion and planning of this area and that is why the Governing Body agreed to pay \$2,500 towards the Master Plan.

Mr. Hirt discussed a concern he had with the Study Session Minutes from October 29 regarding the 2033 S Princeton proposed rezone.

**Proclamation**

**Veteran's Awareness Week**

Thereupon, Mayor Jorgensen requested a consensus to approve the "Veteran's Awareness Week" proclamation at today's meeting. The Mayor explained he needed to present the proclamation at a Veteran's event tonight. Thereupon, the Governing Body reviewed the proclamation and agreed by consensus to approve the proclamation.

**Children's Book Week**

Thereupon, the Governing Body reviewed a proclamation recognizing the week of November 11-17 as "Children's Book Week". The Governing Body agreed to place this proclamation on the November 7, 2007 Regular Meeting Agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from October 22 and 29 Study Session and October 25 Public Forum and agreed to place these items on the Regular Meeting Agenda for November 7, 2007.

**Franklin County Cancer Foundation**

Thereupon, the Governing Body discussed a request from Franklin County Cancer Foundation to waive the rental fees for usage of the Auditorium for a variety show fundraiser. The date requested for the event, January 20, is available. It was noted this request has been granted the last two years. Thereupon, the Governing Body agreed by consensus to this request.

November 5, 2007

### **If I Were Mayor Contest**

Thereupon, Mayor Jorgensen discussed with the Governing Body how to score the 42 applicants who have submitted entries for the "If I Were Mayor Contest". The Governing Body agreed to score the applicants and return the information to the City Manager's office. Thereupon, the Governing Body agreed by consensus on the following:

- Prizes will be awarded to 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Place
- \$150, \$100, \$50 savings bonds will be award to the top three winners respectively
- First place winner will be Mayor for a Day
- Winners will be recognized at the December 5<sup>th</sup> Regular Meeting

### **Utility Needs-North of Ottawa**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt, Utility Director Jim Bradley, Finance/City Clerk Director Scott Bird, and Planning and Codes Administration Director Wynndee Lee who gave an update on the utility needs in the north part of Ottawa, how to finance what's needed and the importance of moving forward to provide utility needs in this area.

Items of discussion:

- Need to proceed with design of improvements
- New Water Tower
- Booster Pump Station
- 16' water line from the Water Treatment Plant to the current north water tower
- To serve growth areas need to commence the process of design and construction immediately
- Design & construction estimated cost \$5,002,344 (including engineering)
- General Obligation temporary note issuance
- Permanent financing considerations-Utility Revenue Bonds or KDHE Loan Funds

Thereupon, the Governing Body agreed by consensus to authorize staff to proceed with the engineering design for improvements needed.

### **Report on County Meeting**

Thereupon, Mayor Jorgensen discussed the recent meeting with the County Commission Chair and Interim County Administrator. The Mayor asked the Governing Body about the possibility of inviting Nick Robbins, Franklin County EMS Director to a Study Session. The Mayor and City Manager thought Nick did a good job of explaining the changes in regards to the Wellsville Ambulance Station. Thereupon, the Governing Body agreed to have Nick attend a Study Session.

Thereupon, the City Manager requested direction in implementing a joint meeting with the County and all Cites within the County to establish dialog on projects or joint issues to assure planning

November 5, 2007

included all parties involved. Thereupon, the Governing Body agreed to have the City Manager pursue this issue with the Interim County Administrator to try and establish joint quarterly meetings.

### **Open Agenda**

Thereupon, the Governing Body and Staff discussed the following:

- National League of Cities recognized the city with a certificate for being a city who adopted the “City Platform for Strengthening Families and Improving Outcomes for Children and Youth.”
- Inclusive Community sign
- ECKAN Fellowship Dinner- November 20
- Clean Air Survey results
- Kansas League Regional Supper- November 28

### **Announcements**

Thereupon, the Mayor announced:

1. November 7, 2007: Regular Meeting at 7 pm
2. November 12, 2007: Study Session at 4 pm
3. November 13-18, 2007: Commission attending NLC Congress of Cities Conference, New Orleans.

### **Adjournment**

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

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Scott D. Bird, City Clerk

November 5, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
November 7, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler and Commissioner Humm. A quorum was present.

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

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Study Sessions: October 15, 22, 29  
Regular Meeting: October 17  
Special Call-Clean Air Public Forum: October 25

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 Gene Hirt, 1113 Augusta Lane, who encouraged everyone to take time to attend the Veteran's Day celebrations. Mr. Hirt noted the name of Spc. Michael D. Brown of Williamsburg will be added to the "Memorial Wall" on the Franklin County Courthouse lawn.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

Thereupon, the Governing Body heard from Library Chairperson Mary Redeker, 839 E Wilson, who introduced the new Library Director Jeff Coyle. Mr. Coyle thanked the Governing Body and stated he looked forward in serving the Community.

November 7, 2007

### **Proclamation**

#### **Children's Book Week**

Thereupon, Mayor Jorgensen read a proclamation declaring the week of November 11-17, 2007 as: "Children's Book Week". The proclamation was received by Leanna Heth and Shannon Leonard, Ottawa Youth Service Librarians. Thereupon, Ms. Leonard invited the Governing Body and others to read to preschoolers in recognition of "Children's Book Week".

#### **Veteran's Awareness Week**

Thereupon, Mayor Jorgensen read a proclamation declaring the week of November 5-11, 2007, as "Veteran's Awareness Week". Mayor Jorgensen had presented the proclamation at the Veteran's ceremony earlier in the week. The Mayor invited everyone to attend Veteran's activities throughout the week and stated there will be a parade downtown on Saturday.

#### **Ordinance-Rezone 2033 S Princeton**

Thereupon, the Governing Body reviewed an ordinance rezoning an area within the City of Ottawa, Kansas, commonly known as 2033 S Princeton Street, and repealing the corresponding section of that zoning map which is a part of Ordinance No. 3501-05. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the owner of this property requested a rezone from R-1 (Low Density Residential Zoning District) to C-3 (General Commercial Zoning District) for the purpose of building a new bank on the property and adjoining properties. A public hearing was held, at which time a comment was recorded in support of the rezone as well as a concern from an abutting property owner regarding the potential increase in taxes resulting from the bank. The Planning Commission recommends approval of the rezone by a vote of 6-0. The motion was considered and upon being put, the ordinance passed by the following vote: Commissioner Ramsey abstained, Commissioner Fleer aye, Commissioner Humm aye, Commissioner Henningsen aye, and Mayor Jorgensen aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3653-07.

#### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Amy Barnes who reported the Youth had participated in "Make a Difference Day". She noted that Abby Guenther and she would be attending the National League of Cities conference in New Orleans.

#### **Reports by City Manager**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who noted the following:

- He would be attending the City Manager Conference Thursday and Friday
- The Franklin County Ambulance Director will attend the November 26 Study Session

November 7, 2007

### **Reports by City Commission**

Thereupon, Commissioner Ramsey inquired if the Clean Air Ordinance would be discussed at the Monday Study Session. It was noted the City Attorney would be creating a draft ordinance for the Governing Body to review.

Thereupon, Commissioner Humm stated the Ottawa Veteran's Day events were highlighted on Channel 13.

### **Reports by Mayor**

Thereupon, Mayor Jorgensen reported over 100 entries had been received for the "If I Were Mayor" contest.

### **Announcements**

Thereupon, the Mayor announced:

1. November 12, 2007: Study Session at 4 pm
2. November 13-18, 2007: City Commission to NLC in New Orleans
3. November 19, 2007: Study Session at 4 pm
4. November 21, 2007: NO JOINT LUNCH-Cancelled due to Thanksgiving Holiday
5. November 21, 2007: Next Regular Meeting at 9:30 am

### **Adjournment**

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 at 7:21 pm.

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Scott D. Bird, City Clerk

November 7, 2007

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
November 12, 2007

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

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

**Public Comments**

None offered at this time.

**Ordinance-No Parking Restriction**

Thereupon, the Governing Body reviewed an ordinance moving the "No Parking" restriction in the 700 Block of north Cedar (adjacent to old Lincoln School site) to the west side of the street. In addition, the ordinance eliminates a specified, but not posted, parking restriction on the east side of the 600 Block of north Cedar. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for November 21, 2007.

**Ordinance-"Draft" Clean Air**

Thereupon, the Governing Body discussed with the City Manager Richard Nienstedt and City Attorney Bob Bezek a draft ordinance, as requested by the City Commission. After considerable discussion on this issue the Governing Body requested the City Attorney provide a new draft with the suggested changes.

**Monthly Financial and Activity Report-October**

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

**ORC-Master Plan Meeting**

Thereupon, the Governing Body discussed having a Special Call meeting in order to allow Commissioners the opportunity to attend the Ottawa Recreation Commission Master Plan meeting to be held November 15 at 6 pm.

**Open Agenda**

Thereupon, Mayor Jorgensen announced a representative from the Franklin County Ambulance Service will attend the November 26 Study Session to discuss the Wellsville Ambulance project.

Thereupon, the Mayor requested a member of the Community Center Task Force be invited to the November 19 Study Session to provide an update on the Community Center.

Thereupon, City Manager Richard Nienstedt stated a revised draft from the City Attorney on the "Clean Air Ordinance" would be brought if possible for the November 19 Study Session.  
November 12, 2007

Thereupon, Mayor Jorgensen reminded the Governing Body to return their tally sheets to the City Manager's Office by November 19 for the "If I Were Mayor" contest.

Thereupon, Commissioner Fleer discussed a sign in the area of the Highway 59 and K-68 intersection that continues to be hit by semi tractor trailers making a turn. Commissioner Fleer inquired about relocating the sign. City Manager Richard Nienstedt stated he would check on the sign.

### **Adjournment**

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

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Scott D. Bird, City Clerk

November 12, 2007

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
November 19, 2007

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

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

**Public Comments**

Gene Hirt, 1112 Augusta Lane, expressed appreciation on behalf of Sacred Heart Father Michael Tod Zeigler. The appreciation was to the Police Department for the way they handled the recent vandalism at the church.

Gene Hirt expressed concern about a recent article in the paper regarding the location of an ambulance in Wellsville and how that might affect current ambulance coverage. Thereupon, City Manager Richard Nienstedt discussed the agreement Mr. Hirt inquired about.

**Community Center Task Force**

Thereupon, the Governing Body heard from task force members Jerry Thompson, and Bill Allegre who provided an update on the Community Center. The task force members asked the Governing Body to allow a small reception to be held by the task force before the Legislative Dinner on December 3 at the Franklin County Annex. In addition, the task force requested the Governing Body write a Resolution in support of the Community Center. Mr. Allegre explained the County Commissioners had voted 5-0 in support of the request. Thereupon, the Governing Body agreed to the requests and agreed to place a resolution of support on the November 21, 2007 Regular Meeting Agenda.

**Ordinances-Engineering for Water System Improvements**

Thereupon, the Governing Body reviewed with City Clerk Scott Bird a request for authorization for Engineering for Water System Improvements for North Ottawa. It was explained the Commission had granted approval in an October study session to proceed with engineering, but to enable the expenses to be included in any possible bond financing, a formal authorization is necessary. The Governing Body reviewed two ordinances to provide for General Obligation Bond Financing, though final permanent financing methods have not been determined. In order to be able to issue temporary debt, if necessary, these ordinances must be adopted. Thereupon, the Governing Body agreed to place the ordinances on the next Regular Meeting Agenda for November 21, 2007.

**Resolution-Improvements Adjacent to Retail Development West**

Thereupon, the Governing Body reviewed a resolution to accept the public improvements adjacent to Retail Development West (American Eagle) and agreed to place this item on the next Regular Meeting Agenda.

November 19, 2007

### **Online Budget and Zoning Regulations**

Thereupon, the Governing Body heard from City Manager Intern Josh Shaw who provided a demonstration on how to access and use the online budget and zoning regulation documents. Mr. Shaw explained quick and advanced search features. In addition, he provided a handout with instruction on how to use the online documents. Thereupon, Mayor Jorgensen thanked Mr. Shaw for doing a great job.

### **Ordinance-Draft "Clean Air"**

Thereupon, the Governing Body heard from City Attorney Bob Bezek who reviewed a revised draft ordinance, as requested by the City Commission. After considerable discussion the Governing Body agreed to have the City Attorney create another draft addressing requested changes. In addition, a Public Hearing and grace period to implement were discussed. Thereupon, the City Attorney will provide a new draft for the November 26 Study Session agenda.

### **Service Awards**

Thereupon, the Governing Body reviewed a list of City Employees who would be presented a service award and be recognized at the Regular Meeting on November 21. Thereupon, the Governing Body agreed to place this item on the agenda and the Department Head or Superintendent of each department would recognize each employee.

### **Recognition of Achievement**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt and City Clerk Scott Bird who requested recognition of Lisa Borjas and Nikki Spencer as graduates of the 2007 Kansas /International Institute of Municipal Clerks Certification Institute. Thereupon, the Governing Body agreed to place this item on the Regular Agenda for November 21.

### **Open Agenda**

Thereupon, City Manager Richard Nienstedt asked the Governing Body if they would be available after the Thanksgiving holiday to hold the Study Session on November 26. Thereupon, the Governing Body agreed by consensus they would be available.

Thereupon, Commissioner Fler asked about reporting on the recent National League of Cities Conference recently attended in New Orleans. Thereupon, the Governing Body agreed to hear reports at the November 26, 2007 Study Session.

Thereupon, Commissioner Ramsey asked if a report could be given by Police Chief Butler on the recent arrest. Thereupon, Chief Butler reported on the arrest and stated other arrest may be pending. Thereupon, City Manager Richard Nienstedt explained that Chief Butler had worked on the case personally and this issue was a priority for the department. Thereupon, Commissioner

November 19, 2007

Henningsen stated Father Michael Tod Zeigler of Sacred Heart had expressed how professional the Police Department had been while working on the vandalism that took place at Sacred Heart Church.

**Adjournment**

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

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Scott D. Bird, City Clerk

November 19, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
November 21, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Fleer and Commissioner Humm. Commissioner Henningsen was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Chaplain Matthew Benorden, Hospice Care of Kansas.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Regular Meeting: October 3

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 Gene Hirt, 1113 Augusta Lane, who explained additional panels will be added to each end of the Veteran's Memorial Wall to accommodate additional names of fallen soldiers.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Employee Introductions**

Thereupon, Police Chief Butler introduced Police Officer Ryan Murphy who recently started with the City.

Thereupon, Planning and Codes Administration Director Wynndee Lee introduced Brenda Denton, Permit Technician who recently joined the Planning and Codes Department.

**Employee Recognition**

Thereupon, City Clerk Scott Bird recognized Lisa Borjas and Nikki Spencer who both recently completed the Municipal Clerk's Institute which is a three year certification program.

November 21, 2007

**Ordinance-Regulation of Vehicular and Pedestrian Traffic**

Thereupon, the Governing Body reviewed an ordinance providing for the regulation of vehicular and pedestrian traffic, including designation of parking restrictions within the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this ordinance moves the “No Parking” restriction from the 700 Block of north Cedar (adjacent to old Lincoln School site) to the west side of the street. This ordinance was drafted in response to the request of a resident in the area. The ordinance further eliminates a specified, but not posted, parking restriction on the east side of the 600 Block of north Cedar. 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. 3654-07.

**Resolution-Ottawa Community Center**

Thereupon, the Governing Body reviewed a resolution of support for the proposed Ottawa Community Center. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution merely states that the Governing Body supports the vision of the Community Center project as well as encourages local groups to work together to take the project from vision to completion. 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. 1432-07.

**Ordinance-General Obligation Bonds \$180,000**

Thereupon, the Governing Body reviewed an ordinance to authorize the issuance of General Obligation Bonds in an amount not to exceed \$180,000 to pay the cost of certain improvements to the City’s Water System all pursuant to Charter Ordinance No. 12 of the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained the ordinance authorizes a GO Bond issuance for the design, engineering and issuance costs for the East Side Water Tower. Adoption of this Ordinance will allow work to proceed and will further authorize the short term financing of the 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. 3655-07.

**Ordinance-General Obligation Bonds \$120,000**

Thereupon, the Governing Body reviewed an ordinance authorizing the issuance of General Obligation Bonds in an amount not to exceed \$120,000 to pay the cost of certain improvements to the City’s Water System all pursuant to Charter Ordinance No. 12 of the City of Ottawa, Kansas.  
November 21, 2007

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this ordinance authorizes a GO Bond issuance for the design, engineering and issuance costs for the reconstruction of an existing 16" water transmission main, which serves the existing north side water tower. Adoption of this ordinance will allow work to proceed and will further authorize the short term financing of the 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. 3656-07.

### **Resolution-Retail Distribution West**

Thereupon, the Governing Body reviewed a resolution accepting public improvements within the Retail Distribution West Final Plat, Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Humm, to adopt the resolution.

During discussion it was explained this resolution accepts public improvements for Retail Distribution West (American Eagle). 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. 1433-07.

### **Employee Service Awards for 2007**

Each year the City of Ottawa recognizes employees who have achieved certain milestone tenures in public service, such as 10, 15, 20 years, etc. This year we are pleased to recognize the following employees for their years of dedication and effort to making the community of Ottawa such a great place to live:

#### **35 Years**

Bill Ferguson

#### **30 Years**

Randy Hughes and Connie Sams

#### **25 Years**

Ron Puterbaugh, Melissa Fairbanks and Larry Matile

#### **20 Years**

Reggie Silvey, Eric Soper, Randy Allan, Dana Stephenson, Dave Piotrowsky

#### **15 Years**

Wynndee Lee and Ken Hennessey

#### **10 Years**

Brent Macklin, Mark Seymour, Jared Shinkle and Shonda Stitt

November 21, 2007

Thereupon, City Manager Richard Nienstedt expressed his appreciation to the employees for their dedication to the City. Mr. Nienstedt thanked the employee's families as well for the sacrifices they have made throughout their years of service.

Thereupon, Mayor Jorgensen expressed appreciation for the staff's dedication to the City of Ottawa. The 17 employees recognized today represent 340 years of total combines service.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Hannah Bryan who discussed the following:

- Youth Delegates recently held an officer election
- Two Youth Delegates attended the NLC Conference
- In December Youth will present a slide show from the recent NLC Conference
- Thanked the Governing Body for their consideration of adopting the Clean Air Ordinance

### **Reports by City Manager**

Thereupon, City Manager Richard Nienstedt thanked the Governing Body for allowing him to attend the National League of Cities Conference. He stated from the sessions he attended he believes the City of Ottawa is ahead of the game.

Thereupon, Mr. Nienstedt wished everyone a Happy Thanksgiving.

### **Announcements**

Thereupon, the Mayor announced:

1. November 21, 2007: No Joint City/County/USD 290 lunch
2. November 22-23, 2007: City Hall Offices Closed for Thanksgiving Holiday
3. November 26, 2007: Study Session at 4 pm
4. December 3, 2007: Study Session at 4 pm, Legislative Dinner at 5:30 pm at the County Annex
5. December 5, 2007: Next Regular Meeting at 7 pm

### **Adjournment**

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

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Scott D. Bird, City Clerk

November 21, 2007

## **STUDY SESSION MINUTES**

### **OTTAWA, KANSAS**

Minutes of

November 26, 2007

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

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

#### **Public Comments**

Thereupon, the Governing Body heard from Franklin County EMS Director, Nick Robbins who discussed ambulance services in Franklin County and the Wellsville Ambulance project. Mr. Robbins explained there would be no loss of service within the City of Ottawa. With approval to hire three new employees coverage in services for Franklin County would increase rather than decrease even with the move of one unit to Wellsville.

Thereupon, Mayor Jorgensen and City Manager Richard Nienstedt thanked Mr. Robbins for addressing concerns regarding the Wellsville project and the Franklin County ambulance service.

Thereupon, Commissioner Ramsey asked Franklin County Commissioner Don Stottlemire to make sure the City is kept informed on issues such as this in the future.

Thereupon, Mr. Robbins acknowledged to the Governing Body that the City Fire Department and County Ambulance Service have a good working relationship.

#### **Ordinance-5 Property Rezones**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who reviewed 5 ordinances for rezoning. The following properties are included in the rezone: 615 Bennett Road, 937 Bennett Road, 2130 E Wilson, 2202 E Wilson and 2302 E Wilson. These properties were annexed in 2006 and the City is making the request for re-zoning to a city zoning designation. Public hearings have been held for each property, at which time there were no comments. The Planning Commission recommended approval of each rezone by a vote of 7-0 respectively. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 5, 2007.

#### **Ordinance-Rezone**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained the ordinance to rezone 1003, 1013, 1019, 1023, 1037 and 1039 N Main from C-3 General Commercial Zoning District to MU/CR Mixed Used Commercial/Residential Zoning District. Ms. Lee explained the request for rezone was initiated by the owner of 1037 N Main who is planning on partially redeveloping the residential property. Staff supported this request, but recommended that the rezone include a larger area than one lot

November 26, 2007

(such as the entire block). The applicant obtained signatures of approval from all owners but one. A public hearing was held, at which time two comments were recorded. The Planning Commission recommends approval by a vote of 6-0. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 5, 2007.

### **Ordinance-Rezone**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who explained the proposed rezone. The rezone is in an area within the Urban Growth Area of Franklin County (3619 N US 59) from County C-2 (Highway Commercial Zoning District) to City MU/CI (Mixed Use Commercial/Industrial Zoning District). Franklin County Livestock Commission requested the property be rezoned for future growth. A public hearing was held, at which time two comments were recorded. The Planning Commission recommends approval of the rezone by a vote of 6-0. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 5, 2007.

### **Ordinance-Clean Air**

Thereupon, the Governing Body reviewed with City Attorney Bob Bezek a third draft on the clean air ordinance which included changes requested from the last Study Session. Thereupon, after discussion staff requested direction from the Governing Body on how to proceed with the ordinance. The Governing Body agreed to have the final draft placed on the Study Session Agenda for December 3 with a Public Hearing to be held December 5 before action is taken on the ordinance December 5.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from November 5 Study Session and November 7 Regular Meeting and agreed to place these items on the Regular Meeting Agenda for December 5, 2007.

### **Legislative Dinner**

Thereupon, the Governing Body discussed items to be placed on the Legislative Dinner Agenda scheduled for December 3.

### **Reports on National League of Cities Conference**

Thereupon, the Governing Body heard reports from Mayor Jorgensen, Commissioner Fleer, and City Manager Richard Nienstedt who attended the recent conference in New Orleans.

### **Announcements**

Thereupon, the Mayor announced:

1. November 28, 2007: LKM Regional Supper in Olathe at 6 pm.
2. Public Hearing to be held December 5, 2007 on the Clean Air Ordinance.

November 26, 2007

**Adjournment**

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

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Scott D. Bird, City Clerk

November 26, 2007

**Special Call**  
**Legislative Dinner**  
**Minutes**  
**Monday, December 3, 2007**

The Governing Body met at 6:15 pm this date with the following members present and participating to wit, in addition to those listed as follows:

**City of Ottawa/Franklin County/USD 290 – Legislative Dinner**

**3 December 2007**

**6:15 pm Franklin County Annex/Commission Chambers**

**1428 S. Main Street**

**Ottawa, Kansas**

**PARTICIPATION IN TONIGHT'S DISCUSSION IS FOR INVITED GUESTS ONLY**

**State Senators**

Pat Apple

**State Legislators**

Bill Feuerborn

Tom Holland

Bill Otto

Joe Humerickhouse

**Ottawa City Commission and Staff**

Blake Jorgensen – Mayor

Gene Ramsey – Mayor Pro-Tem

Sara Humm – Commissioner

Rocky Fleer – Commissioner

Deb Henningsen – Commissioner

Richard U. Nienstedt – City Manager

Scott Bird – City Clerk

Nikki Spencer – Asst. to the City Manager

Wynndee Lee – Director of Planning and Codes

Carolyn Snethen – Deputy City Clerk

Josh Shaw – Management Intern

**USD 290 Board of Education and Staff**

Dennis George – Vice-President

Jeanette Lowry – Member

Louis Reed – Member

Brian Kane – Member

Marge Stevens – Member

Jean McCally – Asst. Superintendent

Dean Katt – Superintendent

**Franklin County Commission and Staff**

Roy Dunn – Chair

Don Stottlemire – Commissioner

Don Hay – Commissioner

Ed Taylor – Commissioner

Sue Farrell – Commissioner

Lisa Johnson – Interim Administrator

Shari Perry – County Clerk

**Media**

David Hartman – KOFO

Jodie Garcia – Ottawa Herald

Mat Simonson – City Media Specialist

December 3, 2007

### Other Attendees

Tom Weigand – President/CEO Ottawa Area Chamber of Commerce  
Hannah Bryan, Darrah Jorgensen and Ben Manis – Ottawa Youth in Government  
John Coen – Legislative Assistant to Derek Schmidt

Invocation was given by City Clerk, Scott Bird.

Those present enjoyed dinner which commenced at approximately 6:20 pm with a menu provide by “*Prairie Star*” of Ottawa, Kansas.

Thereupon, at approximately 6:45 pm, the State Legislators and Senator Pat Apple moved from the dining area to the head of the room and responded to some of the following issues presented by USD 290, City Commissioners, and Franklin County Commissioners:

### Agenda

#### USD 290

##### ❖ School Finance –

1. Consider Adopting a rolling two or three year finance plan
2. Addition of dollars to BSAPP for teacher salaries
3. Funding of All Day Kindergarten
4. Fully fund Special Education, the excess cost formula
5. Increase funding for professional development

##### ❖ Teacher Recruitment and Retention –

1. Increase funds for teacher scholarships or loan forgiveness programs for shortage areas
2. Repeal the KPERS surcharge for retired employees who return to work in hard to fill areas
3. Allow teachers to return to the districts they retired from without salary limitations
4. Allow alternative licensure options, which districts more flexibility in hiring
5. Increase funding for the **Teacher Mentoring Program**

#### City of Ottawa

- ❖ Eminent Domain. Cities need to retain the ability to control property for economic development purposes.
- ❖ Home Rule. Maintain strong legislative support for municipal home rule.
- ❖ Payday Loans. Pursue more stringent regulations for Payday Loan businesses.
- ❖ State Incentives for Retention of Law Enforcement Personnel.
- ❖ US 59. Designating US 59 as a business route.

December 3, 2007

- ❖ Airport Improvement. The City supports continued state funding of airport improvements.
- ❖ Tax Lid. The City does not support State-mandated limits on local revenue streams in particular a property tax lid.

**Franklin County**

- ❖ Rails to Trails. The KAC is supporting legislation that gives specific remedies to counties if Rails to Trails groups fail to comply with law. This legislation includes statutory language that specifically makes Rails to Trails land taxable and broadens the ability of the Attorney General to seek compliance on behalf of the counties.
- ❖ KDOT Reimbursement for Damage to County Roads. The KAC is pursuing an initiative to include in all KDOT construction agreements a clause for compensating counties for damage done in the process of construction. This would include damage caused by contractors working under contract with KDOT.

The meeting was adjourned at approximately 8:05 pm and Mayor Jorgensen thanked all of the participants for attending.

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Scott D. Bird, City Clerk

December 3, 2007

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
December 3, 2007

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

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

**Public Comments**

Thereupon, the Governing Body heard from Habitat President, Lisa Rivers, who invited the Governing Body to ground breakings at 803 N Birch and 610 S Walnut on Sunday, 12:30 and 1:30 pm respectively.

**Rezone-2715 Montana Road**

Thereupon, the Governing Body reviewed information to rezone an area within the Urban Growth Area commonly known as 2715 Montana Road from Franklin County A-2 (Transitional Agriculture Zoning) to City Zoning CS (Countryside Zoning District). The owner of the property has requested the rezone for the purpose of splitting off the farmstead along with 5 acres. The remaining acreage would be retained by the original owner for future development. A public hearing was held at which time no comments were recorded. The Planning Commission recommended approval of the rezone by a vote of 6-0. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 5, 2007.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the November 12, 19, 2007 Study Session and the November 21 Regular Meeting and agreed to place these items on the Regular Meeting Agenda for December 5, 2007.

**Resignation-CHIP Committee**

Thereupon, the Governing Body reviewed a letter of resignation of Trent Lancaster from the Franklin County CHIP Committee as a City of Ottawa representative. Thereupon, Commissioner Ramsey made a motion to accept the resignation, seconded by Commissioner Henningsen. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jorgensen duly accepted the resignation. The position will be advertised in the local paper and brought back to the Governing Body to make a new appointment.

**Ordinance-Clean Air**

Thereupon, the Governing Body reviewed the Clean Air Ordinance with City Attorney Bob Bezek. A public hearing has been scheduled for the December 5 Regular Meeting. It was noted that following the public hearing, the ordinance will be acted upon by the City Commission.

December 3, 2007

**Youth in Government-NLC Conference**

Thereupon, the Governing Body agreed by consensus to place a presentation by Youth Delegates on their recent attendance at the NLC Conference in New Orleans on the December 5 Regular Meeting Agenda.

**Monthly Reports-October**

Thereupon, the Governing Body reviewed additional information from the October Monthly Activity Reports.

**Legislative Dinner Agenda**

Thereupon, the Governing Body reviewed the Legislative Dinner Agenda to be held today's date.

**Open Agenda**

Commissioner Ramsey announced the Legislative Coffee is scheduled for January 5 at City Hall.

City Manager Richard Nienstedt commented on how much he and his wife enjoyed the recent Suzuki performance, as well as, the Vespers event at Ottawa University. He expressed they were very impressed with the great talent in Ottawa.

Commissioner Ramsey stated the Christmas Parade went very well and was well attended.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Humm 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.

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Scott D. Bird, City Clerk

December 3, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
December 5, 2007

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Fler, Commissioner Henningsen and Commissioner Humm. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Mayor Jorgensen explained the City had lost a longtime community leader Charlene Lister who had recently passed away and asked that she be remembered in prayer. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by City Clerk, Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Study Session: November 5, 12, and 19  
Regular Meeting: November 7 and 21

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Presentation:**

Thereupon, the Governing Body heard from the Youth in Government Delegates Amy Barnes and Abby Guenther who provided a presentation on their recent trip to the National League of Cities Conference in New Orleans.

**Public Hearing-Clean Air Ordinance**

Thereupon, a Public Hearing has been scheduled to hear comments on the proposed Clean Air Ordinance. Following the hearing, the Governing Body can take action on the proposed ordinance.

Thereupon, Mayor Jorgensen opened the public hearing at 7:19 pm.  
December 5, 2007

The Governing Body heard from business owner Leroy Hildebrandt, 2645 Indiana Terrace, who spoke in **opposition** of the ordinance.

The Governing Body heard from Paul Thomas, 3159 Labette Terrace who spoke **in favor** of the ordinance.

Thereupon, Commissioner Henningsen asked for clarification from the City Attorney with regards to where smoking was prohibited within a business. Mr. Bezek addressed Commissioner Henningsen's concern with smoking in the office of a business, stating that smoking is prohibited only in public places.

The Governing Body heard from business owner Bill Brown, 920 S Main, who spoke **in opposition** of the ordinance.

Thereupon, Commissioner Henningsen asked for clarification from the City Attorney with regards to Section 10-811 Savings Clause. Mr. Bezek clarified the Savings Clause.

The Governing Body heard from Gene Hirt, 1112 Augusta Lane, who asked about the possibility of those businesses that currently allow smoking in becoming private clubs. Thereupon, City Attorney Bob Bezek stated the city has no jurisdiction over them becoming private clubs. A business would have to work with the state in order to become a private club.

The Governing Body heard from Lisa Rivers who spoke **in favor** of the ordinance.

There being no one else to speak to this issue Mayor Jorgensen closed the public hearing at 7:30 pm.

### **Ordinance-Indoor Clean Air**

Thereupon, the Governing Body reviewed an ordinance adding Article VIII to Chapter 10 of the Municipal Code of the City of Ottawa, Kansas pertaining to Indoor Clean Air. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained consideration of a Clean Air Ordinance began with a presentation by Youth in Government in August of this year. The City Attorney and staff provided research and draft ordinances for the Governing Body to review and revise over the last few months. A public forum and a public hearing have been held to receive comments on this ordinance.

Thereupon, Commissioner Ramsey stated if the community doesn't agree with the adoption of the ordinance they do have a vehicle to bring the issue to an election. However, from comments he has heard the ordinance would still pass as most seemed to be in favor of adoption.

December 5, 2007

Thereupon, Commissioner Henningsen stated the ordinance would not be in effect until June 1, 2008.

Thereupon, Commissioner Fler spoke in opposition stating adoption of the ordinance would interfere with free enterprise and that business owners should have the right to choose.

Thereupon, Commissioner Humm stated most comments she had heard from business owners was that they wanted this ordinance adopted.

The motion was considered and upon being put passed by the following voted: Commissioner Ramsey aye, Commissioner Henningsen aye, Commissioner Humm aye, Commissioner Fler nay, and Mayor Jorgensen aye. Thereupon, the Mayor declared the ordinance duly adopted by a super majority (4-1) and the Ordinance was duly numbered Ordinance No. 3657-07.

### **Ordinance-Rezones**

Thereupon, the Governing Body reviewed ordinances to rezone an area within the City of Ottawa, Kansas, commonly known as 615 Bennett Road, 937 Bennett Road, 2130 E Wilson, 2202 E Wilson, and 2302 E Wilson and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained this property, along with the following four properties on the agenda (Items 14.,15., 16., 17.) were annexed in 2006 and thus the City has made a request to rezone to a city zoning designation. Approval of the rezones will designate each of the properties City Zoning MU/CI (Mixed Use Commercial/Industrial). Public hearings have been held for each property at which time there were no comments. The Planning Commission recommended approval of each rezone by a vote of 7-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the following ordinances for rezone duly adopted and the ordinances were duly numbered as follows:

- Agenda Item 13. 615 Bennett Road: Ordinance No. 3658-07
- Agenda Item 14. 937 Bennett Road: Ordinance No. 3659-07
- Agenda Item 15. 2130 E Wilson: Ordinance No. 3660-07
- Agenda Item 16. 2202 E Wilson: Ordinance No. 3661-07
- Agenda Item 17. 2302 E Wilson: Ordinance No. 3662-07

December 5, 2007

**Ordinance-Rezone 1003,1013,1019,1023, 1037, and 1039 N Main**

Thereupon, the Governing Body reviewed an ordinance rezoning an area within the City of Ottawa, Kansas, commonly known as 1003, 1013, 1019, 1023, 1037 and 1039 N Main, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Humm made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the request for rezoning of these properties was initiated by the owner of 1037 N Main, who is planning on partially redeveloping the residential property. Staff was in support of the rezone, with the recommendation of rezoning a larger area than one individual lot. Public hearings have been held for each property at which time two comments were recorded. The proposed change in zoning would be from C-3 (General Commercial) to MU/CR (Mixed Use Commercial/Residential). The Planning Commission recommends approval of each rezone by a vote of 6-0. 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. 3663-07.

**Ordinance-Rezone 3619 N US 59 Highway**

Thereupon, the Governing Body reviewed an ordinance to rezone an area within the Urban Growth Area, Franklin County, Kansas, commonly known as 3619 N US 59 Highway, and updating the section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Humm, to adopt the ordinance.

During discussion it was explained the request for rezoning of this property was initiated by the Franklin County Livestock Commission for the purpose of future development. A public hearing has been held at which time two comments were recorded. The proposed change in zoning would be from Franklin County C-2 (Highway Commercial) to MU/CI (Mixed Use Commercial/Residential). The Planning Commission recommends approval of each rezone by a vote of 6-0. 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. 3664-07.

**Ordinance-Rezone 2715 Montana Road**

Thereupon, the Governing Body reviewed an ordinance to rezone an area with the Urban Growth Area, Franklin County, Kansas, commonly known as 2715 Montana Road, and updating the section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

December 5, 2007

During discussion it was explained the owner of the property requested the rezone for the purpose of splitting off the farmstead along with 5 acres. The remaining acreage would be retained by the original owner for future development. A public hearing was held at which time no comments were recorded. The proposed change in zoning would be from Franklin County A-2 (Agricultural) to City CS (Countryside). The motion was considered and upon being put, all present voted aye. Thereupon, the ordinance was duly adopted and the ordinance was duly numbered Ordinance No. 3665-07.

### **Reports by Youth Delegates**

Thereupon, Youth Delegate Darrah Jorgensen reported on what the Youth Delegates have been working on and events they have recently participated in.

### **Reports by City Commission**

Thereupon, Commissioner Humm thanked the Youth in Governing for all their hard work on the Clean Air Ordinance.

### **Reports by Mayor**

Thereupon, Mayor Jorgensen expressed sympathy for the loss of Charlene Lister who has made a big impact in our community. The Mayor stated he had discovered Charlene had attended grade school with his wife's grandmother. Ms. Lister served on the City Commission from 1982-1987 and served as Mayor 1983-1984. He stated Charlene was a strong supporter of the community.

City Clerk Scott Bird added Ms. Lister was only the third woman to serve as City Commissioner/Mayor.

Commissioner Ramsey commented his family had been close friends of the Lister's and Ms. Lister was the founder of the Franklin County Day Care Center and was very young at 90 years old.

### **Announcements**

Thereupon, Mayor Jorgensen announced:

1. December 10, 2007: Study Session 4 pm
2. December 17, 2007: Study Session at 4 pm
3. December 19, 2007: No Joint Lunch (Legislative Dinner satisfies December Joint lunch)
4. December 19, 2007: Regular meeting at 9:30 am.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Humm, 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 7:45 pm.

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Scott D. Bird, City Clerk

December 5, 2007

## **STUDY SESSION MINUTES**

### **OTTAWA, KANSAS**

Minutes of

December 10, 2007

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

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

#### **Public Comments**

Thereupon, the Governing Body heard from Gene Hirt who discussed parking concerns in the area of 9<sup>th</sup> to 11<sup>th</sup> on South Mulberry. Thereupon, the City Manager noted he would check on the parking in this area.

#### **Transportation Master Plan**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who reviewed a draft "scope of services" regarding the Transportation Master Plan. The plan will be done in the following phases:

- Phase One: Transportation Master Plan
- Phase Two: Pavement Management Plan
- Phase Three: Meetings and Public Involvement
- Deliverables

Thereupon, Mr. Haney noted that up to \$169,000 will be used in Federal Funds and anything above that will be a City expense.

#### **City Snow Removal Policy**

Thereupon, the Governing Body heard from Public Works Director Andy Haney who presented a power point presentation on the current City Snow Removal Policy.

Thereupon, City Manager Richard Nienstedt asked the Governing Body to remember that even with a good policy in place weather and other factors occasionally require the policy to change.

#### **Rural Water District #1**

Thereupon, City Attorney Bob Bezek explained the process of when annexation takes place and it affects a Rural Water District's revenue. Currently negotiations are taking place with Rural Water District #1. The City is also looking at all Rural Water Contract Agreements.

#### **Open Agenda**

The City Manager announced the ORC Director has requested the City's approval to allow the Foundation Church of Ottawa to hold their Sunday service 8:30 am – 12:30 pm at the Woodward

December 10, 2007

Center when scheduling would allow. Thereupon, the Governing Body agreed by consensus to allow the church to meet at the Woodward Center.

Thereupon, Commissioner Ramsey asked Police Chief Dennis Butler for an update on New Worlds records management within the city and county. Thereupon, Chief Butler provided an update and explained the City is not funded at this time. Chief Butler will be seeking grants funding. However, fiber is being installed currently from City Hall to the Police Department with funds available.

Thereupon, Commissioner Ramsey asked about a December 31 Study Session. The City Manager explained it would be up to the Governing Body and/or if there were items for an agenda. The meeting will be scheduled and canceled if not needed.

Thereupon, Commissioner Henningsen inquired about ground to be used in the future for Highland Cemetery expansion. It was explained the land in question was currently leased with trees being planted in the area as stated in the lease agreement. As part of the lease the City does receive some trees.

### **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.

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Scott D. Bird, City Clerk

December 10, 2007

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
December 17, 2007

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Humm, 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 Richard Mullins, President of Power of the Past, who reported on last year's event and the planning taking place for the 2008 Power of the Past event. The next event will be held September 12, 13, 14, 2008 in Forest Park. Mr. Mullins requested permission for signage. Thereupon, the Governing Body agreed by consensus to allow the requested signage and use of Forest Park.

Thereupon, the Governing Body heard from Gene Hirt, P. O. Box 37, 125 South Street, Williamsburg, Kansas 66095. Mr. Hirt discussed the following concerns:

- US 59 Corridor Study
- Extra territorial annexation and maintenance of roads
- Future development in the airport area
- Flood plain area made into parks

Thereupon, Mayor Jorgensen and Staff addressed Mr. Hirt's concern with as much information as available to them at this time.

**Retail Cereal Malt Beverage Licenses**

Thereupon, the Governing Body reviewed Retail Cereal Malt Beverage Licenses applications for 2008. The applications have been reviewed by the Police Department, Fire Department, and City Attorney. Thereupon, the Governing Body agreed to place the following applications on the Regular Meeting for December 19, 2007:

**Retail sale: Original and Unopened Containers:**

Taylor Oil, Inc., 2305 S. Cedar  
Wal-Mart Stores, Inc., 2101 Princeton Rd  
Stop N Save, 1621 South Main  
Country Mart, 2138 Princeton Circle Drive  
Gasmart USA , 2243 Princeton  
Logan Street 66, 304 E. Logan  
Casey's General Stores, 940 N. Main  
Casey's General Stores, 1019 W. 7<sup>th</sup>  
Crescent Stores Corp., CSC #30, 226 E. 23<sup>rd</sup>

December 17

Casey's General Store #2746, 334 N. Main  
Ottawa Mini Mart, 2120 Princeton Road  
Zarco 66, 2518 E. Logan

**Consumption on the Premises:**

Pizza Hut of America, Inc, 2315 S. Princeton  
Pizza Village, Inc., 330 South Main  
Ping Enterprise, d/b/a China Palace, 910 S. Main

**Ordinances-Rezone**

Thereupon, the Governing Body reviewed ordinances to rezone properties located at 2115 E Logan, 2011 E Logan, and 603 Bennett Road. The City initiated the rezone due to the annexation of the properties in 2006. The tracts should be rezoned from their county designation to a proper city zoning designation. Public Hearings have been held with no public comments recorded. The Planning Commission recommends approval by a vote of 7-0. Thereupon, Staff requested the proposed ordinances be placed on the Regular Meeting Agenda for January 2 if the Governing Body chooses to place the ordinances. Thereupon, the Governing Body agreed to place the ordinances on the Regular Meeting Agenda for January 2, 2008.

**Conditional Use Permit**

Thereupon, the Governing Body reviewed a Conditional Use Permit requested by Greg Kruger. Mr. Kruger requested to be allowed outdoor storage in a C-3 General Commercial Zoning District located at 1102 N Main Street. Public Hearings have been held with no public comments recorded. The Planning Commission recommended approval by a vote of 5-2. Staff requested the permit be placed on the January 2, Regular Meeting Agenda. Thereupon, the Governing Body agreed to place the conditional use permit on the Regular Meeting Agenda for January 2, 2008.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from December 5 Regular Meeting Minutes and December 10, Study Session and agreed to place these items on the Regular Meeting Agenda for December 19, 2007.

**Update: Board of Tax Appeals (BOTA)**

Thereupon, the Governing Body heard from City Manager Richard Nienstedt who gave an update on the Board of Tax Appeals ruling with regards to the American Eagle tax abatement request. Mr. Nienstedt stated American Eagle has been a very good corporate citizen in our community. The City Attorney is working on an agreement that will spell out the terms of agreement between American Eagle, USD 290, Franklin County, and the City of Ottawa. In addition, Mayor Jorgensen stated American Eagle is being very ethical during the recent negotiations. The agreement will be brought to the Governing Body.

December 17, 2007

### **Monthly Financial and Activity Reports-November**

Thereupon, the Governing Body reviewed the monthly Financial and Activity Reports for the month of November.

### **Open Agenda**

Thereupon, City Manager Richard Nienstedt explained a Utility Distribution Crew had answered a call for assistance from the City of Wamego. The City of Wamego had answered the same call from the City of Ottawa during the 2002 ice storm. Mr. Nienstedt had received an email from a citizen of Wamego thanking the crew who helped and the City for allowing them to assist them in their time of need.

The City Manager announced the upcoming Chamber Annual Dinner scheduled for January 12.

The Mayor announced he would be participating in the Harlem Ambassador's basketball game on behalf of the City Team on January 14.

### **Announcements**

Thereupon, the Mayor announced:

1. December 19, 2007: Next Regular Meeting at 9:30 am.
2. December 31, 2007: Study Session will be held if needed at Noon.
3. January 2, 2008: Regular Meeting at 7 pm
4. January 16, 2008: Regular Meeting at 9:30 am

### **Adjournment**

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

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Scott D. Bird, City Clerk

December 17, 2007

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
December 19, 2007

The City Governing Body met at 9:30 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Ramsey, Commissioner Fleer, and Commissioner Henningsen. Commissioner Humm absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. The Mayor led the audience in the Pledge of Allegiance to the American flag. The invocation was given by Rev. Joel R. Fredrikson, First Baptist Church.

Thereupon, Commissioner Humm arrived at 9:32 am.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda and minutes from the following:

Study Session: November 26, December 3, 10

Regular Meeting: December 5

Special Call: December 3

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. None were declared.

**Cereal Malt Beverage License-2008**

Thereupon, the Governing Body reviewed 2008 application for Cereal Malt Beverage license. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the applications.

During discussion it was explained that the following businesses have applied for a Cereal Malt Beverage License, and each has been reviewed by Police, Fire and the City Attorney, with no cause for denial discovered (businesses are listed by physical address of store).

December 19, 2007

**Retail sale: Original and Unopened Containers:**

Taylor Oil, Inc., 2305 S. Cedar  
Wal-Mart Stores, Inc., 2101 Princeton Rd  
Stop N Save, 1621 South Main  
Country Mart, 2138 Princeton Circle Drive  
Gasmart USA , 2243 Princeton  
Logan Street 66, 304 E. Logan  
Casey's General Stores, 940 N. Main  
Casey's General Stores, 1019 W. 7<sup>th</sup>  
Crescent Stores Corp., CSC #30, 226 E. 23<sup>rd</sup>  
Casey's General Store #2746, 334 N. Main  
Ottawa Mini Mart, 2120 Princeton Road  
Zarco 66, 2518 E. Logan

**Consumption on the Premises:**

Pizza Hut of America, Inc, 2315 S. Princeton  
Pizza Village, Inc., 330 South Main  
Ping Enterprise, d/b/a China Palace, 910 S. Main

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

**Reports by City Manager**

Thereupon, City Manager Richard Nienstedt explained there had not been any changes in the American Eagle BOTA issue as of today's meeting. The City Attorney will be preparing an agreement that will be brought to the Governing Body as soon as it's prepared.

**Reports by City Commission**

Thereupon, Commissioner Henningsen wished everyone a Merry Christmas.

**Announcements**

Thereupon, the Mayor announced:

1. December 24-25, 2007: City Hall Offices Closed for Holiday
2. December 31, 2007: Study Session at Noon
3. January 1, 2008: City Hall Closed for Holiday
4. January 2, 2008: Regular Meeting at 7 pm

**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 9:36 am.

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Scott D. Bird, City Clerk  
December 19, 2007