

City Commission
Regular Meeting Minutes
Ottawa, Kansas
January 2, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the consent agenda as follows:

1. Agenda Approval
2. Approval of minutes December 19, 2001

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion to accept the Consent Agenda duly approved.

Public Comments

There were no public comments offered at this time.

Reports by City Manager

Thereupon, Co-City Manager Bob Bezek explained the Governing Body had been in Study Session since 5 p.m. reviewing applications for City Manager and the Governing Body will return to Executive Session during this meeting to continue that review.

City Manager Search

Recess

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel, for a period of 40 minutes and reconvene in the Work Study Session Room at 7:45 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

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Reconvene

Thereupon, Commissioner Gillette 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.

Adjournment

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Flear, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

January 2, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of**

January 2, 2002

The City Governing Body met at 5 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Fleer, Commissioner Henningsen, Commissioner Jackson, and Commissioner Gillette. A quorum was present.

The Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed and approved the minutes of December 17, 2001.

Review of Agenda

Thereupon, the Governing Body reviewed the Regular City Commission meeting agenda for 7 p.m. this date.

Open Agenda

Thereupon, the Governing Body discussed the recent Public Building Commission action and directed staff to contact Dotty Riley for further suggestions.

City Manager Search

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to recess into Executive Session to discuss non-elected personnel, more specifically, to review City Manager applications for a period of 90 minutes and to reconvene in the same Work Study Session Conference Room at 6:55 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

January 2, 2002

City of Ottawa

Reconvene and Adjournment

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting of the City Commission and adjourn to the Regular Meeting at 7 p.m. in the City Commission Chambers. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor invited all to join him in the Commission Chambers.

Scott D. Bird, City Clerk

January 2, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of**

January 7, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for January 16, 2002.

Thereupon, Commissioner Fleer arrived at 3:09 p.m.

Executive Session- Review of applications for City Manager

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel for a period of 49 minutes and to reconvene in the same conference room at 3:55 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette 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 motion duly approved.

Signage for Martin Luther King, Jr. Day Celebration

Thereupon, the Governing Body reviewed a letter from Dionna Mitchell, ECKAN Volunteer Center Director, requesting permission to hang signs along Main Street, advertising Dr. Martin Luther King, Jr. Day. It was noted that the Volunteer Center is participating with Ottawa University to promote the day of service on January 21, 2002, and to celebrate the life and dream of Dr. Martin Luther King, Jr. The Governing Body discussed this issue and agreed to its approval.

January 7, 2002

Joint City Commission and City Planning Commission Meeting

Thereupon, the Governing Body reviewed a request from Planning Director John Merrell for a joint meeting between the City Commission and the City Planning Commission. Thereupon, it was decided to attempt to meet on Tuesday, January 29, 2002, or Wednesday, January 30, 2002, at noon. It was further noted a resignation had been received from Max Attebery leaving a vacancy on the Planning Commission. It was suggested the City advertise for two weeks for this position.

International Codes

Thereupon, the Governing Body heard from Fire Chief Jeff Carner and Planning Director John Merrell who reviewed proposed changes to the City's Fire, Life Safety and Building Codes.

Thereupon, Chief Carner explained the advantages of the International Codes will be one set of consistent, comprehensive, correlated and contemporary building code regulations with the nationwide accepted codes. They will be designed to work together and provide a natural transition from current, and local codes. They are user friendly, convenient, offer ease of adoption through the need for fewer potential amendments, will be developed and will be continuously updated through a national government consensus process, and are fully endorsed by the American Institute of Architects; National Council of Structural Engineer Associations; National Home Builders Association; National Multi-Housing Home Builders Association; and Federal Emergency Management Agency. It was further noted Franklin County has already adopted these same codes.

Thereupon, Chief Carner recommended to the Governing Body the acceptance of the following codes:

- 2000 International Building Code
- 2000 International Fire Code
- 2000 NFPA 101 Life Safety Code
- 2002 National Electric Code
- 2000 International Mechanical Code
- 2000 International Plumbing Code
- 2000 International Property Maintenance Code
- 2000 International Residential Code
- 2000 International Fuel Gas Code
- 2000 International Private Sewage Disposal Code
- 2000 International Energy Conservation Code

Thereupon, the Governing Body reviewed this recommendation and agreed to place these items on the Consent Agenda for January 16, 2002.

Community Development Block Grant

Thereupon, the Governing Body heard from Assistant to the Planning Director Tom Yahl regarding a Community Development Block Grant to make improvements to severely deteriorated and moderately deteriorated homes in the 700 and 800 Blocks of South Locust and Pecan Streets. Thereupon, it was recommended that this project include properties in the 700 and 800 Blocks of Tremont as well. The Governing Body discussed this issue noting that the cost to the City would be \$75,000 with approximately \$29,400 being devoted to the administration of the project. Thereupon, the Governing Body agreed to place a Public Hearing regarding this issue on the Regular Meeting Agenda for January 16, 2002, with Mayor Ramsey dissenting.

2002 State Legislative Program

Thereupon, the Governing Body reviewed the 2001 State Legislative Program and asked Staff to bring suggestions back for the 2002 Program.

Proposed Salary Survey

Thereupon, the Governing Body reviewed a proposal from The Austin Peters Group, Inc. to conduct a comprehensive salary survey of all city positions.

During discussion it was noted the cost of this project would be \$26,735. It was explained that two proposals had been received. One from The Austin Peters Group, Inc. and the other from CBIZ Business Solutions who's quote had been in excess of \$65,000. The Governing Body discussed this issue at some length and agreed to proceed with only the first 3 steps of The Austin Peters proposal, which is, (1) Internal Equity, (2) External Equity, and (3) Classification, Pay Schedule, Administration, Implementation. It was noted by City Clerk Scott Bird that the cost of \$17,775 could be split between the four major funds from Contractual Services line items. The Governing Body agreed to proceed with this project with Mayor Ramsey dissenting.

Monthly Financial and Activity Report – November 2001

Thereupon, the Governing Body reviewed the Monthly Financial and Activity reports for the month of November 2001 and agreed to place this item on the January 16, 2002, agenda.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on January 14, 2002, at 3 p.m.
2. There **will not** be a Work Study Session on January 21, 2002 (Dr. Martin Luther King, Jr. Day)
3. There will be a Joint City/County/USD 290 meeting on January 16, 2002, at Noon in the City Commission Chambers at City Hall.
4. There will be a Work Study Session on January 28, 2002, at 3 p.m.

NEXT REGULAR MEETING: JANUARY 16, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

January 7, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of**

January 14, 2002

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

The Mayor called the meeting to order and asked that the meeting not progress any further providing Commissioner Fleer an opportunity to arrive.

Thereupon, Commissioner Fleer arrived at 3:02 p.m.

Thereupon, the Mayor asked for a motion to recess into Executive Session.

Executive Session

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss non-elected personnel for a period of 55 minutes and to reconvene in the same Work Study Session Room at 3:57 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to reconvene the meeting at 3:57 p.m.

Recess

Thereupon, the Mayor called for a 5 minutes recess and to reconvene in the same Work Study Session room at 4:03 p.m.

Work Study Session

Thereupon, the Mayor called the Work Study Session to order at 4:03 p.m.

Public Comments

None were offered at this time.

January 14, 2002

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of January 2, 2002.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for January 16, 2002. Thereupon, it was noted Item 14-International Residential Code would be removed from the Consent Agenda and placed on the Regular Agenda.

Sheriff Deputy and Police Officer Commendations

Thereupon, the Governing Body reviewed a commendation request for Franklin County Sheriff Deputy Jeff Curry and Ottawa Police Officer Mike Hatheway. Thereupon, the Governing Body agreed to place this item on the Regular City Commission agenda on January 16, 2002.

KOFO Home and Garden Show

Thereupon, the Governing Body reviewed a request from KOFO Home and Garden Expo for 2002. The dates of the Expo are March 1st and 2nd, 2002. Thereupon, the Governing Body approved this request.

Proclamation - Dr. Martin Luther King, Jr.

Thereupon, the Governing Body reviewed a proclamation in honor of the Reverend Dr. Martin Luther King, Jr. who was universally admired and respected for his wisdom, vision, truth, commitment and devotion to the cause of human liberation and progress. Thereupon, the Governing Body agreed to place this on the Regular City Commission agenda on January 16, 2002.

Thereupon, Commissioner Jackson stated that Ottawa University would be hosting services and invited the Governing Body and area residents to take part in local activities.

Cereal Malt Beverage License Applications

Thereupon, the Governing Body reviewed applications for two Retail Cereal Malt Beverage Licenses and agreed to place this item on the January 16, 2002, Regular City Commission agenda.

January 14, 2002

Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed a request to include 604 N. Main, 504 S. Locust, and 501 S. Sycamore in the Neighborhood Revitalization Program. Thereupon, the Governing Body agreed to place this item on the City Commission Regular Meeting agenda for January 16, 2002.

2002 State Legislative Program

Thereupon, the Governing Body reviewed the legislative priorities containing issues of concern to the City for the upcoming Legislative Session. Thereupon, the Governing Body agreed to place this item on the January 16, 2002, City Commission agenda.

Amend Employment Policy Resolution – Internet Use

Thereupon, the Governing Body reviewed with Human Resource Director Judy Hasty a draft resolution, which will amend the Personnel Rules and Regulations to include Internet Acceptable Use Policy for the City. Thereupon, the Governing Body agreed to place this item on the January 16, 2002, City Commission agenda.

Airline Reservations for National League of Cities Conference – Washington, D.C., March 8-12, 2002

Thereupon, the Governing Body reviewed travel information for the National League of Cities Conference to be held in Washington, D.C., March 8-12, 2002.

Open Agenda

Thereupon, Commissioner Gillette stated he would be gone next week.

Thereupon, Commissioner Jackson reminded the Governing Body about the local Dr. Martin Luther King, Jr. activities being held in the City of Ottawa and at Ottawa University and invited all to attend. Commissioner Jackson requested staff set meetings with our legislative congressmen.

January 14, 2002

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School Board Meeting on January 16, 2002, at noon in the City Commission Room at City Hall.
2. There will not be a Work Study Session on January 21, 2002. (Dr. Martin Luther King, Jr. Day)
3. There will be a Work Study Session on January 28, 2002, at 3 p.m.

NEXT REGULAR MEETING: JANUARY 16, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

January 14, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
January 16, 2002

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

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

CONSENT AGENDA

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the Consent Agenda. Thereupon, City Clerk Scott D. Bird explained that the following items were included in the Consent Agenda.

Thereupon, there was presented the following items:

Item 6. Approval of the Agenda

Item 7. Approval of the Minutes of December 26, 2001, Special Call Meeting and January 2, 2002, Regular Meeting.

Item 8. – Item 16. Approval of Ordinances regarding I Codes (Uniform Codes)

Bill No. 2002-1. An Ordinance amending Chapter IX, Article I of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Fire Code and all appendix chapters, 2000 Edition and the Adoption of the Life Safety Code NFPA 101, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Fire Code and all appendix chapters, 2000 Edition, and the Life Safety Code NFPA 101, 2000 Edition, and repealing Ordinance Numbers 2962-90, 2978-91, 3208-96, 3234-97, 3338-00 and 3360-01.

Bill No. 2002-2. An Ordinance amending Chapter VI, Article I of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Building Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Building Code, 2000 Edition, and repealing Ordinance Numbers 2491-90, and 3207-96.

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Bill No. 2002-3. An Ordinance amending Chapter VI, Article II of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Plumbing Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Plumbing Code, 2000 Edition, and repealing Ordinance Numbers 2876-87, and 3239-97.

Bill No. 2002-4. An Ordinance amending Chapter VI, Article IA of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Property Maintenance Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Property Maintenance Code, 2000 Edition, and repealing Ordinance Number 2834-86.

Bill No. 2002-5. An Ordinance amending Chapter VI, Article IIA of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Mechanical Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Mechanical Code, 2000 Edition, and repealing Ordinance Number 2876-87.

Bill No. 2002-6. An Ordinance amending Chapter VI, Article III of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the National Electrical Code, 2002 Edition, Under the Authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said National Electrical Code, 2002 Edition, and repealing Ordinance Numbers 2922-89, 2927-89, and 3213-97.

Bill No. 2002-7. An Ordinance amending Chapter VI, by adding Article IX of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Private Sewage Disposal Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Private Sewage Disposal Code, 2000 Edition.

Bill No. 2002-8. An Ordinance amending Chapter VI, by adding Article X of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Fuel Gas Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Private Fuel Gas Code, 2000 Edition.

Bill No. 2002-9. An Ordinance amending Chapter VI, by adding Article XI of the Municipal Code of the City of Ottawa, Kansas 1997, and adopting by reference the International Energy Conservation Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Energy Conservation Code, 2000 Edition.

Thereupon, it was explained that the Uniform Codes currently used by the City are no longer available in print. The proposed International Codes will replace them. Franklin County has already accepted the 2000 editions and staff recommends adoption of these codes.

January 16, 2002

Presentations and Recognitions

Thereupon, the Mayor recognized Sheriff Deputy Jeff Curry and Police Officer Mike Hatheway for their three-year assignment to the Drug Enforcement Unit and noted that these officers have devoted countless hours to the identification and arrest of suspects in drug related cases.

During their three-year assignment these officers arrested 275 suspects and have been responsible for the issuance of 68 search warrants. Their dedication to duty and the attempts to make our community and children safer was deemed excellent on the part of both officers.

Thereupon, the Mayor presented a plaque to Officer Hatheway and County Commission Chairman Ed Taylor presented a plaque to Deputy Curry. Thereupon, Police Chief Jeff Herrman and Franklin County Sheriff Craig Davis expressed their appreciation to these officers.

Proclamation - Dr. Martin Luther King, Jr.

Thereupon, the Mayor read a proclamation declaring Monday, January 21, 2002, Dr. Martin Luther King, Jr. Day in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson received the proclamation and reminded everyone that Sunday is the Annual Martin Luther King, Jr. celebration at Ottawa University and invited the public to attend.

Public Comments

Thereupon, Mr. Douglas Morgan addressed the Governing Body in opposition of the Community Development Block Grant proposed for improvements to housing in the 700 and 800 Blocks of Pecan and Locust.

Thereupon, the Mayor thanked Mr. Morgan for his input and noted that this issue will be taken up later in the meeting.

Public Hearing- Community Development Block Grant

Thereupon, the Mayor opened a Public Hearing to consider a Community Development Block Grant. Thereupon, Assistant to the Planning Director Thomas Yahl explained this project would target approximately 20 homes in the 700 and 800 Blocks of Pecan, Locust, and Elm. He also indicated that Tremont Street was being considered and he would make a recommendation concerning the target area. He also indicated he had 5 affirmative responses in the target area from owners who have indicated they are interested in participating in this project.

Thereupon, Ms. Kay Pedersen representing Habitat For Humanity noted, while Habitat is a Christian organization and does not accept funds from government organizations, they do partner with local governments to improve areas in the community and to make improvements on lots, which can later be constructed upon by Habitat. She encouraged the Governing Body to move forward with this program.

Thereupon, Mr. Douglas Morgan once again spoke to the Governing Body stating he believed funds could be better used elsewhere.

Thereupon, Robert K. Smith addressed the Governing Body regarding the CDBG and was provided a map of the area. Thereupon the Mayor noted the City must match funds in the amount of \$75,000 for this project to proceed, over half of which can be administrative costs.

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

Ordinance – 2002 International Residential Code

Bill No. 2002-10. An ordinance amending Chapter VI, Article IV of the Municipal Code of the City of Ottawa, Kansas, 1997, and adopting by reference the International Residential One and Two Family Dwelling Code, 2000 Edition, under the authority of K.S.A. 12-3010 and providing for deletions, amendments and corrections to said International Residential One and Two Family Code, 2000 Edition, and repealing Ordinance No. 3207-96. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt this ordinance as amended.

During discussion it was explained that the Uniform Codes currently used by the City are no longer available in print. The proposed International Codes will replace them. Franklin County has already accepted the 2000 editions. It was further explained there is an amendment in this ordinance. This ordinance had been removed from the Consent Agenda to consider a change, which requires two doorways in addition to any access to the outside through a garage area.

Thereupon, Commissioner Gillette stated he was in favor of this amendment given concerns of safety for the elderly and he had inquired at the local lumberyard what the additional lumber cost would bring to housing and found the cost for an exterior door would range between \$200-\$300. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Henningsen aye, Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Fleer aye, and Mayor Ramsey nay. Thereupon, the Mayor declared the ordinance adopted by a 4-1 vote and the ordinance was duly numbered Ordinance No. 3401-02.

Cereal Malt Beverage Applications

Thereupon, there was presented two cereal malt beverage applications for licenses. One from Ottawa Phillips 66, 216 E. 23rd-not for consumption on the premises and one for PINS, Inc. d/b/a Royal Lanes, 2040 Princeton Road-for consumption on the premises. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Neighborhood Revitalization Program

Thereupon, there was presented applications for the Neighborhood Revitalization Program for properties located at 604 N. Main, 504 S. Locust, and 501 S. Sycamore. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the applications.

During discussion it was explained that these applications were reviewed by the City Commission at their Work Study Session on January 14, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

January 16, 2002

City of Ottawa

Resolution - Internet Use Policy

Thereupon, there was presented a resolution amending the policies concerning employment as adopted by Resolution No. 970-97 dated January 1, 1998 and amended by Resolution No. 994-98 dated July 15, 1998, Resolution No. 1086-00 dated August 16, 2000, Resolution No. 1148-01 dated September 19, 2001, Resolution No. 1153-01 dated November 7, 2001, Resolution No. 1157-01 dated November 21, 2001 and Resolution No. 1165-01 dated December 19, 2001 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this resolution amends the Personnel Rules and Regulations to include Internet Acceptable Use Policy for the City of Ottawa, Kansas. 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. 1166-02.

Approval of the 2002 State Legislative Program

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the 2002 State Legislative Program.

During discussion it was explained each year the City of Ottawa establishes its legislative priority list containing issues of concern to the City for the upcoming Legislative Session. Thereupon, the Mayor noted that issues of concern in this years program includes:

- Electric Retail Wheeling
- Water Quality
- Transportation – US Highway 59
- Telecommunications Franchise
- Tax Lid
- Airport Funding
- Juvenile Justice State Funding
- State Revolving Loan Funds for Infrastructure Improvements
- 911 Tax Equity
- E-Commerce/Catalog Sales
- State Housing Trust Fund
- State Housing Finance Agency
- Delinquent property taxes

January 16, 2002

City of Ottawa

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the 2002 State Legislative Program duly approved.

Monthly Financial and Activity Report – November 2001

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Gillette, to approve the Monthly Financial and Activity Reports for the month of November 2001. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by Youth Delegates

Thereupon, Commissioner Jackson noted he had been receiving calls from communities regarding the City's Youth Program. Other youth programs are springing up around the state.

Reports by City Manager

Thereupon, Co-City Manager Bezek suggested that the adopted Legislative agenda be shared with the Franklin County Commissioners during the Joint City/County/USD 290 meeting at noon.

Reports by Mayor

Thereupon, the Mayor noted that the Dr. Martin Luther King, Jr. holiday will be recognized on Monday for the first time in the City of Ottawa and the Martin Luther King Program is scheduled for Sunday at 2:00 p.m. at Ottawa University.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Board meeting on January 16, 2002, at noon in the City Commission Room at City Hall.
2. There **will not** be a Work Study Session January 21, 2002 (Dr. Martin Luther King, Jr. holiday)
3. There will be a Work Study Session on January 28, 2002, at 3 p.m.
4. City Manager Interviews on February 1, 2002, at 1:50 p.m. (Special Call Meeting)

5. City Manager Interviews on February 2, 2002, at 7:50 a.m. (Special Call Meeting)
6. There will be a Work Study Session on February 4, 2002, at 3 p.m.
7. There will be a Work Study Session on February 6, 2002, at 6 p.m.

NEXT REGULAR MEETING: FEBRUARY 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

January 16, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of

January 28, 2002

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

The Mayor called the meeting to order and stated a motion was needed to go into Executive Session. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel for a period of 50 minutes and to reconvene in the same Word Study Session Room at 3:55 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reconvene

Thereupon, at 3:55 p.m. Commissioner Jackson made a motion, seconded by Commissioner Gillette, to reconvene the meeting. The motion was considered and upon being put, all present voted aye.

Thereupon, there was a 5-minute break.

Regular Work Study Session

Thereupon, at 4 p.m. the Mayor reconvened the Work Study Session and recognized that the City had recently experienced an extended power outage on two separate occasions and asked for comments.

Public Comments

Power Outage

Thereupon, Mr. Tony Keim representing Kansas City Power and Light explained the recent power outages were unfortunate. He apologized for the occurrence and explained the problems were related to switching in the KCPL system.

Thereupon, Director of Utilities for the City of Ottawa Jim Bradley also expressed his apology regarding the incident stating that the City had one machine down for repairs and another machine was bumped off as a result of the disruption in service from KCPL on Thursday. He further explained that the forthcoming Electric Master Plan the City has contracted with PEC Engineering to conduct should offer solutions.

January 28, 2002

Power Outage Continued

Thereupon, the Governing Body heard from Havens Steel representative Mr. David Harris who stated that Havens Steel had lost approximately \$6,000 per hour while their plant was idled.

Thereupon, a representative from EFTC Mr. Darrel Malone asked if this problem was related to the power fluctuations that occurred approximately a month and a half ago. Thereupon, Mr. Bradley stated the two incidents were very different.

Thereupon, a representative from Fashion Inc. Mr. Lonnie King stated that the outages were a mess. His company loses approximately \$4,000 an hour for down time and asked the Governing Body to consider an additional substation in Industrial Park to help overcome such dilemmas.

Thereupon, a representative from Ottawa Truck Mr. Joe Hastert stated that the employees suffer when they are released to go home due to non-pay.

Thereupon, the Governing Body heard from Ms. Mildred Heathman who stated her husband is dependent on oxygen and others in the community suffer when the power is out due to medical reasons.

Thereupon, Mayor Ramsey stated he was very frustrated with this situation and that the City would be looking at ways to improve their system.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of January 7, and January 14, 2002.

Law Enforcement Center

Thereupon, the Governing Body heard from Mr. Jerry Thompson and Mr. Earl Devore who explained that the total cost of the proposed Law Enforcement Center would be \$2,998,400. Of that the estimated cost for construction is \$2,573,400; Architectural Engineering fees \$190,000; allowance estimates that include furniture, shelving, landscape, lab, telephone, computer, and an emergency generator \$145,000; Sewer main re-location \$50,000; Asbestos removal and demolition of the old Public Works building at \$40,000. Which brings the total up to \$2,998,400.

January 28, 2002

Thereupon, Co-City Manager Bezek explained that this item has been on the Capital Improvement Plan, it resolves three problems, more specifically, overcrowding with Police, Fire, and Municipal Courts. The Governing Body discussed this issue and agreed to place a resolution to authorize the construction of the proposed Law Enforcement Center and issue GO Debt in order to finance said construction on the February 6, 2002, agenda with Mayor Ramsey and Commissioner Fleer, dissenting.

Abatement of Inoperable Vehicles at 912 N. Cherry

Thereupon, the Governing Body reviewed a memo from Assistant Planning Director Tom Yahl regarding inoperable vehicles and junk located at 912 N. Cherry and agreed to place this issue on the February 6, 2002, agenda.

Wollen Addition Phase II

Thereupon, the Governing Body agreed to place this item on the February 6, 2002, agenda.

Application for City Visa Card

Thereupon, the Governing Body reviewed a recommendation to apply for a City Visa card noting that the departure of former City Manager Scott Lambers, had caused the cancellation by staff of the previous Visa card. The Governing Body agreed to place this item on the agenda for February 6, 2002.

Replacement of Downtown Trash Receptacles Meeting Schedule with Representatives in Washington, D.C.

Thereupon, the Governing Body agreed to defer Item 6; that is, the replacement of downtown trash receptacles and Item 10, meeting schedule with representatives in Washington, D.C. during the National League of Cities meetings.

Announcements

Thereupon, the Mayor announced:

1. City Manager Interviews on February 1, 2002, at 1:50 p.m. (Special Call Meeting)
2. City Manager Interviews on February 2, 2002, at 7:50 a.m. (Special Call Meeting)
3. There will be a Work Study Session on February 4, 2002, at 3 p.m.
4. There will be a Work Study Session on February 6, 2002, at 6 p.m.

NEXT REGULAR MEETING: FEBRUARY 6, 2002, AT 7 P.M.

Thereupon, Mayor Ramsey presented a plaque recognizing the City's participation in the Dr. Martin Luther King, Jr. Day celebration. The plaque had been presented to him at the recent Martin Luther King, Jr. Day celebration on Sunday, January 20, 2002.

Adjournment

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

Scott D. Bird, City Clerk

January 28, 2002

City Commission
Special Call Meeting Minutes
Ottawa, Kansas
February 1 & 2, 2002

The City Governing Body met at 1:50 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Henningsen, Commissioner Gillette, Commissioner Jackson, and Commissioner Flear. A quorum was present.

The Mayor called the meeting to order stating a need for an Executive Session to interview City Manager candidates. Thereupon, it was moved and seconded to recess into Executive Session to discuss non-elected personnel until 7:15 p.m. then recess until 7:50 a.m., Saturday, February 2, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved and the meeting duly recessed into Executive Session.

Reconvene

Thereupon, at 7:15 p.m. there was a motion and second to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, it was moved and seconded to recess until 7:50 a.m., Saturday, February 2, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed until 7:50 a.m., Saturday, February 2, 2002.

Reconvene

Thereupon, at 7:50 a.m., Saturday, February 2, 2002, it was moved and seconded to reconvene the meeting and to recess into Executive Session to discuss non-elected personnel. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened and recessed into Executive Session.

Reconvene In Regular Session

Thereupon, at 4:30 p.m. it was moved and seconded to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

February 1 & 2, 2002

City of Ottawa
Special Call Minutes
February 1 & 2, 2002
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Adjournment

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

Scott D. Bird, City Clerk

February 1 & 2, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of**

February 4, 2002

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

The Mayor called the meeting to order stating a need for an Executive Session to consider the City Manager search process. Thereupon, it was moved and seconded to recess into Executive Session to discuss non-elected personnel for a period of 28 minutes and to reconvene in the same Work Study Session room at 3:30 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved and the meeting duly recessed into Executive Session.

Reconvene

Thereupon, at 3:30 p.m. there was a motion and second to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Public Comments

Thereupon, the Governing Body heard from Mr. George Wingert who asked the Governing Body to consider consolidation of services; more specifically, law enforcement.

Thereupon, George Marstall inquired as to how the City might reduce the impact on the mill levy due to the Municipal Court/Police Building, by use of CIP Funds. Mr. Marstall also asked how the \$29,214 in the Municipal Court/Police Building had been covered at year-end. City Clerk Scott Bird explained that those were engineering fees, which had been covered by a transfer from the Street Rehabilitation fund, which will be reimbursed upon the sale of bonds.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for February 6, 2002, noting that changes would occur.

February 4, 2002

Cereal Malt Beverage

Thereupon, there was presented an application for Cereal Malt Beverage license from C & J Management Services, Inc., d.b.a. as Country Mart. The Governing Body considered this issue and agreed to place it on the February 6, 2002, Regular Meeting Agenda.

Wollen Addition – Phase II

Thereupon, the Governing Body considered a memo from Tom Yahl Assistant to the Planning Director and a letter from Peoples National Bank and agreed to place the acceptance of the Wollen Addition - Phase II on the Regular Meeting Agenda.

Planning Commission

Thereupon, the Governing Body considered applications from Ryan Ficken, of Ottawa University, and Dean Ohmart, of Ransom Memorial Hospital, for the vacated Planning Commission seat and agreed to name Ryan Ficken to the vacant seat. Thereupon, Mayor Ramsey asked staff to make the proper communications.

Blackhawk Public Improvements

Thereupon, the Governing Body reviewed a resolution of acceptance of improvements to Blackhawk Street in the Fairway Vista improvement project noting that this improvement had been unintentionally omitted during the Fairway Vista acceptance. Thereupon, the Governing Body agreed to place this item on the February 6, 2002, Regular Meeting Agenda.

Fairway Vista Impact Fees

Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for February 6, 2002.

Impact Fees- Gravity Sanitary Sewer and Force Main – 2049 Eisenhower to North side of 19th Street.

Thereupon, the Governing Body reviewed this issue and asked for additional information regarding how the impact fees would be spread and agreed to place this item on the Regular Meeting Agenda for February 6, 2002.

February 4, 2002

Meeting Schedule with Representatives in Washington, D.C.

Thereupon, the Governing Body expressed a desire to meet with Congressman Ryun and Senator Brownback during their upcoming National League of Cities meeting in Washington.

Open Agenda

Thereupon, Commissioner Gillette stated he had been appointed to the Energy Environmental Natural Resources Steering Committee (EENR).

Thereupon, Commissioner Jackson noted that the State League Meeting will be October 12-15, 2002, and Ottawa will be hosting a League Board Meeting in June.

Thereupon, Mayor Ramsey noted the Governing Body would be holding a Special Meeting at Ottawa High School on April 4, 2002, to consider a Fair Housing Proclamation.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on February 6, 2002, at 6 p.m.
2. There will be a Work Study Session on February 11, 2002, at 3 p.m.
3. There will be a Work Study Session on February 18, 2002, at 3 p.m.

NEXT REGULAR MEETING: FEBRUARY 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

February 4, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
February 6, 2002

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

Mayor Ramsey opened the meeting and welcomed the Chamber Audience. Thereupon, he called upon Boy Scout Troops 74 for the presentation of Colors and the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Rev. Leroy Rayson.

Approval of Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the agenda with the deletion of Item 17. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Scout Proclamation

Thereupon, the Mayor read a proclamation declaring February 3-9, 2002, as Boy Scout Week in the City of Ottawa, Kansas. Representatives from Troops 74 and 77 were in attendance to accept the proclamation.

New Business

Police and Municipal Court Building

Thereupon, there was presented a resolution authorizing the City of Ottawa, Kansas, to construct a Police and Municipal Court Building and authorizing the issuance of General Obligation Bonds of the City in an amount not to exceed \$2,999,000 to pay the cost thereof. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion Mr. Bill Henningsen, 1131 S. Mulberry, spoke in favor of the construction of the Police and Municipal Court Building stating Ottawa has a growing need for improvements in the public safety arena. Ottawa has more rooftops, we need to look beyond where we are today, and interest rates are good. He recommended the Governing Body proceed.

February 6, 2002

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Thereupon, Mr. Ed York, 1021 W. 9th, spoke in favor of the Law Enforcement Center echoing many of Mr. Henningsen's points, noting that the total valuation of the community continues to go up and that as a banker it is important the police remain a strong and viable part of the community.

Thereupon, the Governing Body heard from Mr. Tony DeLaTorre who spoke against the proposed building noting that while he agreed with the complete separation of police and fire this facility was too large and too expensive and the location is not correct.

Thereupon, the Governing Body heard from Ms. Diane Drake, Director of Franklin County Mental Health, 204 E. 15th, who spoke in favor of the proposition.

The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Jackson aye, Commissioner Henningsen aye, Commissioner Fleer nay, and Mayor Ramsey nay. Thereupon, the Mayor declared the resolution duly adopted by a 3-2 vote and the resolution was duly numbered Resolution No. 1167-02.

Abatement to Remove Inoperable and Junk Vehicles – 912 N. Cherry Street

Thereupon, there was presented a resolution to remove and abate inoperable and junk vehicles and nuisance items located at 912 N. Cherry Street, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained that the Governing Body had discussed this issue at the January 29, 2002, Work Study Session, that the Inspection Department had pursued this issue to the limit of their authority and requests the Governing Body take action to remove and abate this problem. 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. 1168-02.

Corporate Visa

Thereupon, there was presented a resolution to obtain a Corporate Visa Card Account in the name of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

February 6, 2002

City of Ottawa
Regular Meeting Minutes
February 6, 2002
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During discussion it was explained the departure of the previous City Manager caused the cancellation of the City's Visa card. Staff is asking for permission to apply for a Corporate Visa card. 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. 1169-02.

Cereal Malt Beverage Application – Country Mart

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to accept an application for Cereal Malt Beverage for non-consumption at C & J Management Services, Inc., d.b.a. Country Mart, 2138 Princeton Circle Drive. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

Wollen Addition – Phase II

Thereupon, there was presented a resolution accepting public improvements within the Wollen Addition – Phase II, Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this resolution will authorize the acceptance of public improvements associated with all public streets, storm drainage system, sanitary sewer system, and water lines as approved by the City Engineer. 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. 1170-02.

Acceptance of Improvements on Blackhawk

Thereupon, there was presented a resolution accepting public improvements on Blackhawk Street between Hemlock and Milner Streets in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained at the time the Fairway Vista improvements were accepted, the improvements to Blackhawk Street were unintentionally omitted. 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. 1171-02.

Housing Grant

Thereupon, there was presented a resolution certifying authority to apply for the 2002 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce & Housing and authorizing the Mayor to sign and submit such an application. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this resolution is required to proceed with the submission of the CDBG application and the recommended match had been reduced from \$75,000 to \$65,000 as a result of changes to the budget and recommendations by staff in Topeka. Thereupon, Commissioner Jackson made a motion to adopt the resolution with changes to the application as discussed at the Work Study Session, which are primarily technical in nature and to increase the participation of rental properties from 25 to 50 percent. 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. 1172-02.

Eisenhower Road - Sanitary Sewer - Impact Fees

Thereupon, there was presented an ordinance levying impact fees on lots, pieces and parcels of land in the City of Ottawa, Kansas, for the purpose of paying a portion of the cost of improvements consisting of a gravity sanitary sewer project along Eisenhower Road from 2049 Eisenhower Road to the North side of Nineteenth; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained the City had incurred the cost of making infrastructure extensions, that is, sanitary sewer improvements, to facilitate future development in the southwest Eisenhower Road area. Impact fees are a means by which the City may recover part of these funds from the enhanced properties. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3402-02.

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Report by Youth Delegates

Thereupon, the Governing Body heard from Ms. Ann Killough representing the Youth In Government who thanked the Governing Body for the opportunity to go to Atlanta for the National League of Cities Conference stating that the trip gave the local youth many good ideas.

Thereupon, the Governing Body heard from Ms. Mary Herrick who stated one of the issues that had been discussed during the conference dealt with racial discrimination and that this issue needs to be talked about starting at the grade school levels in Ottawa.

Thereupon, Commissioner Jackson stated that these two youth had been excellent ambassadors for the City of Ottawa and other youth will be going to the upcoming National League of Cities meeting in Washington.

Reports by City Manager

Thereupon, Co-Interim City Manager Bob Bezek asked that the Governing Body approve thank you letters to be written to those who had assisted in the recent ice storm cleanup. The Governing Body agreed to this recommendation.

Reports by Mayor

Thereupon, the Mayor called upon Public Works Director Andy Haney who explained the cleanup process is underway. The City of Manhattan has sent 2 trucks, 2 loaders, and 4 men to help with the local cleanup effort. Main Street has been cleared and the crews will go through town at least two times picking up and disposing of debris.

Thereupon, the Governing Body called upon Utility Director Jim Bradley who noted that services had been restored to all residential customers, with the exception of a very few who still needed electricians. Mr. Bradley indicated crews have begun the process of going through town a second time and removing overhanging branches and limbs, which pose a danger to utility lines. Crews from Clay Center, Osage City, Baldwin City, and Teide Construction have assisted the local line crews in this effort.

Announcements

Thereupon the Mayor announced:

1. There will be a Work Study Session on February 11, 2002, at 4 p.m.
2. There will be a Work Study Session on February 18, 2002, at 4 p.m.
3. There will be a Joint City/County/School Meeting on February 20, 2002, at Noon at Ottawa Middle School.
4. There will be a Work Study Session on February 25, 2002, at 4 p.m.
5. Mayor's Prayer Luncheon will be March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.

NEXT REGULAR MEETING: FEBRUARY 20, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 6, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

There were none offered at this time.

Review of Agenda

Thereupon, the Governing Body reviewed the Regular Meeting Agenda for February 6, 2002. Thereupon, City Clerk Scott Bird asked that Item No. 17 be deleted noting that this item had been included in error.

Scout Proclamation

Thereupon, the Governing Body reviewed a Scout Proclamation declaring February 3-9, 2002, as Boy Scout Week in the City of Ottawa, Kansas. Thereupon, City Clerk Scott Bird noted that Troop 74 would be in attendance at 7 p.m. and would perform as color guard this evening.

Storm Cleanup

Thereupon, the Governing Body heard from Public Works Director Andy Haney and Utility Director Jim Bradley related to storm cleanup noting that a thank you needed to be sent around to the visiting communities that had answered our call for assistance.

Fifteenth Street Bridge

Thereupon, the Governing Body reviewed a recommendation from Public Works Director Andy Haney to include approximately \$100,000 in sidewalk work associated with the Fifteenth Street Bridge project. Thereupon, Co-City Manager Bob Bezek suggested the Governing Body remand this issue to the Planning Commission, that they hold a public hearing and bring forward an advisory recommendation to the Governing Body. The Governing Body agreed with this suggestion.

February 6, 2002

City of Ottawa

Replacement of Trash Receptacles

Thereupon, the Governing Body reviewed with Public Works Director Andy Haney a recommendation to spend approximately \$7,000 in General Fund Contingency to be used to replace the downtown trash receptacles. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the use of Contingency not to exceed \$8,000 to pay for this project. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Ramsey declared this request duly approved noting the amount is not to exceed \$8,000.

FEMA

Thereupon, the Governing Body heard from City Clerk Scott Bird who noted he had met with a representative from the Federal Emergency Management Agency (FEMA) along with other representatives of local communities and the county, to discuss possible Federal Assistance in the debris removal resulting from the ice storm. He indicated that if the county is declared a Federal Disaster Area by the President that FEMA will reimburse the City up to 75 percent for certain costs associated with the cleanup and that the state will participate up to 10 percent.

Monthly Financial and Activity Report – December 2001

Thereupon, the Governing Body reviewed the monthly Financial and Activity Reports for the month of December 2001 and asked that this report be brought back on February 11, 2002, Work Study Session and the February 20, 2002, Regular Meeting Agenda.

Open Agenda

Thereupon, Commissioner Jackson made suggestions for changes to the CDBG Housing Grant application; specifically, technical changes for correctness and that the participation level for rental properties be increased to 50 percent.

Thereupon, Commissioner Henningsen inquired about the possibility of delaying the Police and Municipal Court Building consideration. Thereupon, Mayor Ramsey stated he was not ready to vote on this issue, that there are other fiscal impacts to be considered and he wanted to make it clear electric funds were being utilized to keep the mill levy down.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on February 11, 2002, at 4 p.m.
2. There will be a Work Study Session on February 18, 2002, at 4 p.m.
3. There will be a Work Study Session on February 25, 2002, at 4 p.m.
4. The Mayor's Prayer Luncheon will be March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.

NEXT REGULAR MEETING: FEBRUARY 6, 2002, AT 7 P.M.

Adjournment

There being no further business come before the Governing Body during the Work Study Session Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present aye. Thereupon, the Mayor declared the meeting duly adjourned and invited the Commission and guest to join him in the Regular Meeting Chambers.

Scott D. Bird, City Clerk

February 6, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 11, 2002

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

The Mayor called the meeting to order and asked for an Executive Session to discuss the City Manager search.

Executive Session
Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss non-elected personnel for a period of 15 minutes and to reconvene in the same Work Study Session Conference room at 4:15 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 4:15 p.m. Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Public Comments

Thereupon, Mr. Delbert Edwards asked how the Governing Body planned on paying for the two new buildings.

Thereupon, the Mayor introduced Mr. John Verssue, Director of the Main Street Association. Mr. Verssue stated he was very excited to be in Ottawa and was looking forward to working with the Governing Body and City Staff.

Proclamation – Fair Housing

Thereupon, the Governing Body reviewed a proclamation to declare April as “Fair Housing Month” in the City of Ottawa, Kansas. The Governing Body discussed a Special City Commission meeting to be held at Ottawa High School on April 4, 2002, at 2 p.m. Thereupon, Commissioner Jackson asked for some additions to the proclamation.

February 11, 2002

Black History Month

Thereupon, the Governing Body reviewed a proclamation declaring February as “Black History Month” in the City of Ottawa, Kansas, and agreed to place this on the February 20, 2002, Regular City Commission agenda.

Franklin County Cancer Foundation – Benefit Concert

Thereupon, the Governing Body reviewed a letter from Mr. Doug Durbin, 508 S. Locust, Apartment A, requesting use of the gazebo and city park on June 1, and 2, 2002, to produce a benefit concert for the Franklin County Cancer Foundation. Speaking on behalf of the Cancer Foundation was Ms. Kathy Niehoff who stated they would support this issue. The Governing Body considered this issue and agreed to its approval providing all amplified sound would be suspended by 8 p.m.

Storm Cleanup

Thereupon, the Governing Body heard from Public Works Director Andy Haney and Utility Director Jim Bradley regarding storm cleanup. Mr. Bradley stated a lot of trimming and pole replacement would be necessary. Mr. Haney stated that two crews from Manhattan were in town helping for approximately 2 weeks with debris removal.

Thereupon, City Clerk Scott Bird stated he had been in contact with representatives with FEMA and was proceeding as if the disaster declaration for public assistance had been made. He further advised he and the Mayor would be conducting a tour with the Regional Director of FEMA and a meeting had been established for Wednesday morning as an application and kickoff meeting for Federal Relief.

Firefighter Holiday Compensation

Thereupon, the Governing Body heard from Fire Chief Carner who requested Firefighters be treated the same way on holiday compensation as other city employees noting that in the past holiday compensation had been a flat \$104. He stated he worked with the Human Resource Director and the Acting Treasurer and computed that the overall cost implication on the 2002 budget would be a wash. The Governing Body considered this issue and agreed to place it on the Regular agenda for March 6, 2002.

Monthly Financial and Activity Report – December 2001

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for December 2001, and agreed to place this item on the February 20, 2002, agenda.

Open Agenda

Thereupon, Commissioner Jackson noted February 20, 2002, is “Job Shadow Day” and asked that Ottawa Middle School be informed that we will have extra guest at the Joint Meeting.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on February 18, 2002, at 4 p.m.
2. There will be a Joint City/County/School Meeting on February 20, 2002, at Noon at the Ottawa Middle School.
3. There will be a Work Study Session on February 25, 2002, at 4 p.m.

NEXT REGULAR MEETING: FEBRUARY 20, 2002, AT 9:30 A.M.

There will be a Special Meeting on February 15, 2002, at 2:50 p.m. to interview City Manager candidates.

Adjournment

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

Scott D. Bird, City Clerk

February 11, 2002

City Commission
Special Call Meeting Minutes
Ottawa, Kansas
February 15, 2002

The City Governing Body met at 2:50 p.m. this date in Special Session with the following members present and participating to wit: Mayor Ramsey, Commissioner Henningsen, Commissioner Jackson, Commissioner Gillette, and Commissioner Fleer absent. A quorum was present.

The Mayor opened the meeting and stated the purpose of this meeting was to recess into Executive Session to interview City Manager candidates.

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to recess into Executive Session to discuss non-elected personnel until 8 p.m. this date and to reconvene in the upstairs conference room. 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 2:58 p.m.

Reconvene

Thereupon, at 8 p.m. it was moved and seconded to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, it was moved and seconded to recess the meeting into Executive Session to discuss non-elected personnel for a period of 15 minutes and to reconvene at 8:15 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvened

Thereupon, it was moved and seconded at 8:15 p.m. to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

February 15, 2002

City of Ottawa
Special Call Minutes
February 15, 2002
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Recess

Thereupon, it was moved and seconded to recess into Executive Session to discuss non-elected personnel for a period of 15 minutes and to reconvene at 8:30 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 8:30 p.m. it was moved and seconded to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting reconvened at 8:30 p.m.

Adjournment

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

Scott D. Bird, City Clerk

February 15, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 18, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

There were none offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes for January 28, 2002, and February 4, 6, 2002.

Vision Program

Thereupon, the Governing Body heard an update from Blaine Finch who stated public meetings were upcoming on March 26th at the Ottawa Middle School; April 2nd at Lincoln School, and April 4th at the Carnegie Cultural Center. Mr. Finch stated data should be gathered for this project by mid-May to late June and a report brought to the Governing Body. Thereupon, Mr. Finch asked the Governing Body to reinstate the \$11,600 of unspent "Vision" funds from the 2002 budget. The Governing Body agreed to consider this at a later date. Thereupon, Commissioner Jackson questioned where the \$19,000 of grant funds would be spent. Thereupon, Planning Director John Merrell stated that these funds would be used for the Comprehensive Plan.

Haley Park Fountain

Thereupon, the Governing Body heard from Mr. Jeff Bartley from Water's Edge Aquatic Design who presented several alternatives to replace the fountain at Haley Park. The Governing Body agreed to bring this item back at a future agenda. It was noted the cost for Option A. would be approximately \$20,000; Option B. would be between \$25,000-\$30,000; and the "Plaza" style fountain would be \$80,000 plus.

February 18, 2002

Fifteenth Street Bridge Design – Sidewalk Alternatives

Thereupon, the Governing Body reviewed a recommendation from the Planning Commission to include sidewalks on the Fifteenth Street Bridge replacement program and agreed by consensus to the replacement of the existing sidewalk from Rockwood Drive to the west end of the bridge at an estimated cost of \$39,000, the City's share to be \$7,800. Thereupon, Public Works Director Andy Haney was given direction to proceed with the engineering of this project.

Impact Fees

Thereupon, the Governing Body reviewed impact fees for the following improvements:

Blackhawk Street (Street)

Blackhawk Street from Hemlock Street to Milner Street

Milner Street (Street)

Milner Street from Wilson Street to cul-de-sac at the end of Milner Street

Milner Street (Waterline)

Milner Street from Wilson Street to cul-de-sac at the end of Milner Street

Davis Avenue (Waterline)

Davis Avenue from Wilson Street south approximately ½ mile

2049 Eisenhower Road to Fifteenth St (Nugent Creek force main)

Along Eisenhower Road from 2049 Eisenhower Road to Fifteenth Street

The Governing Body reviewed the recommendations and agreed to place these items on the Consent Agenda for February 20, 2002.

Immediate Hazard – 119 S. Poplar

Thereupon, the Governing Body reviewed a resolution declaring 119 S. Poplar an “immediate hazard” noting that this structure had been recently destroyed by fire. The Governing Body agreed to place this item on the Regular Meeting for February 20, 2002.

During discussion Commissioner Jackson asked staff to resurrect the “Minimum Housing Code” and bring it back to the Governing Body.

Thereupon, the Mayor reminded the Governing Body that there will be a Joint Meeting with the Planning Commission scheduled for February 28, 2002, at Noon.

Open Agenda

Thereupon, the Mayor invited Mr. Chris Albright to express concern regarding trailer house zoning. Thereupon, Mr. Albright stated he had been told by City Staff that if a trailer owner does not own the property on which he is intending to place his mobile home it couldn't be located within the City. The Governing Body remanded this issue to Planning Director John Merrell.

Thereupon, Commissioner Jackson noted that three youth had recently testified to the Education Committee at Topeka.

Thereupon, Commissioner Gillette asked for Legislative Issues to be taken to Washington.

Executive Session

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to recess into Executive Session for a period of 20 minutes to discuss non-elected personnel and to reconvene in the same Work Study Session at 5:20 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 5:20 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

February 18, 2002

City of Ottawa

Recess

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to recess the meeting into Executive Session for a period of 20 minutes to discuss non-elected personnel and to reconvene at 5:40 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 5:40 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on February 20, 2002, at Noon, at Ottawa Middle School.
2. There will be a Work Study Session on February 25, 2002, at 4 p.m.

NEXT REGULAR MEETING: FEBRUARY 20, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

February 18, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
February 20, 2002

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

Mayor Ramsey opened the meeting and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

CONSENT AGENDA

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the Consent Agenda. Thereupon, Scott D. Bird, City Clerk explained that the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes from January 16, 2002, and February 6, 2002, and Special Call minutes from February 1 & 2, 2002.

Impact Fees

Item 8. Blackhawk Street (Street)

Blackhawk Street from Hemlock Street to Milner Street

Bill No. 2002-25. An ordinance levying impact fees on lots, pieces and parcels of land in the City of Ottawa, Kansas, for the purpose of paying a portion of the cost for improvements consisting of the construction of Blackhawk Street from Hemlock to Milner Street; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. (Ordinance No. 3403-02)

Item 9. Milner Street (Street)

Milner Street from Wilson Street to cul-de-sac at the end of Milner Street

Bill No. 2002-26. An ordinance levying impact fees on lots, pieces and parcels of land in the City of Ottawa, Kansas, for the

February 20, 2002

City of Ottawa
Regular Meeting Minutes
February 20, 2002
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purpose of paying a portion of the cost for improvements consisting of the construction of Milner Street from Wilson Street to cul-de-sac at the end of Milner street; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. (Ordinance No. 3404-02)

Item 10. Milner Street (Waterline)

Milner Street from Wilson Street to cul-de-sac at the end of Milner Street

Bill No. 2002-27. An ordinance levying impact fees on lots, pieces and parcels of land in the City of Ottawa, Kansas, for the purpose of paying a portion of the cost for improvements consisting of a waterline along Milner Street from Wilson Street to cul-de-sac at the end of Milner Street; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. (Ordinance No. 3405-02)

Item 11. Davis Avenue (Waterline)

Davis Avenue from Wilson Street south approximately ½ mile

Bill No. 2002-28. An ordinance levying impact fees on lots, pieces and parcels of land adjacent to the City of Ottawa, Kansas, for the purpose of paying a portion of the cost for improvements consisting of a twelve inch waterline along Davis Avenue from Wilson Street south approximately ½ mile; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. (Ordinance No. 3406-02)

Item 12. 2049 Eisenhower Road to Fifteenth St (Nugent Creek force main)

Along Eisenhower Road from 2049 Eisenhower Road to Fifteenth Street

Bill No. 2002-29. An Ordinance levying impact fees on lots, pieces and parcels of land in an adjacent to the City of Ottawa, Kansas, for the purpose of paying a portion of the cost for improvements consisting of a sanitary sewer force main project along Eisenhower Road from 2049 Eisenhower Road to Fifteenth Street; and further providing for the payment of said impact fees and for the certification of unpaid fees to the Register of Deeds, of Franklin County, Kansas. (Ordinance No. 3407-02)

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda, Items 6-12 duly approved.

Public Comments

None offered at this time.

Proclamation- Black History Month

Thereupon, Mayor Ramsey read a proclamation declaring the month of February as “Black History Month” and urged all citizens to join in this observance. Thereupon, the Mayor presented the proclamation to Commissioner Jackson who invited the community to join in the activities taking place in the community.

Resolution – 119 S. Poplar – Immediate Hazard

Thereupon, there was presented a resolution to declare the property located at 119 S. Poplar as an immediate hazard. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve this resolution.

During discussion it was explained this property is legally described as Lots 19 and 21, Block 63 in the City of Ottawa, Kansas, and was destroyed by fire and poses an immediate hazard to the public and surrounding property. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly approved and the resolution was duly numbered Resolution No. 1173-02.

Monthly Financial and Activity Report – December 2001

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to accept the Monthly Financial and Activity Reports for the month of December 2001. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Reports for the month of December 2001 duly approved.

February 20, 2002

City of Ottawa
Regular Meeting Minutes
February 20, 2002
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Reports by Youth Delegates

Thereupon, the Mayor introduced the student “Shadowing” him for the day and asked others in the Commission Chambers to introduce their “Shadow.”

Reports by City Manager

Thereupon, Co-City Manager Bob Bezek stated Administrative Secretary Barb Nelson is working on the 2002 National Legislative Program and will soon copy the Governing Body.

Reports by City Commission

Thereupon, Commissioner Fler expressed concerns about the salary survey being conducted by Austin Peters Group, Inc.

Thereupon, Commissioner Gillette stated it is the Governing Body’s responsibility to be equitable.

Thereupon, Commissioner Jackson stated Dionna Mitchell had paired up students with 30 individuals in the community for today’s “Job Shadowing” program. Commissioner Jackson also announced that three youth had been in Topeka to testify on the Education Committee.

Thereupon, Mayor Ramsey recognized all City Employees for going above and beyond expectations during the recent ice storms and thanked them.

Reports by Mayor

Thereupon, Mayor Ramsey stated he would like to turn the meeting over to Mayor pro tem Henningsen.

Thereupon, Mayor pro tem Henningsen made a motion, seconded by Commissioner Gillette, to appoint Weldon Padgett as the City Manager for the City of Ottawa and to offer him a two-year contract with a base salary of \$80,000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion to appoint Weldon Padgett as City Manager for the City of Ottawa duly approved by a 5-0 vote.

February 20, 2002

Thereupon, Mayor Ramsey introduced Weldon Padgett, City Manager, for the City of Ottawa, Kansas. The Mayor stated Weldon is currently serving as City Manager for the City of Bonner Springs, Kansas.

Thereupon, Mr. Weldon Padgett thanked the Governing Body for being so thorough in the position search. Mr. Padgett stated he is excited to come to Ottawa, is house shopping today, and can't wait to get here.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on February 25, 2002, at 4 p.m.
2. There will be a Joint City Commission/Planning Commission Meeting on February 28, 2002, at noon in the City Commission Chambers at City Hall.
3. There will be a Work Study Session on March 4, 2002, at 4 p.m. (tentative)
4. There will be a Work Study Session on March 6, 2002, at 6 p.m.
5. There will not be a Work Study Session on March 11, 2002, at 4 p.m.
(Governing Body will be attending National League of Cities Conference in Washington D.C.)

There will be a Joint City/County/School today at noon at the Old City Hall Building.

NEXT REGULAR MEETING: MARCH 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

February 20, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
February 25, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes for February 11, 2002, and February 18, 2002.

Salary Survey Review

Thereupon, the Governing Body heard from Rebecca Crowder of the Austin Peters Group, Inc. who explained the approach being used for the salary survey. She stated that **Step 1** was a review of internal equity which is being accomplished by a questionnaire sent to each employee asking what their day is like, types of work they do, the environment they work in, supervisory responsibilities, job knowledge, budget authority, decision making, environmental conditions, and physical requirements. She also indicated that the job descriptions had been reviewed and employees were interviewed during a 20-minute process with each employee or in some cases, employee groups. **Step 2** is external equity. Employees were asked where they would be willing to drive for employment. She indicated further information was requested from Department Heads regarding turnover and recruiting. She stated that salary ranges would be set using American Compensation Guidelines, which is a blend of a point system and a market condition system. She noted that the Department Heads are the Steering Committee throughout this process. The Governing Body thanked Ms. Crowder for her information.

February 25, 2002

Grand Army of the Republic Flag Holders

Thereupon, the Governing Body reviewed letters from Mr. George Papps and Ms. Ruth Moore requesting the use of the Municipal Auditorium for a fundraiser and requesting assistance to replace the flag holders at the cemeteries. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Henningsen, to donate \$1,000 to this effort. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Public Safety Building

Thereupon, the Governing Body reviewed a memo of request from Fire Chief Jeff Carner asking for \$12,000 to make repairs to the soffit and fascia of the fire department. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to expend General Fund contingency reserves not to exceed \$12,000 to make these repairs. The motion was considered and upon being put, all present voted aye.

Amendment to the Flexible Benefit Plan

Thereupon, the Governing Body considered a resolution to amend the City of Ottawa Flexible Benefit Plan to add Specified Health Coverage and Accident Coverage as eligible pre-tax premium benefits effective April 1, 2002. The Governing Body considered this recommendation and agreed to place this item on the March 6, 2002, Regular meeting agenda.

Ordinance - Adult Entertainment

Thereupon, the Governing Body reviewed an update of the City's Adult Entertainment ordinance, originally adopted November 3, 1993, and agreed to place this item on the March 6, 2002, agenda.

2002 National Legislative Program

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

Appointments with Representatives in Washington, D.C.

Thereupon, the Governing Body reviewed a schedule to meet with Senator Roberts on Monday, March 11, at 11 a.m.; with Senator Brownback on Tuesday, March 12, at 9:30 a.m.; and with Congressman Ryun on Tuesday, March 12, 2002, at 11 a.m.

Monthly Financial and Activity Report – January 2002

Thereupon, the Mayor asked Co-Interim City Manager Bob Bezek if he would check into the supposition that a charter exists between the Recreation Commission and the City as indicated in the Ottawa Recreation Commission Minutes. Thereupon, the Governing Body agreed to defer further discussion until the next Study Session.

Open Agenda

Thereupon, Co-City Manager Scott Bird stated the Planning Department had received bids for the demolition of 119 S. Poplar. The low bid from Hall's Bobcat Service Inc., of \$3,850; Gowing's Construction- \$4,250; and J & S Excavating-\$4,500. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to accept the low bid from Hall's Bobcat Service, Inc. for the demolition for 119 S. Poplar. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Thereupon, the Mayor stated he would like to draft a thank you to the League for their service during the City Manager search. The Governing Body gave their approval.

Thereupon, Commissioner Fleer asked about progress at 619 N. Cherry.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City Commission/Planning Commission Meeting on February 28, 2002, at Noon in the City Commission Chambers at City Hall.
2. There will be a Work Study Session on March 4, 2002, at 4 p.m.
3. There will be a Work Study Session on March 6, 2002, at 6 p.m.

NEXT REGULAR MEETING: MARCH 6, 2002, AT 4 P.M.

Adjournment

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

Scott D. Bird, City Clerk

February 25, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 4, 2002

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

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for March 6, 2002, noting that additions will be made.

DeFries Family Endowed Cultural Fund at Ottawa University

Thereupon, the Governing Body reviewed a proclamation to honor Mr. Charles W. Gusewelle who will be the guest speaker at Ottawa University on March 7, 2002, at 11 a.m. and 7:30 p.m. Thereupon, the Governing Body agreed to place this item on the March 6, 2002, Regular Meeting agenda.

Proclamation – Celebrating Girl Scout Week and 90th Anniversary of Girl Scouts

Thereupon, the Governing Body reviewed a proclamation declaring March 12, 2002, as the 90th Anniversary of Girl Scouts of America in the City of Ottawa, Kansas. Thereupon, the Governing Body agreed to place this item on the March 6, 2002, Regular Meeting agenda.

Building Permit for Golf Cart Storage Shed – Ottawa Country Club

Thereupon, the Governing Body reviewed a letter of request from Mr. Gene Cates, Board Member, Ottawa Country Club, who asked for relief from the \$1,200 building permit fee for a 7,344 square foot pole barn structure, which is to be constructed on the Country Club grounds for the purpose of storing golf carts. The Governing Body considered this request and agreed that the building permit fee structure schedule is appropriate and this request was denied.

March 4, 2002

Proposed Condemnation- Phase III

Thereupon, the Governing Body reviewed a list of proposed condemnations with Planning Director John Merrell. Those properties proposed to be demolished are as follows:

**101 S. Main
714 S. Cherry
1024 S. Walnut
818 W. 10th
816 N. Locust
804 S. Locust
808 S. Cherry**

Thereupon, the Governing Body agreed to place these resolutions on the agenda for March 6, 2002, to set a public hearing date for these condemnations.

Immediate Hazard Request – Franklin County Historical Building – 931 N. Locust

Thereupon, Mr. Merrell requested that 731 N. Locust be declared an “Immediate Hazard” noting this is a storage facility for the Franklin County Historical Society which was severely damaged during the ice storm. Mr. Merrell further noted FEMA relief would be possible only if the Governing Body took this action. Thereupon, the Governing Body agreed to place this item on the March 6, 2002, agenda.

Handicapped Parking

Thereupon, the Governing Body reviewed a request from Mr. Rex Browning to add a Handicapped Parking space in the parking lot on the west side of the 100 block of Main.

Thereupon, Public Works Director Andy Haney noted he had reviewed this site and believed the space is adequate for such an accommodation. The Governing Body agreed with this recommendation and asked Mr. Haney to bring forth an ordinance to establish said Handicapped Parking space.

2002 National Legislative Program

Thereupon, the Governing Body reviewed the National Legislative Program in preparation for their trip to Washington and agreed to add a Federal Fire Act issue. Thereupon, the Governing Body heard from Fire Chief Jeff Carner who stated that the Federal Fire Act which provides grant funding directly to fire departments has been funded for the second. The Ottawa Fire Department will be bringing forth a request for grant funding.

Thereupon, the Governing Body also considered a recommendation from Public Works Director Andy Haney to include an effort to restore 9 billion dollars in highway programs proposed to be cut by the President's budget and agreed to add this to the Legislative Program. They further discussed issues such as more equitable housing and the Cops Fast Program.

Monthly Financial and Activity Reports – January 2002

Thereupon, the Governing Body reviewed with staff the January 2002 Monthly Financial and Activity Reports. During discussion, heard from Ms. Jane Morton, Director of Ottawa Recreation Commission, who noted she did not believe that a charter existed between the City of Ottawa and the Recreation Commission. However, she provided the Governing Body with a copy of statutes, which outlines relationship between a recreation commission, school district, and the city.

Open Agenda

Thereupon, Commissioner Henningsen thanked employees for being involved with the recent blood drive.

Thereupon, City Clerk Scott Bird noted that he will be attending the Kansas City Clerk's Municipal Finance Officer's Association meeting on Thursday and Friday of this week.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on March 6, 2002, at 6 p.m.
2. There will not be a Work Study Session on March 11, 2002. (Governing Body will be attending National League of Cities Conference in Washington, D.C.)
3. There will be a Joint City/County/School Meeting on March 13, 2002, at Noon, at the Franklin County Jail.
4. The Mayor's Prayer Luncheon will be on March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.

NEXT REGULAR MEETING: MARCH 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

March 4, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
March 6, 2002

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

Mayor Ramsey opened the meeting and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the Consent Agenda. Thereupon, Assistant City Clerk Bonita Nicewander explained that the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes of previous meetings: Special Call Meeting from February 15, and the Regular Meeting February 20, 2002.

Item's 8-14

Resolutions fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq; at which time the owners, their agents, lien holders of record and any occupants of the structures may appear and show cause why said structures should not be condemned and ordered repaired or demolished, as follows:

Item 8 – Bill No. 2002-32: The South ½ of Lot 22, and all of Lots 24 and 26, Block 9, University Addition, also known as **1024 S. Walnut**. (Resolution No. 1174-02)

Item 9 – Bill No. 2002-33: Lots 1, 3, and 5, Block 59, except the South 9 inches of Lot 5, also, known as **101 S. Main**. (Resolution No. 1175-02)

Item 10 – Bill No. 2002-34: Lots 14, and 16, Block 2, Parkplace Addition, also known as **816 N. Locust**. (Resolution No. 1176-02)

Item 11 – Bill No. 2002-35: Lots 1, 3, and 5 Block 3, Fitt's Addition also known as **804 S. Locust**. (Resolution No. 1177-02)

March 6, 2002

Item 12 – Bill No. 2002-36: Lots 6 and 8, Block 2, Maywood Addition, also known as **808 S. Cherry**. (Resolution No. 1178-02)

Item 13 – Bill No. 2002-37: Lots 12 and 14, Block 1, Ellis and Darnell Addition, also know as **714 S. Cherry**. (Resolution No. 1179-02)

Item 14 – Bill No. 2002-38: The East 50 feet of a tract commencing 825 feet East of the 690 feet South of the Northwest Corner of the Southeast Quarter, thence East 123 feet, thence South 231 feet, thence West 123 feet, thence North 231 feet to point of beginning, also known as **818 W. 10th**. (Resolution No. 1180-02)

During discussion it was explained these structures have been declared to be in a state of dilapidation by the Director of Planning, Zoning and Inspection and it is recommended these resolution's be adopted which will allow the property owner(s) the opportunity for a public hearing to demonstrate why these structure should not be condemned.

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda, Items 6-14 duly approved.

Public Comments

None offered at this time.

Proclamation – Charles W. Guswelle

Thereupon, Mayor Ramsey read a proclamation designating Thursday, March 7, 2002, as "Charles W. Guswelle" Day in the City of Ottawa, Kansas. Mr. Guswelle is the Associate Editor and Columnist for The Kansas City Star and has been invited to speak at Ottawa University on behalf of the DeFries Family Endowed Cultural Fund. Mr. Guswelle will speak on Thursday, March 7, 2002, at 11 a.m. and 7:30 p.m.

Proclamation – Celebrating Girl Scout Week and 90th Anniversary

Thereupon, Mayor Ramsey read a proclamation to proclaim March 12, 2002, as the 90th Anniversary of Girl Scouts of the USA.

March 6, 2002

Resolution – City of Ottawa Flexible Benefit Plan

Thereupon, there was presented a resolution to amend the City of Ottawa Flexible Benefit Plan. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve this amendment.

During discussion it was explained this resolution amends the City's Flexible Benefit Plan Document to include "Specified Health Coverage" and "Accident Coverage" as eligible pretax premium benefits effective April 1, 2002. These benefits are 100% employee paid. 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. 1181-02.

Ordinance – Adult Entertainment

Thereupon, there was presented an ordinance defining adult entertainment and adult businesses; providing standards for issuance of licenses, standards of conduct and operation and making it unlawful to engage in conduct defined herein without compliance with the standards established herein and providing penalties for violation of this ordinance. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt this ordinance as presented.

During discussion it was explained this ordinance is a clean up of city legislation that was originally adopted November 3, 1993. In addition to improving the restriction, this version will be incorporated into the Municipal Code. 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. 3408-02.

Resolution – City Employment Policies

Thereupon, there was presented a resolution amending the policies concerning employment. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution as presented.

During discussion it was explained this action will amend city employment policies to treat holiday compensation for the fire department the same as other departments within 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. 1182-02.

Resolution – Immediate Hazard – 931 N. Locust

Thereupon, there was presented a resolution declaring 931 N. Locust within the City of Ottawa, Kansas, as an immediate hazard. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution as presented.

During discussion it was explained this building, used for storage by the Franklin County Historical Society at 931 N. Locust, received heavy damage during the recent ice storm. Historical Society Executive Director Deb Barker has requested this action to assist the organization with receiving federal assistance. 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. 1183-02.

2002 National Legislative Program

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the identified issues of concern to be presented to the Kansas Delegation at the National League of Cities (NLC) Conference in Washington, D.C., March 8-12, 2002.

During discussion it was explained Transportation; Federal Fire Act; Cops Fast Grants; Disbursement of Federal Funds for Housing to Cities; and Electric Retail Wheeling as issues of concern. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the identified issues of concern for the 2002 National Legislative Program duly approved.

Monthly Financial and Activity Report – January 2002

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the Monthly Financial and Activity Report for the month of January 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for the month of January 2002 duly approved.

Resolution – Abate a Nuisance at 113 S. Elm

Thereupon, there was presented a resolution to authorize the City to remove nuisance items from the property at 113 S. Elm. Thereupon, Commissioner Fleer

made a motion, seconded by Commissioner Gillette, to approve this resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly approved and the resolution was duly numbered Resolution No. 1184-02.

Reports by Mayor

Thereupon, Mayor Ramsey stated 2 youth will be attending the Kansas Delegation at the National League of Cities Conference in Washington, D.C. with the Governing Body March 8-12, 2002.

Announcements

Thereupon, the Mayor announced:

1. There will **not** be a Work Study Session on March 11, 2002, at 4 p.m. (Governing Body will be attending National League of Cities Conference in Washington, D.C.)
2. There will be a Joint City/County/School Meeting on March 13, 2002, at Noon at the Franklin County Jail.
3. There will be a Work Study Session on March 18, 2002, at 4 p.m.
4. The Mayor's Prayer Luncheon will be on March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.

NEXT REGULAR MEETING: MARCH 20, 2002, AT 9:30 A.M.

Adjournment

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

Bonita Nicewander, Assistant City Clerk

March 6, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 6 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

There were none offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes of February 25, 2002.

Review of Agenda

Thereupon, the Governing Body reviewed the Regular Meeting Agenda for March 6, 2002.

Nuisance Abatement - 113 S. Elm

Thereupon, the Governing Body reviewed a memo from Tom Yahl, Assistant to the Planning Director, requesting a nuisance be declared for 113 S. Elm. Thereupon, the Governing Body discussed this issue noting this nuisance has existed for some time and the occupants have failed to maintain trash service resulting in a pile of trash and garbage at the alley. Thereupon, the Governing Body placed this item as Item No. 27 on the Regular Meeting Agenda, for March 6, 2002.

Board and Commission Appointment

Thereupon, the Governing Body reviewed a letter from JoAnn Heins requesting that the Commission reappoint Commissioner Jackson to the Fourth Judicial District Correction Advisory Board. Thereupon, it was moved and seconded to reappoint Commissioner Jackson for a two-year term, beginning on April 16, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved and Commissioner Jackson duly reappointed to the Fourth Judicial District Corrections Advisory Board.

March 6, 2002

Old Middle School

Thereupon, the Governing Body reviewed a letter drafted for the Mayor's signature to USD 290 School Board President John Coen stating that the City Commission has no foreseeable plans for use of the old Ottawa Middle and has no desire to fund renovation of the structure with tax dollars. Thereupon, the Governing Body agreed to proceed with this letter. Commissioner Gillette asked that the verbiage "with tax dollars" be removed. However, the majority of the Governing Body agreed to the original letter.

Thereupon, Commissioner Henningsen suggested the Governing Body look into greater utilization of the auditorium, as well as, funding issues at the auditorium.

Thereupon, Commissioner Jackson stated that April 20, 2002, has been set for the Mayor's Youth Summit and will probably be staged at the Ottawa Middle School.

Announcements

Thereupon, the Mayor announced:

1. There will **not** be a Work Study Session on March 11, 2002. (Governing Body will be attending National League of Cities Conference in Washington, D.C.)
2. There will be a Joint City/County/School Meeting on March 13, 2002, at Noon at the Franklin County Jail.
3. The Mayor's Prayer Luncheon will be on March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.

NEXT REGULAR MEETING: MARCH 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

March 6, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 18, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

Thereupon, George Ledom of 212 West Seventh spoke to the Governing Body about whose responsibility it is to fix and pay for sidewalk repair at an intersection. Thereupon, Co-City Manager Bob Bezek stated he would review the issue and respond to Mr. Ledom by letter.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes of March 4, 2002, and March 6, 2002.

Bond Sale

Thereupon, the Governing Body reviewed a Bond Resolution, which will authorize \$2,999,000 of G.O. Bonds for the financing of the Law Enforcement Center. In addition, this resolution includes \$225,000 to be issued for the possible refinancing of 3 existing bond issues; Industrial Park Improvement Issue at \$120,000; the Auditorium and Don Woodward issue at \$50,000 and the East 6th and 7th Street Improvement issue at \$55,000.

During discussion it was explained if the bid on any individual refinancing issue does not come in lower than the rate we are currently paying, it will not be accepted. The possibility does exist to save a few thousand dollars on one or more of these issues and time it with this issue to reduce issuance costs. Thereupon, the Governing Body agreed by consensus to place this item on the March 20, 2002, City Commission agenda.

March 18, 2002

2002 Assistance to Firefighters Grant Program

Thereupon, the Governing Body heard from Fire Chief Jeff Carner requesting permission to proceed with the application process for the 2002 Assistance to Firefighters Grant Program in the amount of \$135,000. Chief Carner will be applying for a vehicle that could be used for a wide variety of functions. Chief Carner stated this vehicle would clearly reduce use of the Class A pumpers, extend their use period and increase potential trade-in value. Thereupon, the Governing Body agreed by consensus to 10% or approximately \$13,500 to be paid from the equipment reserve fund.

Asbestos Inspection Services

Thereupon, the Governing Body heard from Human Resource Director Judy Hasty who explained the need to identify asbestos use in any of the City buildings. Thereupon, the Governing Body agreed by consensus to allow Ms. Hasty to proceed with the Terracon proposal in the amount of \$9,200 which could be paid for out of Contingency Funds.

Handicapped Parking Addition

Thereupon, the Governing Body reviewed with Public Works Director Andy Haney an ordinance to add a handicapped parking space in a municipal parking lot and to list the municipal parking lots by name and location. Thereupon, the Governing Body agreed by consensus to place this item on the March 20, 2002, Regular City Commission Meeting and asked Mr. Haney to review handicapped parking in all City parking lots and report back to them.

2002 Sidewalk Program

Thereupon, the Governing Body reviewed a proposal to extend a contract with Jack Thompson who was selected for the 2001 Sidewalk Improvement Program, to include the 2002 Program with a unit price increase of three percent (3%). Thereupon, the Governing Body agreed by consensus to allow Mr. Thompson to proceed into the 2002 Program with a unit price increase of three percent (3%).

NLC Conference – Report by Commission

Thereupon, the Governing Body members reported on their activities and meetings during the National League of Cities Conference in Washington, D. C.

Open Agenda

Thereupon, Commissioner Fleer stated she had been asked why City employees didn't discover the grant for the Wastewater Treatment Plant.

During discussion it was explained the City has been without an employee position that covers grant writing and research for several years. Public Works Director Andy Haney commented he knew when the information was presented to the Utilities Department Staff they took the ball and ran with it. Staff worked very hard on it and there was a significant amount of time and effort that went into the researching and preparation of the grant.

Thereupon, Commissioner Henningsen asked if a proclamation could be placed on an upcoming agenda with regards to "Equal Pay Day".

Thereupon, Mayor Ramsey said he would like to arrange for the two youth delegates traveling to Washington, D.C. to attend a meeting soon and report on their experience.

Announcements

Thereupon, the Mayor announced:

1. The Mayor's Prayer Luncheon will be on March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church.
2. There will be a Work Study Session on March 25, 2002, at 4 p.m. (tentative)
3. There will be a Work Study Session on April 3, 2002, at 6 p.m.

NEXT REGULAR MEETING: MARCH 20, 2002, AT 9:30 A.M.

Thereupon, Mayor Ramsey stated the reorganization of the City Commission will be on an agenda soon as the swearing in of the new Mayor will take place on April 17, 2002.

Adjournment

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

Scott D. Bird, City Clerk

March 18, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
March 20, 2002

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

Mayor Ramsey opened the meeting and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the Consent Agenda. Thereupon, Mayor Ramsey explained that the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes of previous meeting: March 6, 2002

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda, Items 6 and 7 duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Shane Hall, representing Hall's Bobcat Service, regarding an addendum to a contract on a completed demolition. Thereupon, Mayor Ramsey asked City Attorney Bob Bezek to review this information and respond to Mr. Hall's attorney.

Ordinance – Handicapped Parking Space

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic, including designation of parking restrictions within the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve this ordinance.

March 20, 2002

City of Ottawa
Regular Meeting Minutes
March 20, 2002
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During discussion it was explained this ordinance will provide for the designation of a handicapped parking space adjacent to the alley near the north end of the public parking lot in the 100 block of Main and Walnut Streets. Thereupon, Co-Interim City Manager Bob Bezek stated Public Works Director Andy Haney had been asked by the Governing Body to evaluate all handicapped parking in municipal parking lots and report back to the Governing Body. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly approved and the ordinance was duly numbered Ordinance No. 3409-02.

Resolution – Sale of General Obligation Bonds

Thereupon, there was presented a resolution authorizing the offer for sale of approximately \$3,224,000 principal amount of General Obligation Refunding and Improvement Bonds, Series 2002, of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to approve this resolution.

During discussion it was explained this resolution will authorize the sale of bonds for the new law enforcement center and other minor bond issues. If the interest rates are low enough, the City may be able to save some money by refinancing the 3 small bond issues. If the interest rates are not favorable, the minor issues will not be financed but the law enforcement center will be.

Thereupon, Commissioner Fleer expressed concern about the Governing Body passing this resolution with regards to the current employee salary study being done. Commissioner Fleer wondered if maybe the Governing Body should postpone this resolution until the new City Manager is on board.

The motion was considered and upon being put, passed by the following vote: Commissioner Fleer nay, Commissioner Henningsen aye, Commissioner Jackson aye, Commissioner Gillette aye, and Mayor Ramsey aye. Thereupon, the Mayor declared the resolution duly adopted by a 4-1 vote and the resolution was duly numbered Resolution No. 1185-02.

Announcements

Thereupon, the Mayor announced:

1. The Mayor's Prayer Luncheon will be on March 20, 2002, at 11:45 a.m. in Roberts Hall at Westminster Presbyterian Church, at 13th and Maple.
2. There will be a Work Study Session on March 25, 2002, at 4 p.m.
3. There will be a Work Study Session on April 1, 2002, at 4 p.m. (tentative)
4. There will be a Work Study Session on April 3, 2002, at 6 p.m.

NEXT REGULAR MEETING: APRIL 3, 2002, AT 7 P.M.

Adjournment

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

Bonita Nicewander, Assistant City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
March 25, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Vietnam Traveling Wall

Thereupon, the Governing Body reviewed a letter of request from Mr. Robert Rossman from Princeton, Kansas, requesting to bring the Vietnam Traveling Wall to Ottawa, Kansas, in the fall of 2003. Mr. Rossman's requested the use of Forest Park, however Mr. Rossman had communicated with City Clerk Scott Bird, stating that City Park would be a possibility. The Governing Body approved the possibility of either park and asked the City Clerk to contact Mr. Rossman about the size and location of this traveling wall. Additional concerns were expressed regarding lighting in the parks.

Thereupon, Auditorium Director Dick Smith noted a further request included the use of the Auditorium. Mr. Smith stated that the City has free use of the auditorium at certain times throughout the year and this would be a possibility in coordination with this event. If the wall comes to Ottawa it will be in town for seven days.

Boot Block Request

Thereupon, the Governing Body reviewed a letter of request to solicit donations on the corner of Princeton Road and 23rd Street on April 7th or April 28th, 2002, between 11 a.m. and 2 p.m.

During discussion the concern was expressed about the safety aspect of 23rd Street and the Governing Body suggested that this activity be approved for the downtown area at 3rd, 4th, and/or 5th Street intersections and Main.

March 25, 2002

Equal Pay Proclamation

Thereupon, the Governing Body reviewed a proclamation encouraging Ottawa employers to review their pay practices related to pay equality and agreed to place this proclamation on the April 3, 2002, City Commission agenda.

Fair Housing Proclamation

Thereupon, the Governing Body reviewed a Fair Housing Proclamation and agreed to place this on the Special Call meeting agenda for April 4, 2002.

Board and Commission Appointments – Terms Expiring in 2002

Thereupon, the Governing Body reviewed the upcoming appointments and terms expiring in 2002 for the various boards, authorities, and commissions. It was noted that many of the current members are not eligible for reappointment and it was suggested that due to the lack of qualified candidates for certain boards; i.e., building, plumbing, and electric code, that term limitations be extended. Co-Interim City Manager Bob Bezek stated that an ordinance would be brought to the Governing Body to recommend new limitations.

2003 Budget Calendar

Thereupon, the Governing Body reviewed the tentative budget calendar for the 2003 budget process. City Clerk Scott Bird explained this is a tentative schedule, subject to change, however; it does give a guideline for the staff and the commission to work with.

During discussion the state's impact on demand transfers were discussed. The city budget could be effected as early as July 1, 2002, up to as much as \$300,000 and up to as much as \$600,000 in the 2003 budget. It was noted the Department Heads have already been requested to cut their annual spending for 2002 by 5 ½ percent, noting that if the state does not cut transfers as severely as anticipated this will only prove to be beneficial to the city in the long run. Thereupon, Commissioner Jackson raised the question as to whether the County has the authority to hold the bed tax from the tourism department noting that this is a specific tax and has a specific destination.

2003 CIP

Thereupon, the Governing Body heard from City Clerk/Director of Finance Scott Bird who presented the proposed 2003 Capital Improvement Program. Mr. Bird explained that the Water and Electric bonds pay out in 2002 creating reductions in debt obligations for these two funds of \$415,000 and \$568,000 respectively. He further explained that projects that the city is obligated for include the Law Enforcement Facility and the Wastewater Treatment Plant facility and these are included in the overall estimates. He pointed out that the Water Fund is anticipated to participate in the amount of \$102,000 and the Electric Fund in the amount \$203,000 for debt obligation to help keep the mill levy down. He also pointed out the levy “Rip Rap” project, a project, which will be coming forward to the Governing Body in the near future, includes participation from all four funds. That is, water, wastewater, electric, and GO Debt. The estimated future mill levy for 2003 for the GO Debt is projected at 8.4 mills, assuming a 4 percent assessed evaluation growth for 2003.

Monthly Financial and Activity Report – February 2002

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of February 2002.

Open Agenda

It was explained that City Public Works Crew and one contractor continues to work on the removal of hangers, that is, tree branches which are broken and still hang over public rights-of-way. However, the contractor will be terminated as of April 15, 2002, due to the lack of participation by the state and due to the budgetary concerns even though FEMA anticipates paying 75 percent of these costs.

Thereupon, Commissioner Jackson noted there will be a leadership summit on May 31, 2002, through June 1, 2002. The gas companies in the state of Kansas are attempting to piggyback on the cable franchise agreements regarding municipal rights-of way. Thereupon, the Mayor asked if the Heartland China tax abatement could be brought back to the Governing Body noting that the employment figures for Heartland China are substantially lower than originally estimated.

March 25, 2002

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on April 1, 2002, at 4 p.m.
2. There **will not** be a Work Study Session on April 3, 2002, at 6 p.m.
3. There will be a Special Call Meeting on April 4, 2002, at 2 p.m. in the gymnasium at Ottawa High School.
4. There will be a Work Study Session on April 8, 2002, at 4 p.m.
5. There will be a Work Study Session on April 15, 2002, at 4 p.m.
6. There will be a Joint City/County/School Meeting on April 17, 2002, at noon in the City Commission room at City Hall.
7. There will be a City Commission Meeting on April 17, 2002, at 7 p.m. (City Commission Reorganization)

NEXT REGULAR MEETING: APRIL 3, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

March 25, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 1, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes from March 18, 2002, and March 25, 2002, as presented.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for April 3, 2002, noting that additions would be made. Thereupon, Mayor Ramsey asked if the Youth Delegates could give a report on their recent trip to Washington. Commissioner Jackson agreed to contact the Youth Delegates.

Airport Compensation

Thereupon, the Governing Body reviewed with Mr. Tony LeMaster, Fixed Base Operator of the Municipal Airport, a request to increase his compensation by \$18,000, noting that his ability to operate the airport in the black has been significantly affected by the economy and by the events of 9-11. The Governing Body discussed this issue also noting that Mr. LeMaster receives approximately \$670 per month in hanger fees and has received \$500 gross in fuel sales since September. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to waive the rent payments Mr. LeMaster makes to the City of Ottawa for two months to provide some relief until the new City Manager is on board. The amount of these payments is \$833 per month. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

April 1, 2002

MS Walk

Thereupon, the Governing Body reviewed a letter from Ms. Kim Weidner to allow a “walk” to benefit Multiple Scierosis in Forest Park on Saturday, May 4, 2002, and to block certain entrances to provide security to the walkers. The Governing Body considered this request and granted its approval.

Outdoor Concert

Thereupon, the Governing Body heard from Ms. Amy Moore, Director of Student Activities, who requested permission to have a Spring Christian Concert, Friday, April 12, 2002, from 5-10 p.m. and Saturday, April 13, 2002, from noon-8 p.m., noting that some of the Christian Bands will in all probability exceed the sound limit. The Governing Body reviewed this request and granted its approval.

Proclamation - National Library Week

Thereupon, the Governing Body reviewed a proclamation declaring April 14-20, 2002, as National Library Week in the City of Ottawa, Kansas, and agreed to place this item on the April 3, 2002, agenda.

Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed a request to approve three residential properties and three commercial properties for Neighborhood Revitalization Program. The properties are as follows:

810 S. Cedar
1032 S. Main
811 Pecan
940 N. Main
1121 N. Main
136 S. Main

During discussion it was noted that no plans had been received on 1121 N. Main and the Governing Body agreed to pull this address from the approval list and agreed to place the rest of the addresses on the agenda for April 3, 2002.

Second Extension of Franchise Fee – CoxCom, Inc. d/b/a Cox Communications

Thereupon, the Governing Body reviewed a request for a second extension of the franchise agreement between the City of Ottawa, Kansas, and Cox Communications and agreed to place this item on the agenda for April 3, 2002.

Resolution – Authorizing the Establishment of Bank Accounts and Certain Agents for the City of Ottawa.

Thereupon, the Governing Body reviewed a resolution to place City Manager Weldon Padgett on the City bank accounts. The Governing Body reviewed this issue and agreed to place it on the Regular City Commission agenda for April 3, 2002.

Resolution – Authorizing an Account with the State Municipal Investment Pool

Thereupon, the Governing Body agreed to place Mr. Weldon Padgett, City Manager, on the City's Municipal Investment Pool account and remove Interim City Manager Bob Bezek. The Governing Body reviewed this resolution and agreed to place it on the April 3, 2002, agenda.

Rip Rap Bids (Levee Maintenance Project)

Thereupon, the Governing Body reviewed bids received on the Rip Rap project with Public Works Director Andy Haney. Mr. Haney explained the low bid was from Big River Construction using rock from Martin Marietta Quarry from the Stoner/Captain Creek/Spring Hill Ledges. Mr. Haney further explained these were the same Ledges that were originally used to line the levy system and recommended the acceptance of this bid.

During discussion City Clerk Scott Bird explained he would propose if the Governing Body were ready to accept the low bid, that bond authorization also be granted in the amount of 1.2 million dollars to cover any contingencies and/or bond issuance costs. The Governing Body agreed to place this issue on the Regular agenda for April 3, 2002.

Open Agenda

Thereupon, Commissioner Gillette stated he might not be in attendance for the Special Call Meeting of April 4, 2002.

Thereupon, Commissioner Jackson noted that the community services bill that some of the Youth and Government members had testified for had passed the house and now sits in the Senate.

Thereupon, Commissioner Jackson suggested the Governing Body authorize three \$500 scholarships for Senior's at Ottawa High School who are members of the Youth and Government Program. This item was placed on the April 3, 2002, agenda.

Thereupon, Commissioner Fler expressed concern over the potential demolition of the Old Middle School and again suggested the City find a way to use this building, preferably for the Law Enforcement Center.

Adjournment

Thereupon, the Mayor announced:

1. There **will not** be a Work Study Session on April 3, 2002, at 6 p.m.
2. There will be a Special Call Meeting on April 4, 2002, at 2 p.m. in the gymnasium at Ottawa High School.
3. There will be a Work Study Session on April 8, 2002, at 4 p.m.
4. There will be a Work Study Session on April 15, 2002, at 4 p.m.
5. There will be a Joint City/County/School Meeting on April 17, 2002, at Noon in the City Commission Room at City Hall.
6. There will be a City Commission Meeting on April 17, 2002, at 7 p.m. City Commission Reorganization.

NEXT REGULAR MEETING: APRIL 3, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk
April 1, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
April 3, 2002

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

Mayor Ramsey opened the meeting and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Leroy Rayson.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the Consent Agenda. Thereupon, it was explained the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes of previous meeting: Regular Meeting March 20, 2002.

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. Jeff McAdoo, 313 S. Maple, who encouraged the Governing Body to find a use for the Old Ottawa Middle School located at 5th and Main, and compared loosing this building to loosing other historic structures such as the Great Wall of China, Egyptian Pyramids, and the Statue of Liberty.

Thereupon, the Governing Body heard from Mr. Tony DeLaTorre, 811 N. Poplar, who echoed Mr. McAdoo's feelings about the Old Middle School and also spoke against the new Law Enforcement Building.

Thereupon, the Governing Body heard from Ms. Mildred Heathman, 1026 N. Cherry, who stated the people want to vote on the Police Building and on the Old Middle School. She stated, three million dollars for a new Law Enforcement facility is a lot of money and by tearing down the Old Middle School, future generations will be affected.

April 3, 2002

Regular Agenda

Proclamation – Equal Pay

Thereupon, Mayor pro tem Deborah Henningsen read a proclamation declaring Tuesday, April 16, 2002, as “Equal Pay Day” in the City of Ottawa, Kansas.

Thereupon, Barbara Dew accepted the proclamation on behalf of the Soroptimist Club.

Proclamation – National Library Week

Thereupon, Mayor Ramsey read a proclamation declaring April 14-20, 2002, as “National Library Week” in the City of Ottawa, Kansas, and encouraged residents to support the local library.

Neighborhood Revitalization Program – 810 S. Cedar, 1032 S. Main, 811 Pecan, 940 N. Main, and 136 S. Main

Thereupon, there was presented an approval for applications for the Neighborhood Revitalization Program for properties located at 810 S. Cedar, 1032 S. Main, 811 Pecan, 940 N. Main, and 136 S. Main. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve these applications.

During discussion it was noted that 1121 N. Main had been pulled from this agenda and would be brought back in the near future. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Second Extension of Cable Television Franchise Agreement

Thereupon, there was presented a request for approval of a second extension of cable television franchise agreement with Cox Communications. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to approve the extension. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the approval to extend the cable television franchise agreement to July 17, 2002, duly approved.

Resolution – Establishment of Bank Accounts-Local Banks

Thereupon, there was presented a resolution of the Governing Body of the City of Ottawa, Kansas, authorizing the establishment of bank accounts with local Ottawa banks, which have a home office in the State of Kansas, and authorizing certain agents to act within the scope of their duties to deposit funds, withdraw funds, and transfer funds between accounts. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that this action is required due to the hiring of the new City Manager Mr. Weldon Padgett and will place him as a signatory on the City bank accounts effective April 15, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted. The resolution was duly numbered Resolution No. 1186-02.

Resolution – Establishment with the State Municipal Investment Pool

Thereupon, there was presented a resolution authorizing the establishment of an account in the name of the City of Ottawa, Kansas, with the State Municipal Investment Pool for the purpose of transmitting local funds for investment by the State in the Municipal Investment Pool. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this too results from the hiring of Mr. Weldon Padgett and will place him on the City's account with the Municipal Investment Pool. 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. 1187-02.

Levee “Rip Rap” Project

Thereupon, there was presented an authorization to proceed with the levee maintenance “Rip Rap” project. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Henningsen, to proceed.

During discussion it was explained that bids had been received regarding the levee protection project as prescribed by the Army Corps of Engineers on March 28, 2002, and that Staff recommended the low bid of \$953,439.65 by Big River Construction be accepted and the Public Works Director be authorized to proceed with contract negotiations. However, contracts will not be executed until final bond details are in place. The motion was considered and upon being put, passed by the following vote: Commissioner Henningsen aye, Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Fleer nay, and Mayor Ramsey aye. Thereupon, the Mayor declared the motion duly approved.

Youth in Government Scholarship

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to develop a Youth in Government Scholarship program for Senior Youth who have participated in the Youth in Government Program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Monthly Financial and Activity Report – February 2002

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the Monthly Financial and Activity Report for the month of February 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for February 2002 duly approved.

Open Agenda

Thereupon, Commissioner Jackson reminded the Governing Body there will be a Special Call meeting at Ottawa High School, between 2-3 p.m. to adopt a Fair Housing Proclamation.

Thereupon, Commissioner Jackson also mentioned some of the Youth in Government participants had testified in Topeka on a Community Services Bill, which has since past the House and is in the Senate currently.

Announcements

Thereupon, the Mayor announced:

1. There will be a Special Call Meeting on April 4, 2002, at 2 p.m. in the gymnasium at Ottawa High School.
2. There will be a Work Study Session on April 8, 2002, at 4 p.m.
3. There will be a Work Study Session on April 15, 2002, at 4 p.m.
4. There will be a Joint/County/School Meeting on April 17, 2002, at Noon in the City Commission Room at City Hall.

NEXT REGULAR MEETING: APRIL 17, 2002, AT 7 P.M.

Adjournment

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

Bonita Nicewander, Assistant City Clerk

City Commission
Special Call Meeting
At
Ottawa High School
Ottawa, Kansas
April 4, 2002

The City Governing Body met at 2 p.m. this date with the following members present and participating to wit: Mayor Ramsey, Commissioner Fler, Commissioner Henningsen, and Commissioner Jackson. Commissioner Gillette was absent. A quorum was present.

The Governing Body, at the request of the State Department of Commerce and Housing, participated in an assembly for the Ottawa High School Seniors, at Ottawa High School, 1120 Ash, and adopted a proclamation declaring April “Fair Housing Month” in the City of Ottawa, Kansas. The proclamation was accepted by the Senior Class President Bryce Huschka and Student Body President Whitney Coen. The Seniors heard a presentation by the Kansas Human Rights Commission and asked questions related to discrimination related to “Fair Housing”.

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

Scott D. Bird, City Clerk

April 4, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 8, 2002

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

The Mayor called the meeting to order and asked for public comments.

Public Comments

Thereupon, the Governing Body heard from Ms. Mildred Heathman who complained that the mobile home park located at 825 E. Wilson is in sorry shape and has children that run the neighborhood, including her drive and property and asked that something be done.

Thereupon, Ms. Heathman stated that she still believes the public should be allowed the opportunity to vote on the law enforcement center issue.

Thereupon, City Clerk Scott Bird explained this issue had been considered as part of the Capital Improvement program since 1998. The project had been authorized and bond financing authorized on February 6, 2002, which authorized the sale of bonds had been adopted on March 20, 2002. The bond sale has already been advertised in the Ottawa Herald and the Kansas Register. Mr. Bird expressed concern that if the Governing Body chose not to go forward with this project at this time, the City's reputation would be damaged on the bond market.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes from April 1, 2002, as presented.

Deerfield Addition

Thereupon, the Governing Body reviewed a resolution to accept public improvements within the Deerfield Subdivision. The Governing Body considered this issue and agreed to place it on the April 17, 2002, City Commission agenda.

April 8, 2002

City of Ottawa

Term Limitations for Boards and Commissions

Thereupon, the Governing Body reviewed a resolution to increase the term limitations for the Building Code of Appeals, Plumbing Code of Appeals and Electric Code of Appeals. The Governing Body reviewed this resolution and agreed to place it on the Regular Meeting of April 17, 2002.

KMEA Appointment

Thereupon, the Governing Body agreed to name Rocky Fleer as the Governing Body representative to KMEA and agreed to place this issue on the Regular Meeting agenda.

Revised 2003 Budget Calendar

Thereupon, the Governing Body reviewed a revised budget calendar with City Clerk Scott Bird, noting that a Public Hearing had been changed from July 3, 2002, to June 19, 2002.

Open Agenda

Thereupon, Commissioner Henningsen inquired of the possibility of placing portable bathrooms at Kanza Park, Heritage Park, and the Skatepark.

Thereupon, Commissioner Fleer inquired of grant writing capabilities of the staff and the old Otasco building.

Thereupon, Mayor Ramsey read a thank you from the City of Garnett for the City's participation in the storm cleanup after the recent ice storm.

Thereupon, Commissioner Jackson stated he believed the City should be involved in the interviews for Chamber Director.

Thereupon, the Mayor indicated he would like to discuss the Highway 59 issue during the Joint City/County/USD 290 of April 17, 2002.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on April 15, 2002, at 4 p.m.
2. There will be a Joint City/County/School Meeting on April 17, 2002, at Noon in the City Commission Room at City Hall.
3. There will be a Work Study Session on April 22, 2002, at 4 p.m.
4. There will be a Work Study Session on April 29, 2002, at 4 p.m.

NEXT REGULAR MEETING: APRIL 17, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

April 8, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 15, 2002

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

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

Public Comments

None offered at this time.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for April 17, 2002, noting that additions would be made.

Insurance Renewal

Thereupon, the Governing Body reviewed the property, casualty, and liability insurance with KG Insurance Representative Mr. Kent Grigg. Mr. Grigg explained recent affects on the insurance industry, specifically the 9-11 event and the recent power plant explosion at Russell, Kansas. He further explained that power plants across the state of Kansas have been separately appraised and insurance rates for such facilities were affected. He then explained the insurance premiums and an approximately 21 percent increase for the City's overall property, casualty, and liability coverage. The Governing Body agreed to place this item on the April 17, 2002, Regular Meeting agenda.

Bond Sale-Law Enforcement Center

Thereupon, City Clerk Scott Bird explained the bond sale for the Law Enforcement Center is in place. Bids will be received on Wednesday morning at 11 a.m. and brought to the Governing Body at 7 p.m. once all final figures are appropriately checked. He asked that an ordinance and resolution authorizing the issuance and delivery of bonds be placed on the Regular Meeting agenda. Thereupon, the Governing Body considered this issue and agreed to place these items on the April 17, 2002, Regular Meeting agenda.

April 15, 2002

City of Ottawa

Proclamation – Arbor Day

Thereupon, the Governing Body reviewed a proclamation declaring April 26, 2002, as Arbor Day in the City of Ottawa, Kansas, and agreed to place this item on the agenda.

Nuisance Abatements-517 S. Ash and 530 N. Mulberry

Thereupon, the Governing Body reviewed two resolutions addressing nuisance situations at 517 S. Ash and 530 N. Mulberry. Thereupon, some of the Commissioners noted they had driven by the 530 N. Mulberry address and apparently this problem had been abated. However, the Governing Body agreed to place this item on the Regular Meeting Agenda with the provision that 530 N. Mulberry be removed if the Assistant to the Planning Director found the problem at 530 N. Mulberry adequately resolved.

Eminent Domain – WWTP

Thereupon, the Governing Body discussed briefly the acquisition of property around the proposed Wastewater Treatment Plant. Thereupon, City Manager Weldon Padgett stated he wanted to make sure all appropriate environmental checks are conducted before the City acquires this property.

Washington, D.C. Trip

Thereupon, the Governing Body heard from Public Works Director Andy Haney who reviewed with the Governing Body his recent trip to Washington, D.C. and contacts with local Senator's and Congressman.

City Commission Reorganization

Thereupon, Mayor Ramsey suggested that Mayor pro tem Deborah Henningsen be appointed Mayor for the next year and all concurred.

Thereupon, Commissioner Henningsen asked that Commissioner Jackson be named Mayor pro tem for the upcoming year and it was agreed that this appointment would be acceptable.

Open Agenda

Thereupon, Commissioner Jackson relayed a letter of complaint dealing with Animal Control to the City Manager.

Thereupon, Commissioner Gillette copied the Governing Body with the National League Policy Agenda.

Thereupon, Commissioner Gillette inquired of the Haley Park Fountain issue and the Governing Body asked Public Works Director Andy Haney to bring this issue back within the next two weeks. Thereupon, Mayor Ramsey shared two notes of appreciation for the recent sidewalk program and asked that the US-59 Highway project be discussed at next weeks Study Session. He further announced a public hearing scheduled by Kansas Department of Transportation on April 30, 2002, between 5 p.m. and 8 p.m. at Baldwin City High School.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session
2. There will be a Joint City/County/School Meeting on April 17, 2002, at Noon in the City Commission Room at City Hall.
3. There will be a Work Study Session on April 22, 2002, at 4 p.m.
4. There will be a Work Study Session on April 29, 2002, at 4 p.m.

NEXT REGULAR MEETING: APRIL 17, 2002, AT 7 P.M.

A RECEPTION WILL FOLLOW THE NEXT REGULAR MEETING ON APRIL 17, 2002.

Adjournment

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

Scott D. Bird, City Clerk
April 15, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
April 17, 2002

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

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

Remarks by Mayor Ramsey

Thereupon, Mayor Ramsey stated it had been his pleasure to serve the City in the capacity of Mayor for the last year and was pleased with how the Commission and the Community had come together in an act of patriotism after the devastation of September 11th. He recognized the accomplishments of Utility Director Jim Bradley and Public Works Director Andy Haney and their crews after the recent ice storm.

He recognized City Attorney Bob Bezek and City Clerk Scott Bird for filling in during the interim period between City Managers. He expressed his great pleasure in the naming of Weldon Padgett as the new City Manager and noted accomplishments over the last year: new tennis courts, the sidewalk program, the demolition projects, over seventy new homes, American Eagle Outfitters coming to town, and encouraged the community to continue to walk closely together towards the betterment of Ottawa.

Reorganization

Thereupon, Mayor Ramsey nominated Commissioner Henningsen for the position of Mayor, and the motion was seconded by Commissioner Fleer. Thereupon, Commissioner Gillette moved that nominations cease and Commissioner Henningsen be accepted by acclamation and upon being put, all present voted aye. Thereupon, Mayor Ramsey congratulated Mayor Henningsen and the oath of office was administered by the City Clerk.

Thereupon, Mayor Henningsen presented Mayor Ramsey with a plaque and gavel of appreciation for his leadership over the last year.

April 17, 2002

Thereupon, Mayor Henningsen opened nominations for Mayor pro tem. Thereupon, Commissioner Ramsey nominated Commissioner Jackson to serve as Mayor pro tem for the next year and the motion was seconded by Commissioner Gillette. Upon being put, all present voted aye. Thereupon, the oath of office was administered by the City Clerk and congratulations offered to Commissioner Jackson

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the Consent Agenda. Thereupon, it was explained the following items were included in the Consent Agenda.

Item 8. Agenda Approval

Item 9. Minutes of previous meeting: Regular Meeting April 3, 2002.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

Regular Agenda

Public Comments

Thereupon, the Governing Body heard from Ms. Linda Marks, 2833 Idaho Terrace, stating she represented a group called HOPE and implored the Governing Body to save the building at 5th and Main as a valuable piece of the Ottawa history.

Response to Public Comments

Thereupon, Mayor Henningsen responded to Public Comments from the previous Regular Meeting of April 3, 2002. Commissioner Henningsen noted that Mr. Jeff McAdoo, Mr. Tony DeLaTorre, and Mrs. Mildred Heathman had addressed the Governing Body regarding the Old Middle School building and the Law Enforcement Center. The following questions had been presented and the Governing Body directed staff to respond:

The first question raised regarding the status of the old middle school building and various options that the City has to deal with the old middle school building. Staff responses are as follows. The old middle school building is owned by USD 290. The City Commission has consistently and repeatedly stated its position that the City does not

April 17, 2002

wish to have ownership of the building nor does the City wish to commit city tax dollars to the renovation of the building. The Governing Body direction is clear, and staff believes that any further comment should be made to the Board of Education of USD 290.

A number of questions were raised regarding the law enforcement center. The law enforcement center has been present in the capital improvement programs since the 1999 budget discussions, and discussed before the planning and zoning board for years before that. The Governing Body has recognized the need for a law enforcement center, to include a municipal court function, and authorized the project on February 6, 2002, affirming its vote on March 20, 2002. In particular, the Governing Body's vote on March 20, 2002, allowed the City to proceed with preparing necessary documents for bond financing. These bids have been received and the Governing Body will take action on the bids during this meeting. Additionally, the Governing Body will take action on the bids during this meeting. Additionally, the Governing Body specifically allowed for the use of a construction manager on this project, allowing local vendors to participate in the construction of the law enforcement center. The City has engaged the services of a construction manager and an architect, and is looking forward to the participation of local vendors.

The last question presented dealt with the requirement of a public vote on the law enforcement center. Pursuant to Kansas law, as has been previously pointed out by the City Attorney there is no statutory right to a public vote on the law enforcement center. This project is similar to other City projects, the public works building most recently, which were approved for construction and financing in accordance with state bond elections and did not have a public vote. A public vote at this time, after bonding financing has been arranged and the project has been approved and authorized by the Governing Body, would be completely ineffectual and have no legal consequence whatsoever. However, the authorization of a non-binding vote and delay on accepting bids on the bond financing of the law enforcement center would damage the City's ability to obtain favorable bond financing in the future.

Presentations and Recognitions

Thereupon, the Governing Body heard from Mr. Earl Devore and Mr. Jerry Thompson who reviewed the bid summary for the Law Enforcement Center noting that over half of the dollars spent on the project will stay with local contractors and the total of all bids came in below the \$2,999,000 anticipated for the project.

Proclamation – Arbor Day

Thereupon, the Mayor read a proclamation declaring April 26, 2002, as Arbor Day in the City of Ottawa. Chairman of the Tree Board Roger Bell received the proclamation and in turn presented the Governing Body with a plaque that recognizes the City of Ottawa as a Tree City USA for the third consecutive year. He noted the City had also received a Growth Award. Ottawa is one of twenty cities in the state of Kansas to receive this designation.

Volunteer Week

Thereupon, the Mayor read a proclamation declaring April 21-27, 2002, as National Volunteer Week in the City of Ottawa, Kansas. Thereupon, Ms. Marcia Mitchell accepted the proclamation.

Ordinance – Amending Term Limits For Certain Boards and Appointments

Thereupon, there was presented an ordinance amending Section 6-105, 6-204 (a) and 6-304(a) of the Municipal Code regarding term limits for certain boards and appointments of the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance amends the term limits for the International Building Code Board of Appeals, International Plumbing Code of Appeals and the National Electric Code Board of Appeals. It was further explained that the Governing Body recognize there is an occasional shortage of qualified applicants for these board positions. This ordinance will allow more flexibility to reappoint qualified candidates while at the same time recommends newly appointed members whenever possible after a board member has served two consecutive terms. 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. 3411-02.

Resolution - Deerfield Subdivision

Thereupon, there was presented a resolution accepting public improvements within the Deerfield Subdivision, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained public improvements have been made related to the Deerfield Subdivision on Osage Drive between 17th and 19th Streets and staff recommended acceptance of these improvements. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1189-02.

Law Enforcement Center-Bid Opening

Thereupon, there was presented the acceptance of the low and best bid on \$2,999,000 of bonds to be issued for the financing of the construction cost of the Law Enforcement Center.

Thereupon, Bond Attorney Dotty Riley explained that bids were received on the bonds to finance the law enforcement center at 11 a.m. this date, with the results as follows:

Low bidder - Edward D. Jones and Company	4.7147182
UBS PaineWebber, Inc.	4.769046
Commerce Bank	4.823062
Griffin, Kubik, Stephens & Thompson, Inc.	4.874145
UMB Bank	4.757537
US Bank Corp Piper Jeffray	4.803488

Thereupon, Ms. Riley further explained the interest rates were structured such that the two small refinance projects would not be advantageous and so the total amount of bonds would be \$2,999,000.

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to accept the low bid from Edward D. Jones and Company with an average annual net interest rate of 4.7147182. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Jackson aye, Commissioner Ramsey aye, Commissioner Fleer nay, and Mayor Henningsen abstained due to her spouse's association with Edward D. Jones.

Ordinance – General Obligation Bonds

Thereupon, there was presented an ordinance authorizing the issuance and delivery of \$2,999,000 principal amount of General Obligation Bonds, Series 2002, of the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this action is part of the previous action, authorizing the sale of bonds for the financing of the law enforcement center. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Ramsey aye, Commissioner Fler nay, and Commissioner Henningsen abstained. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3412-02.

Resolution – General Obligation Bonds

Thereupon, there was presented a resolution prescribing the form and details of and authorizing the delivery of \$2,999,000 principal amount of General Obligation Bonds, Series 2002, of the City of Ottawa, Kansas, previously authorized by Ordinance No. 3412-02 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained this resolution provides detailed information regarding the bonds, which were just accepted and authorized under the previous ordinance. The motion was considered and upon being put, passed by the following vote: Commissioner Fler nay, Commissioner Ramsey aye, Commissioner Jackson aye, Commissioner Gillette aye, and Mayor Henningsen abstained. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1190-02.

Resolution – Nuisance Abatement 517 S. Ash

Thereupon, there was presented a resolution to remove and abate nuisance items located at 517 S. Ash. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained the Governing Body had discussed this issue during the Work Study Session on April 15, 2002, and staff recommended approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1191-02.

Resolution – Nuisance Abatement 530 N. Mulberry Street

Thereupon, there was presented a resolution to remove and abate a nuisance located at 530 N. Mulberry Street. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained the Governing Body had discussed this issue at the Work Study Session on April 15, 2002. Thereupon, Mr. Tom Yahl explained he had visited this property again, and provided pictures to the Governing Body noting debris still was in place and needed to be cleaned up due to the fact that he did not anticipate the owner making the improvements necessary. 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. 1192-02.

Property, Casualty and Liability Insurance

Thereupon, there was presented an authorization for property, casualty, and liability insurance with Employers Mutual Insurance Company. Thereupon, Commissioner Fleece made a motion, seconded by Commissioner Jackson, to approve the authorization.

During discussion it was explained that during the April 15, 2002, Work Study Session the Governing Body had heard from Mr. Kent Grigg of KG Insurance, who explained the City's premiums for property, casualty, and liability for the current year. They are expected to increase by approximately 21 percent. The bulk of that increase was at the power plant and that the power plant, which had been individually appraised. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Resolution - Marais Des Cygnes "Rip Rap" Project

Thereupon, there was presented a resolution authorizing the City of Ottawa, Kansas, to make improvements to the Marais River Channel within the City of Ottawa and authorizing the issuance of General Obligation Bonds of the city in an amount not to exceed \$1,200,000 to pay the cost thereof. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained bids had been received on March 28, 2002, for the Marais Des Cygnes Levee Protection Project and presented to the Governing Body on April 3, 2002, at which time the low bid of \$953,440 from Big River Construction had been accepted. Due to the concerns expressed by the Corp Of Engineers regarding the amount of stone to be used for this project, a 25% contingency has been included. This resolution will authorize G.O. bonds to

finance this project as included in the City's Capital Improvement Plan. It was further explained this action also authorizes a contract be signed and executed by the Public Works Director Andy Haney with Big River Construction. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Ramsey aye, Commissioner Fleer nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1193-02.

KMEA Appointment

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to appoint Commissioner Fleer to serve on the KMEA Board of Directors for a two-year term. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by Youth Delegates

Thereupon, Mr. Sam Smith, Ottawa High School, thanked the Governing Body for including him in the Washington, D.C. trip to the National League of Cities meeting. Mr. Smith stated he was pleased to have historical events come to life, to visit with local representatives in Washington, was challenged to be involved in the local school board, and was pleased to visit Arlington Cemetery. Once again, Mr. Smith thanked the Governing Body for included him in this program.

Thereupon, Ms. Amanda Guenther, a member of Youth in Government, stated that several members had attended a five hour training session related to teen court and were recruiting members from other schools.

Reports by City Manager

Thereupon, City Manager Weldon Padgett explained that a Special Call meeting had been called for Wednesday, April 24, 2002, at 1 p.m., at the Franklin County Jail to meet with County Representatives regarding the US 59 issue.

Reports by City Commission

Thereupon, Commissioner Jackson reminded the Governing Body that next week is National Volunteer Week and many youth will be involved.

Thereupon, Commissioner Ramsey noted this is National Library Week.

Reports by Mayor

Thereupon, Mayor Henningsen expressed a thank you to the City Commission for their support and is looking forward to working with new City Manager Weldon Padgett and she expressed her appreciation for the hard working people in the City of Ottawa, Kansas.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on April 22, 2002, at 4 p.m.
2. There will be a Work Study Session on April 29, 2002, at 4 p.m.
3. There will be a Work Study Session on May 1, 2002, at 6 p.m.
4. There will be a Work Study Session on May 6, 2002, at 4 p.m.

NEXT REGULAR MEETING: MAY 1, 2002, AT 7 P.M.

Thereupon, the Mayor also announced refreshments are in the Work Study Session Room to welcome our new City Manager and the newly appointed Mayor and Mayor pro tem.

Adjournment

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

Scott D. Bird, City Clerk

April 17, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 22, 2002

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

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

Public Comments

Thereupon, Mr. George Marstall stated he had questions regarding the recent bond sale; however, he said he will inquire of the City Clerk. He also asked who the Public Information Officer is. Thereupon, City Clerk Scott Bird stated he would respond to questions regarding public information. However, the Freedom of Information Officer is City Attorney Bob Bezek.

Thereupon, the Mayor noted there had been a question regarding the bids on the Law Enforcement Center. Gene Mitchell of Mitchell's Floor Covering had been \$1,500 above the lowest bid for floor covering and given that Mr. Mitchell is a local vendor opened discussion on the possibility of using Mr. Mitchell rather than the lowest bid. Considerable discussion ensued regarding the lowest and best bid. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to accept Mr. Mitchell's bid for this project. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Ramsey aye, Commissioner Fleer nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the acceptance of the Mitchell's Floor Covering bid by a 4-1 vote.

Notice of Public Hearing – 2002 CIP & 2003 Budget

Thereupon, the Governing Body reviewed a notice of hearing for the 2003 CIP and 2003 Budget. It was noted that these hearings are not statutorily required; however, they have been provided in the past to allow public input. Thereupon, the Governing Body agreed to place these items on the Regular Meeting agenda for May 1, 2002.

Condemnations

Thereupon, the Governing Body reviewed a call for hearing on 816 N. Locust, 808 S. Cherry, 818 W. 10th St., 714 S. Cherry, 101 S. Main, 1024 S. Walnut, and 804 S. Locust. The Governing Body noted there were errors in the letters regarding notification to property owners and suggested these letters be resent. However, it was agreed to place these public hearings on the May 1, 2002, agenda.

April 22, 2002

Rezone – 901 S. Main

Thereupon, the Governing Body heard from Planning and Zoning Director John Merrell who stated this property is the old Apple Market building which the hospital has purchased with the intent of creating outpatient services and noted that the Planning Commission had reviewed a rezone request to change this property from C-1 (Neighborhood Shopping) to O & I (Office & Institutional). The Planning Commission recommended to the Governing Body the approval of this rezone by a vote of 5-0. The Governing Body considered this request and agreed to place this item on the May 1, 2002, agenda.

Rezone – 823 Pecan

Thereupon, the Governing Body heard from Planning Director John Merrell who stated the Planning Commission had reviewed this rezone at 823 Pecan from R-1 Single-Family Dwelling to R-3 Multi-Family Dwelling and the Planning Commission had recommended to the Governing Body the denial of this rezone by a vote of 5-0. Thereupon, the Governing Body agreed to place this item on the May 1, 2002, agenda. City Attorney Bob Bezek noted that a super majority of 4 vote will be needed to overturn the Planning Commission recommendation.

Board and Commission Appointment

Thereupon, the Governing Body reviewed the Board and Commission appointments and City Manager Secretary Barb Nelson handed out letters of interest. The Governing Body agreed to bring this back at a future date. Thereupon, Mayor Henningsen asked if Commissioner Ramsey would serve on the Main Street Board and Commissioner Jackson would serve on the Chamber Board of Directors. Mayor Henningsen stated she will serve on the OFCED Board of Directors and continue to serve on the Neighborhood Revitalization Program.

Open Agenda

Thereupon, Commissioner Ramsey opened discussion on the US-59 improvement issue, noting the City has been addressing this potential project since 1994.

Thereupon, City Manager Weldon Padgett noted there are two preferred possibilities as noted by KDOT in their recent study and either alternative is better than doing nothing. During discussion the Governing Body agreed that while the City may have a preference it is desirable to visit with the County Commission to make a concerted effort regarding this issue.

April 22, 2002

Thereupon, it was noted that the Governing Body will be involved in a Special Call meeting on Wednesday, at 1 p.m., at the Franklin County Jail regarding this issue.

Thereupon, Commissioner Ramsey raised the issue regarding Butler Florist and signage and suggested staff take care of this situation.

Thereupon, Planning Director John Merrell stated his staff is working to develop a suitable alternative to this problem.

Thereupon, Commissioner Gillette stated he believed Andy Haney had a reasonable alternative to the downtown fountain problem.

Thereupon, Public Works Director Andy Haney stated there will be tree-planting activities this Friday, April 26, 2002, in Forest Park at 10 a.m. and 2 p.m.

Thereupon, Mayor Henningsen noted the Kansas League of Municipalities annual meeting on October 12-15, this year and suggested the City and Main Street USA share a booth during this program.

Thereupon, Commissioner Jackson asked that an accounting for the amount of money being spent on the Vision Program be provided to the Governing Body. Planning Director John Merrell stated he has that information.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session April 29, 2002, at 4 p.m.
2. There will be a Work Study Session May 1, 2002, at 6 p.m.
3. There will be a Work Study Session May 6, 2002, at 4 p.m.
4. There will be a Work Study Session May 13, 2002, at 4 p.m.

NEXT REGULAR MEETING: MAY 1, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

April 22, 2002

City Commission
SPECIAL CALL
With
Franklin County Commission
At the Franklin County Jail Meeting Room
Ottawa, Kansas
April 24, 2002

The City Governing Body met in Special Call Session at 1 p.m. this date with the following present and participating to wit: Mayor Henningsen, Commissioner Gillette, and Commissioner Ramsey. Commissioner Fleer and Commissioner Jackson absent.

Also in attendance: Franklin County Commissioners Waymire, Taylor, Carey, Stottlemire, Ferguson, City Manager Weldon Padgett, City Clerk Scott Bird, County Public Works Director Ray DeJulio, Franklin County Sheriff Craig Davis, Franklin County Clerk Shari Perry, Jeff Gulley with KOFO radio, Laura Potter for the Ottawa Herald, Alameda Edwards, and Assistant County Attorney Lisa Dempsey.

Commissioner Ramsey opened the meeting at 1:01 p.m. stating that the objective of the meeting is to discuss the Highway 59 proposal between Ottawa and Lawrence.

Thereupon, Commissioner Fleer arrived at 1:03 p.m.

Discussion ensued regarding the amount of additional maintenance the County would acquire as a result of the improvements and whether or not frontage roads would be maintained by the County.

John Verssue, Main Street USA arrived at 1:08 p.m.

Thereupon, County Commissioner Ed Taylor stated that no matter how this decision comes out it looks like the County is going to gain additional road maintenance miles.

Thereupon, City Manager Weldon Padgett noted that both of the stated preferred options would be better than nothing being done and it would be in everyone's best interest to make sure the County gets good roads before the transition is completed.

Thereupon, Commissioner Ramsey noted the City wanted to make sure and maintain access to the Community. Thereupon, City Manager Weldon Padgett stated a strong need exists to maintain a business route through the community.

April 24, 2002

City of Ottawa
Special Call Minutes
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Thereupon, Commissioner Ramsey expressed concern over maintenance of the Main Street Bridge and Mr. DeJulio expressed concern about maintenance on the Railroad Bridge north of town.

Thereupon, City Attorney Bob Bezek arrived at 1:13 p.m.

Thereupon, Commissioner Fleer inquired about the possibility of paving Montana Road from the access point to Davis Road.

Thereupon, City Manager Weldon Padgett stated improvements need to be made both to Montana Road and along Davis Road noting the steep ditches along this road.

Thereupon, County Sheriff Craig Davis noted that a business route is extremely important otherwise it puts a great deal of pressure on the County road crews to maintain these roads during time of snow and ice. He further stated this stretch of highway is not a high priority for the state even now and expressed considerable concern.

Thereupon, Main Street Director John Verssue noted that the City and County seemed, to be addressing concerns expressed by the Main Street Board regarding access to the downtown area.

Thereupon, County Commissioner Fred Ferguson inquired about land locked property resulting from the bypass.

Thereupon, City Manager Weldon Padgett noted that the state must give access to properties or buy it.

Thereupon, Jennie Sharp of the Ottawa Herald arrived at 1:20 p.m.

Thereupon, Sheriff Davis opened discussion regarding emergency response time and concerns regarding the areas which would be cut off due to dead end county roads.

Thereupon, Ms. Alameda Edwards expressed concern regarding the bypass effect on her property noting that the states proposals will put additional traffic onto Sand Creek Road. She noted that no provisions have been made for improvement at US 59 and Sand Creek Road.

Thereupon, a question was raised regarding the connection with I-35 and US 59.

Thereupon, City Manager Weldon Padgett stated it is his belief that KDOT wants this connection. Mr. Padgett also expressed concern regarding the projected traffic counts, noting it only takes a couple of things to happen to drastically change traffic patterns.

Thereupon, Commissioner Ramsey stated most people in the room had lost friends or acquaintances due to the condition of Highway 59 and something needs to be done.

Thereupon, Commissioner Taylor stated it is important that something be done and that the County will support the City.

There being no further business to come before the Governing Body, the meeting was closed at 1:41 p.m.

Scott D. Bird, City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
April 29, 2002

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

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

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session minutes of April 8, 2002, and April 15, 2002. Thereupon, Commissioner Ramsey asked for a correction on page 53 of the April 15, 2002, noting that Commissioner Gillette had inquired of the Haley Park Fountain. Thereupon, the Governing Body accepted the Work Study Session minutes as corrected.

Review of Agenda

Thereupon, the Governing Body reviewed the agenda for May 1, 2002. Thereupon, Commissioner Jackson asked for a correction on the Special Call Meeting minutes from April 4, 2002, at Ottawa High School.

Board and Commission Appointments

Thereupon, Mayor Henningsen and the Governing Body agreed by consensus to the following Board Appointments the only exception was Commissioner Jackson stated he preferred Linda Nyhart Herrera for the Auditorium Board:

Board Appointments

Auditorium Board – Karen McAdoo and Jeanne Haggard

Library Board – Liz Reusch and Mary Redeker

National Electric Code Board of Appeals – Ricky Beardsly, Bob Haas, Phil Gibson

Planning Commission – Vicky McCurdy and Candy Wassar

International Building Code/International Fire Code Board of Appeals – Calvin Moore, Don Gustafson, William Liggett, Donna Hines Rayson, and Clint Burkdoll

City Tree Board – Roger Bell and Connie Thompson

April 29, 2002

International Plumbing Board of Appeals – Raymond Carey, Randy Bruner,
and Keith Pence
United Way of Franklin County – Larry Felix

Monthly Financial and Activity Report – March 2002

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of March 2002, and agreed to place this item on the May 1, 2002, Regular City Commission agenda.

Open Agenda

Thereupon, Commissioner Fleer inquired about odor coming from the sewer plant. Thereupon, Director of Utilities Jim Bradley asked Commissioner Fleer to let him know when complaints come in.

Thereupon, Commissioner Gillette inquired of the fountain at Haley Park. Thereupon, Public Works Director Andy Haney stated he had a temporary solution that might work. The solution might be to get a pump to shoot water up in a column in the center of the existing basin to provide a temporary fountain solution.

Thereupon, Commissioner Fleer stated she had seen a report on FOX TV regarding the National League of Cities trip and potential abuse by commissioners from other communities.

Thereupon, Commissioner Gillette inquired of the taxiway monies for the airport. Thereupon, Public Works Director Andy Haney responded that the grant monies for the taxiway improvements at the airport have been banked with the FAA and await further information regarding year three monies.

Thereupon, Mr. George Marstall inquired of the rate increase from Cox Communications and how the City receives franchise payments. Thereupon, City Attorney Bob Bezek stated that while the City issues the franchise, the Governing Body has no say as to the rate increases. City Clerk Scott Bird responded that franchise payments are received into the General Fund.

Executive Session

Recess

Thereupon, at 4:37 p.m. Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss non-elected personnel for a period of 30 minutes and to reconvene in Open Session at 5:07 p.m. in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 5:07 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Thereupon, the Governing Body discussed travel arrangements for the meeting with KDOT at Baldwin High School on April 30, 2002.

Adjournment

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

Scott D. Bird, City Clerk

April 29, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
May 1, 2002

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

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

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the Consent Agenda. It was explained the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes from Previous meeting: Special Meeting April 4, 2002, with a noted correction.

Item 8. Board and Commission Appointments

Auditorium Board: Karen McAdoo and Jeanne Haggard

Library Board: Liz Reusch and Mary Redeker

National Electric Code Board of Appeals: Ricky Beardsly, Bob Haas, Phil Gibson

Planning Commission: Vicky McCurdy and Candy Wassar

International Building Code/International Fire Code Board of Appeals: Calvin Moore, Don Gustafson, William Liggett, Donna Hines Rayson, and Clint Burkdoll

International Plumbing Board of Appeals: Raymond Carey, Randy Bruner and Keith Pence

United Way of Franklin County: Larry Felix

City Tree Board: Roger Bell and Connie Thompson

The motion was considered and upon being put, all present aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

May 1, 2002

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Regular Meeting Minutes
May 1, 2002
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Regular Agenda

Public Comments

None offered at this time.

Response to Public Comments

Ms. Linda Marks, 2833 Idaho Terrace, stated she represented a group called HOPE and implored the Governing Body to save the building at 5th and Main as a valuable piece of the Ottawa history.

Public Hearings

2003 Capital Improvement Program

Thereupon, Mayor Henningsen opened the Public Hearing for the 2003 Capital Improvement Program.

Thereupon, Linda Bartlet, 803 King, asked to speak about the condemnation regarding 804 Locust. Thereupon, she was asked to bring this issue up during the Public Hearing section on condemnations of the agenda.

Thereupon, Ottawa Recreation Director Ms. Jane Morton of 306 S. Maple encouraged the Governing Body to consider a master plan the Ottawa Recreation Commission has put together and requested the City meet with ORC to review the master plan.

Thereupon, Mr. Tony DeLaTorre, a representative of ORC stated he was very much in support of the ORC master plan.

Thereupon, the Mayor closed the Public Hearing for the 2003 Capital Improvement Program.

2003 Budget

Thereupon, the Mayor opened the Public Hearing on the 2003 Budget. There being no one wanting to speak to this issue Mayor Henningsen closed the Public Hearing on the 2003 Budget.

Thereupon, City Clerk Scott Bird noted though the Governing Body isn't under any statutory law to hold this Public Hearing it was this Governing Body's tradition to provide the community the opportunity to bring suggestions to the Governing Body for future Capital Improvement projects.

Condemnation Hearing for the following properties: 816 N. Locust, 808 S. Cherry, 818 W. 10th, 714 S. Cherry, 101 S. Main, 1024 S. Walnut, and 804 S. Locust.

Thereupon, Mayor Henningsen opened the Public Hearing on condemnation properties.

Thereupon, Mr. Jessie Garcia, 1203 S. Ash, spoke to the Governing Body regarding his property at 816 N. Locust and requested additional time to fix up the property.

Thereupon, Ms. Linda Bartlet, 803 King, inquired about the property at 804 S. Locust listed on the condemnation list.

Thereupon, Mr. Dale O'Hara, representing Star Development, reviewed with the Governing Body the 101 S. Main property listed on the condemnation list. Mr. O'Hara stated he felt the permit fees with the City of Ottawa are too high.

Thereupon, it was explained to Mr. Garcia, Ms. Bartlet, and Mr. O'Hara each property owner has a total of 74 days from the time of the Public Hearing to make improvements before demolition takes place. Property owners should purchase an improvement permit from the Inspection Department and work with the department throughout the time renovations are being made. If an extension is needed at the end of the 74 days, and in good faith, the property owner has made substantial improvements, extensions might be made.

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

Ordinance – Rezone 901 S. Main

Thereupon, there was presented an ordinance to re-zone an area within the City of Ottawa, Kansas, and to repeal the corresponding section of the zoning map, which is part of Ordinance No. 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance as presented.

During discussion it was explained this is the old Apple Market building which Ransom Memorial Hospital has purchased, and this will change the zoning from C-1 Neighborhood Shopping to O & I Office & Institutional. The City of Ottawa's Planning Commission recommended to the City Commission the approval of the rezone request for this property by a vote of 5-0. 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. 3413-02.

Rezone- 823 Pecan

Thereupon, the Governing Body reviewed a request to rezone 823 Pecan from R-1 Single-Family Dwelling District to R-3 Multi-Family Dwelling District. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to deny this rezoning request.

During discussion it was explained the Ottawa Planning Commission reviewed this rezone and held a public hearing on April 10, 2002. The Planning Commission recommended to the City Commission the denial of this rezone request for 823 Pecan by a vote of 5-0. Because of the denial at the Planning Commission, a super-majority of 4 votes would be required for approval. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request to rezone 823 Pecan denied.

Monthly Financial and Activity Reports – March 2002

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to approve the Monthly Financial and Activity Reports for March 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Reports for March 2002 duly approved.

Reports by City Commission

Thereupon, Commissioner Ramsey expressed gratitude to those who had applied for board positions.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session May 6, 2002, at 4 p.m.
2. There will be a Work Study Session May 13, 2002, at 4 p.m.
3. There will be a Joint City/County/School Meeting on May 15, 2002, at Noon, at the USD 290 Board Office, 4th and Walnut.
4. There will be a Work Study Session May 20, 2002, at 4 p.m.

NEXT REGULAR MEETING: MAY 15, 2002, AT 9:30 A.M.

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 meeting was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
May 1, 2002

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

The Mayor called the meeting to order.

Executive Session

Recess

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to recess into Executive Session to discuss Attorney Client Privilege for a period of thirty minutes and to reconvene in open session at 6:30 p.m. in the Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to reconvene at 6:29 p.m. 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 Jackson, to recess into Executive Session for an additional 16 minutes and to reconvene at 6:45 p.m. in open session, in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to reconvene at 6:45 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

May 1, 2002

Adjournment

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

Scott D. Bird, City Clerk

May 1, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
May 6, 2002

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

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

Public Comments

None offered at this time.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes of April 22, 2002, and accepted them with one correction.

National Police Week Proclamation

Thereupon, the Governing Body reviewed a proclamation declaring May 12-18, 2002, as “National Police Week” and agreed to place this item on the agenda for May 15, 2002.

US-59 Highway-Draft Letter

Thereupon, the Governing Body reviewed a draft letter to the Secretary of Transportation and offered suggestions to the City Manager, and in particular to state that the Governing Body preferred Option 3-B, but Option 5 would be acceptable.

Condemnation Resolutions

Thereupon, the Governing Body reviewed resolutions to proceed with condemnations on properties located at 818 W. 10th, 714 S. Cherry, 808 S. Cherry, 804 S. Locust, 816 N. Locust, 1024 S. Walnut, and 101 S. Main. The Governing Body agreed to place these items on the agenda for May 15, 2002.

Condemnation Timetable – 4th Round Condemnations

Thereupon, the Governing Body reviewed a timetable for condemnations on the fourth round of condemnations and agreed to proceed contingent upon the availability of funds.

May 6, 2002

Kansas Water Pollution Control Revolving Loan Fund – KDHE

Thereupon, the Governing Body reviewed a resolution authorizing City Manager Weldon Padgett as signatory of a loan document for the Wastewater Treatment Plant. The Governing Body agreed to place this item on the May 15, 2002, City Commission Agenda.

Open Agenda

Thereupon, it was suggested the Ottawa Recreation Commission be invited to a Regular Study Session for a presentation regarding the request for a new facility. The Governing Body also suggested the Ottawa Municipal Auditorium discussion be brought to a Regular Work Study Session.

Thereupon, Commissioner Gillette inquired of a house being built at Pin Oak and whether or not the lot is large enough. Thereupon, City Inspector Gary Skiles responded affirmatively.

Thereupon, Commissioner Ramsey noted there will be a housing task force meeting at the Ottawa Middle School at 7 p.m. this evening.

Thereupon, City Manager Weldon Padgett inquired of reoccurring requests from the community; for example, block parties, and asked for direction on how these might be handled. Thereupon, the Governing Body agreed by consensus to allow the administration to handle these issues.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on May 13, 2002, at 4 p.m.
2. There will be a Joint City/County/School Meeting on May 15, 2002, at Noon at the USD 290 Board Office-4th & Walnut.
3. There will be a Work Study Session on May 20, 2002, at 4 p.m.
4. There will not be a Work Study Session on May 27, 2002, (Memorial Day)

NEXT REGULAR MEETING: MAY 15, 2002, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk
May 6, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
May 13, 2002

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

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

Public Comments

None offered at this time.

Work Study Session Items

Review of Work Study Session Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of April 29, May 1, and May 6, 2002. It was also noted there had been a correction to the May 1 Regular Meeting Minutes on page 55 with regards to a condemnation address and the May 6, 2002, Regular Meeting minutes regarding three items which had advertently been left out and would be presented for approval at the next regular meeting.

Review of Agenda

Thereupon, the Governing Body reviewed current items placed on the agenda for the Regular City Commission meeting on May 15, 2002.

New Items

Law Enforcement Center

Thereupon, the Governing Body heard from Jerry Thompson, Earl Devore, and Deb VanOstran regarding the Law Enforcement building update. Mr. Thompson noted construction concrete work would start on or about June 3, 2002. Ms. VanOstran explained the color scheme and products to be used for the walls and floor covering.

Ottawa Municipal Auditorium-Vietnam Veterans of America Request

Thereupon, the Governing Body reviewed a letter of request from Mr. Robert Rossman to use the Ottawa Municipal Auditorium for a benefit concert scheduled for November 23, 2002. The Governing Body granted approval for this request.

May 13, 2002

City of Ottawa

Resolution – Wastewater Treatment Plant – Change of Signatory

Thereupon, the Governing Body reviewed a resolution designating City Manager Weldon Padgett to execute and file applications for special projects grant with the Environmental Protection Agency. The Governing Body agreed to place this item on the May 15, 2002, agenda.

Municipal Auditorium Meeting

Thereupon, the Governing Body reviewed a letter inviting interested citizens to participate in a meeting to discuss the auditorium and to gather information regarding the management of the facility, program, content and potential for increasing public involvement, use, options, ownership, and etcetera. The Governing Body discussed this issue and agreed to set this meeting for 7-8:30 p.m. on May 29, 2002.

Resolution – Assurance for Park Development Grant Project

Thereupon, the Governing Body heard from Public Works Director Andy Haney who asked the Governing Body to consider a grant application for development projects to the Kansas Department of Wildlife and Parks for installation of a playground structure at Kanza Park. The total estimated cost is \$62,432 with the City's share at \$32,260, of which \$19,216 will be cash. Thereupon, Commissioner Ramsey expressed concern about the cost. Thereupon, City Manager Weldon Padgett noted that this item will come back if the City is awarded the grant for final approval by the Governing Body. The Governing Body agreed to place this item on the May 15, 2002, agenda.

Ordinance – Annex Parcel Located at 8th and Beech Streets

Thereupon, the Governing Body reviewed a memo from Assistant Planning Director Thomas Yahl to annex property located at 8th and Beech, better known as the Burkdoll Development. The Governing Body agreed to place this item on the agenda.

Open Agenda

Thereupon, Commissioner Ramsey asked for a meeting with the Ottawa Recreation Commission to discuss the Recreation Commission's needs before the CIP is approved. Thereupon, City Manager Weldon Padgett suggested this be done on Monday, May 20, 2002, starting at 3 p.m.

Thereupon, Commissioner Jackson provided copies of the City's Minimum Housing Code.

Thereupon, City Inspector Gary Skiles stated the City has adopted the 2000 Property Maintenance Code, which is in keeping with the Minimum Housing Code.

Thereupon, Commissioner Fleer inquired of the condition of the gravel street on North Hickory and on a gravel drive between 15th and 17th Street.

Thereupon, Commissioner Ramsey asked to revisit the City's restrictions on the development of parking lots.

Thereupon, Mayor Henningsen announced that Allies Days is scheduled for June 17, 2002, and will include a tour of Central Fiber and Midwest Cabinet.

Thereupon, Commissioner Jackson noted that the City will host the league meeting on June 6th and 7th.

Thereupon, City Manager Weldon Padgett thanked Commissioner Fleer for winning the \$500 gift certificate for Lineman Training at the recent KMEA meeting.

Thereupon, the City Manager Weldon Padgett suggested some of the superfluous paper and copies being eliminated regarding City agenda's. The Governing Body was in agreement with paper reduction and Commissioner Gillette suggested agenda items be included at the foot of the Study Session Agenda's.

Thereupon, Commissioner Ramsey congratulated the City Manager on his "City Manager Report" stating that this is very useful information.

Announcements

Thereupon, the Mayor announced:

1. There will be a City/County/School meeting May 15, 2002, at Noon at the USD 290 Board Office at 4th and Walnut.
2. There will be a Regular Meeting on May 15, 2002 at 9:30 a.m.
3. There will be a Work Study Session on May 20, 2002, at 3 p.m.

4. There **will not** be a Work Study Session May 27, 2002 (Memorial Day Holiday)
5. There will be a Work Study Session on June 3, 2002, at 3 p.m. for Budget Discussions.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas
May 15, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to approve the Consent Agenda. Thereupon, Assistant City Clerk Bonita Nicewander explained that the following items were included in the Consent Agenda.

Item 6. Agenda Approval

Item 7. Minutes of previous meetings: Regular Meetings on March 6, April 17, May 1, and the Special Call Meeting on April 24, 2002.

Item 8. Resolution's to condemn an unsafe and dangerous structure located at the following addresses in the City of Ottawa, Kansas.

Bill No. 2002-68	818 W. 10th	Resolution No. 1194-02
Bill No. 2002-69	714 S. Cherry	Resolution No. 1195-02
Bill No. 2002-70	808 S. Cherry	Resolution No. 1196-02
Bill No. 2002-71	816 N. Locust	Resolution No. 1197-02
Bill No. 2002-72	804 S. Locust	Resolution No. 1198-02
Bill No. 2002-73	1024 S. Walnut	Resolution No. 1199-02
Bill No. 2002-74	101 S. Main	Resolution No. 1200-02

During discussion it was explained these resolutions allow the condemnation process to proceed and property owners have a 60-day period of time to make substantial improvements.

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda, Items 6-8 duly approved.

May 15, 2002

City of Ottawa
Regular Meeting Minutes
May 15, 2002
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Public Comments

Thereupon, Charles Waymire, 1103 W. 15th, expressed disappointed no one from the City had responded to his letter.

Presentations and Recognitions

Thereupon, Mayor Henningsen read a proclamation recognizing May 12th through the 18th, 2002, as National Police Week in the City of Ottawa, Kansas. The proclamation was accepted by Officer Rick Geist.

Thereupon, Mayor Henningsen read a proclamation declaring May 12-18 as national Hospital Week with the theme "Where Miracles Happen Every Day". Ms. Kelly McDermitt accepted the proclamation on behalf of the Hospital.

Resolution – KDHE Loan Application-City Manager Signatory

Thereupon, there was presented a resolution authorizing the filing of an application with the Kansas Department of Health and Environment for a loan under the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329 and rescinding Resolution No. 1146-01. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to accept this resolution as presented.

During discussion it was explained this resolution is necessary to authorize the City Manager as the signatory of the loan documentation for the wastewater treatment plant 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. 1201-02.

Resolution – Environmental Protection Agency – City Manager Signatory

Thereupon, there was presented a resolution authorizing City Manager Weldon Padgett to execute and file an application for a special projects grant with the Environmental Protection Agency. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to accept this resolution as presented.

During discussion it was explained this resolution will authorize City Manager Weldon Padgett to execute and furnish information to the EPA for the new wastewater treatment facility. The motion was considered and upon being put, all

present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1202-02.

Resolution – Assurance for Park Development Grant Projects

Thereupon, there was presented a resolution of assurance for Park Development Grant Projects. Commissioner Jackson made a motion, seconded by Commissioner Fleer, to accept the resolution as presented.

During discussion it was explained this resolution is required as part of a grant application for funds to install playground equipment at Kanza Park. The Resolution does not commit the city to accepting the grant. As previously discussed, the final location of equipment can be discussed if the grant is awarded. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Ramsey nay, Commissioner Jackson aye, Commissioner Gillette nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the resolution duly adopted by a 3-2 vote and the resolution was duly numbered Resolution No. 1203-02.

Ordinance- Annexing Land- 8th and Beech Street

Thereupon, there was presented an ordinance to annex land into the corporate boundaries of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance as presented.

During discussion it was explained this ordinance supports the voluntary annexation requested in order to facilitate developing the property located at 8th and Beech for single-family residential 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. 3414-02.

Reports by City Manager

Thereupon, the City Manager reminded the Governing Body about the meeting to discuss the future of the Municipal Auditorium scheduled for May 29, 2002, at 7-8:30 p.m. at City Hall.

Announcements

Thereupon, the Mayor announced:

1. There will be a City/County/School meeting on May 15, 2002, at Noon, at the USD 290 Board Office, 4th & Walnut.
2. There will be a Work Study Session on May 20, 2002, at 3 p.m.
3. There **will not** be a Work Study Session May 27, 2002 (Memorial Day)
4. There will be a Work Study Session on June 3, 2002, at 3 p.m.

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 9:58 a.m.

Bonita Nicewander, Assistant City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
May 20, 2002

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

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

Public Comments

Thereupon, Mr. Pete Cearfoss, representing American Legion Baseball, reminded the Governing Body that Ottawa will be hosting the American Legion Regional Tournament, with 5-states participating starting August 8-11, 2002. Mr. Cearfoss asked for permission for a helicopter fly-in and for support from the City.

Thereupon, the Governing Body heard from Mr. Todd Burroughs representing Cherry Estates asking the Governing Body to consider the City Development Procedures regarding gravel streets.

Ottawa Recreation Commission Presentation

Thereupon, the Governing Body heard from the Director of the Ottawa Recreation Commission Jane Morton who presented a slide show and discussed the ORC's vision for the future.

US-59 Letter-Franklin County Commission

Thereupon, the Governing Body reviewed a letter from the Franklin County Commissioners to Secretary of Transportation Dean Carlson stating the following:

- that the County Commission supports the preferred alternative 3-B
- improvements to Montana Road from US-59 to K-68 Highway including Davis Road
- Reno Road be extended East and South to intersect with Montana Road
- the current US-59 Highway beginning at Shawnee Road and continuing through the City to be designated as a business route

May 20, 2002

- county road names be used for signage on the new US-59 whenever it exits onto county roads
- the bridge and surface over the Burlington Northern Sante Fe Railroad remain KDOT's responsibility
- the interchange around Shawnee Road be addressed to its design so vehicles can access old US-59 into North Ottawa
- signage be included on US-59 and I-35 to clearly indicated to travelers the cultural attractions in Ottawa.

Announcements

Thereupon, the Governing Body discussed a time when Commission pictures could be taken and agreed to June 5, 2002, following the Regular City Commission Meeting.

Thereupon, the Mayor announced:

1. **No** Work Study Session May 27, 2002 (Memorial Day)
2. Work Study Session June 3, 2002 at 3 p.m. (Budget-Water Fund)
3. Work Study Session June 5, 2002 at 6 p.m.
4. Work Study Session June 10, 2002 at 3 p.m. (Budget)
5. Work Study Session June 17, 2002, at 3 p.m. (Budget-Electric Fund)

NEXT REGULAR MEETING: JUNE 5, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

May 20, 2002

City Commission
Special Call Minutes
Ottawa, Kansas
May 29, 2002

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

The meeting was called to order and the purpose stated for this Special Call Meeting is to discuss the future of the Ottawa Municipal Auditorium.

Thereupon, facilitator City Manager Weldon Padgett opened the floor for discussion and heard from Mr. Scott Wasser who laid out a three year phased plan to reduce rental prices for in-county, non-profit, organizations and to promote community use. Mr. Wasser's plan also included the scale back but not the elimination of country shows; reduce the position of department head director to a supervisor's position; change the position to more of a marketing and visionary position and require a change in attitude. Mr. Wasser stated the City would eventually give the school district almost any time or date they need and the school district should continue to fund the Youth Matinees.

Thereupon, Auditorium Director Dick Smith noted there are other auditoriums in the State that function in much the same manner that Mr. Wasser had described.

Thereupon, Commissioner Gillette described some of the history of the auditorium that it had been built around 1919, bonds had been issued for around \$70,000, and it had been refurbished in the '70's.

Thereupon, Mr. Allen Loyd stated he had been involved with the auditorium during his tenure on the commission and the building had been condemned. The Governing Body had put the issue to a vote, and in 1976, \$600,000 was authorized to renovate the building. He also noted that 1.5 mills had been established for the maintenance and upkeep of the building. He stated disappointment that these funds have been used for operating expenses rather than for maintenance.

Thereupon, auditorium board member Mr. Gene Schaefer stated he would like to see the programs and auditorium continue to function.

Thereupon, Ms. Jean McCally, representing USD 290, stated the school district does miss out on the use of the auditorium due to rental fees.

Thereupon, Mr. Dale Fox, of the Ottawa Middle School, expressed his believe that the City needs to expand the base of programs rather than pulling inward.

May 29, 2002

City of Ottawa
Special Call Minutes
May 29, 2002
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Thereupon, Ms. Carla Bienhoff, former member of the OMA Board stated last year's programs had lost money; however, last year had been a bad year for almost everyone. She stated that the children's matinees should be expanded and the auditorium should be priced more reasonable.

Thereupon, City Manager Weldon Padgett asked the group of about 40 people if they were in agreement that the auditorium will not be a moneymaking activity? There was general agreement around the room. Mr. Padgett stated that arts and recreation usually are not profit making.

Thereupon, Mr. Archie McGehee former Auditorium Board Member stated he believes the "Friends Program" is a must to make the auditorium grow.

Thereupon, discussion ensued regarding the university's use of the auditorium and they had been reluctant to take activities off campus. However, it was noted that current administration has a better spirit of teaming with the community.

Thereupon, Commissioner Ramsey noted the auditorium had been subsidized for approximately 51% of their revenues for the 2002 Year and asked if taxes should be raised.

Thereupon, USD 290 Board Member John Coen stated that recreation will not pay for itself. The ORC is in need of funds and facilities and the community could look at this as one issue or look at the bigger picture and combine these issues.

Thereupon, Ms. Jane Morton, Director of Ottawa Recreation Commission, expressed her belief that the auditorium is a wonderful facility and very under utilized. She and her staff have looked at the OMA budget and not believe additional funding should be necessary. A reduction in duplicated efforts should be made. She further stated the objective should be to get kids in the building with programs that will attract children, lower fees, and make it affordable for potential customers to get into the building.

Thereupon, Auditorium Bookkeeper Shonda Stitt asked who would be selling tickets, running sound, doing lights, etcetera.

Thereupon, Mr. Earl Devore suggested other activities beyond recreation that is Convention and Tourism, and teacher in-services.

Thereupon, Auditorium Director Dick Smith noted that the Topeka Auditorium is operated by the Parks Department and others in the state are operated by local theater groups. A cultural arts commission concepts might be a possibility.

Thereupon, Mr. Murray McGee stated that one of the hardships in attracting conventions is the lack of space for breakout sessions and class reunions are priced out of the building.

Thereupon, Ms. Kelley Hawkins former member of the OMA Board stated that this year to date the Auditorium has been used 35 times in 150 days and the community is not getting a full bang for its buck. It is setting empty too often and can be utilized more frequently.

Thereupon, discussion on grant availability ensued.

Thereupon, KOFO Radio owner Brad Howard asked about the possibility of retro fitting the basement to make breakout sessions a possibility.

Thereupon, local architect Earl Devore stated that could be done rather easily.

Thereupon, City Manager Weldon Padgett asked if the OMA Board is necessary given the fact that the Auditorium Director answers to the City Manager.

Thereupon, it was noted several changes had occurred during the lifetime of the auditorium. The Auditorium Board Authority had had full authority but when the auditorium personnel had been brought under the City payroll for better benefits, the auditorium had lost its authority. The Auditorium Board would love to be more involved and a "Friends Group" should be reestablished.

The meeting was concluded at 8:35 p.m. and all present were asked to sign an attendance sheet.

Scott D. Bird, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
June 3, 2002

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

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

Public Comments

Thereupon, Mr. Jeff Wacker representing the OU Athletic Department asked for permission to conduct a road-race on September 7, 2002. Thereupon, the Governing Body granted the request for this 5K race and remanded the issue to staff.

Electric System Master Plan

Thereupon, the Governing Body heard from Mr. Daryle Hager of Professional Engineering Consultants who presented the results of the recently completed Electric System Master Plan, which includes a recommendation for immediate negotiations with Kansas City Power and Light; substation additions, and the addition of 10 mega watts of generation.

2003 Budget-Water Fund

Thereupon, the Governing Body reviewed the 2003 Water Fund budget with City Manager Weldon Padgett and Director of Utilities Jim Bradley.

Ottawa Municipal Auditorium

Thereupon, the Governing Body discussed the municipal auditorium and the vacancy created by Director Dick Smith's resignation.

Thereupon, Commissioner Gillette volunteered to be the City Commission representative to the Steering Committee.

Other suggestions follow: Murray McGee from tourism, Jeanette Lowry and someone from the Arts Council. It was recommended that old board members be included.

June 3, 2002

City of Ottawa

Thereupon, Karen McAdoo representing the current auditorium board reported that the board members would like to be included on the steering committee. In addition, it was suggested the Ottawa Recreation Commission, Main Street, USD 290, and the university be included.

Thereupon, City Manager Weldon Padgett stated that an Interim Director probably would be necessary before this is resolved.

Monthly Financial and Activity Reports – April 2002

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for April 2002. It was agreed that the Monthly Financial and Activity Reports will no longer be placed on the Regular Meeting Agenda. However, they will be reviewed at the Study Sessions.

National Small Cities Day Proclamation

Thereupon, the Governing Body reviewed a proclamation related to National Small Cities Day and agreed to place this item on the agenda for June 5, 2002.

Thereupon, Mayor Henningsen asked to place a “Join Hands Day” proclamation on the agenda. The Governing Body agreed to place this item on the agenda for June 5, 2002.

Resolution to Sell Temporary Notes

Thereupon, the Governing Body reviewed a resolution authorizing the sale of \$1.2 million in General Obligation Temporary Notes and agreed to place this item on the June 5, 2002, regular meeting.

Special Use Permit

Thereupon, the Governing Body reviewed a request for a Special Use Permit at 225 S. Walnut for an Embroidery/Screen printing operation in C-3 Zoning District. The Governing Body agreed to place this item on the Regular Meeting Agenda for June 5, 2002.

Request to Change Zoning at 900 W. 15th

Thereupon, the Governing Body reviewed a request to change zoning at 900 W. 15th from R-1 (single-family) to R-2 (two-family), and agreed to place this item on the Regular Meeting Agenda for June 5, 2002.

Certificates of Appreciation-Outgoing Board Members

Thereupon, the Governing Body agreed to present certificates of appreciation for outgoing board and commission members.

Minutes

Thereupon, the Governing Body reviewed previous minutes of the May 20th Study Session, May 15th Regular Meeting, and May 13th Study Session and agreed to place these items on the Regular Meeting scheduled for June 5, 2002.

Open Agenda

Thereupon, Commissioner Jackson reminded that the Kansas League of Municipalities Board Meeting will be at City Hall on Friday.

Thereupon, Mayor Henningsen announced that City Commission photos will be June 19, 2002, at 9 a.m.

Thereupon, Commissioner Ramsey stated he will be absent on June 10, 2002.

Thereupon, City Manager Weldon Padgett noted that the County is looking at Crestview for record storage and have invited the City to participate and the City is interested in this possibility.

Announcements

Thereupon, the Mayor announced:

1. There **will not** be a Study Session at 6 p.m. on June 6th.
2. There will be a Study Session on June 10, 2002, at 3 p.m.
3. There will be a Study Session on June 17, 2002, at 3 p.m.
4. Thereupon, will be a Study Session on June 24, 2002, at 3 p.m.

NEXT REGULAR MEETING: JUNE 5, 2002, AT 7 P.M.

Executive Session

Thereupon, Commission Jackson made a motion, seconded by Commissioner Gillette, to recess for 5 minutes to discuss non-elected personnel and to reconvene at 5:07 p.m. in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, it was moved and seconded to reconvene the meeting at 5:07 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

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

Scott D. Bird, City Clerk

June 3, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
June 5, 2002

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

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

Consent Agenda

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to accept the consent agenda. Thereupon, Assistant City Clerk Bonita Nicewander explained the consent agenda included the agenda approval and the approval of minutes of previous meetings including: Work Study Session Minutes of May 13th and 20th, and the Regular Meeting Minutes of May 15, 2002. The motion was considered and upon being put, all present voted aye.

Regular Agenda

Public Comments

None offered at this time.

Presentations and Proclamations

Certificates of Appreciation-Outgoing Board Members

Thereupon, the Mayor recognized outgoing board and commission volunteers and presented certificates to those that attended.

Gary Bateman	Library Board	1994-2002
Sandy Howard	Auditorium Authority	1998-2002
Mark Carey	Uniform Plumbing Board	2000-2002
Marlin Porter	Uniform Plumbing Board	2000-2002
Ray Steanson	Uniform Plumbing Board	2000-2002

June 5, 2002

City of Ottawa
Regular Meeting Minutes
June 5, 2002
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Rick Carlson	Intl. Electric Code Board of Appeals	2000-2002
Gary Colbern	Intl. Electric Code Board of Appeals	2000-2002
Gary Hogelin	Intl. Electric Code Board of Appeals	2000-2002
Bill Burns	Intl. Building Code/ Intl. Fire Code Board of Appeals	2000-2002
Doug Loyd	Intl. Building Code/ Intl. Fire Code Board of Appeals	2000-2002
Harry North	Intl. Building Code/ Intl. Fire Code Board of Appeals	2000-2002
Gayle Shepard	Intl. Building Code/ Intl. Fire Code Board of Appeals	2000-2002
Ed York	United Way Board of Franklin County	2000-2002
Olin "Doc" Wollen	Tree Board	1999-2002

Proclamation – National Small Cities

Thereupon, the Mayor read a proclamation declaring June 14, 2002, as National Small Cities Day in the City of Ottawa. Thereupon, Commissioner Ramsey noted he will be presenting the proclamation to the National League of Cities.

Proclamation – Join Hands Day

Thereupon, the Mayor read a proclamation declaring June 15, 2002, as "Join Hands Day" in the City of Ottawa, Kansas. The proclamation was received by Mr. Dale Pearson, who stated that Saturday, June 15, 2002, will be a day of volunteerism around the community. Breakfast will be served and projects such as painting at the Mental Health Clinic, and planting flowers on the downtown corners will be part of the days activities.

New Business

Resolution-Sale of Temporary Notes

Thereupon, there was presented a resolution authorizing the public sale of \$1,200,000 principal amount of General Obligation Temporary Notes, Series 2002A, of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained the City had received bids on the stone slope replacement project for the Marais de Cygnes levy system on March 28, 2002, the low bid was submitted by Big River Construction using stone from Martin Marietta Quarry in the amount of \$953,439.00. The City Clerk explained the Army Corps of Engineers questioned the amount of rock being recommended by the City Engineer and therefore a 15% contingency had been included. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Fleer nay, Commissioner Ramsey aye, Commissioner Jackson aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1204-02.

Resolution-Special Use Permit-225 S. Walnut

Thereupon, there was presented a resolution granting a Special Use Permit to allow an embroidery/screen printing operation at 225 S. Walnut, requested by Delbert Jamison, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained the Planning Commission had reviewed this Special Use Permit and held a Public Hearing on May 8, 2002, and unanimously recommends approval of the Special Use Permit to the City Commission. 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. 1205-02.

Ordinance-Rezone

Thereupon, there was presented an ordinance rezoning an area within the City, and repealing the corresponding section of the zoning map, which is a part of

Ordinance No. 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that the Planning Commission reviewed this rezone request, held a Public Hearing on May 8, 2002, and unanimously recommends approval of the rezone to the City Commission. It was further explained this rezone is in the 900 Block of West 15th, West of Osage Drive. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette nay, Commissioner Fler nay, Commissioner Ramsey aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3415-02.

Reports by Youth Delegates

Thereupon, Youth Delegate Bryce Huschka explained that in April and May OHS participants in the Youth In Government Program had visited neighboring cities in an attempt to form a "Teen Court Project". It appears this project will be successful. Thereupon, Commissioner Ramsey noted this project is being funded by the Juvenile Justice System.

Reports by City Manager

Thereupon, City Manager Weldon Padgett explained the City had budgeted for an internship and he anticipates hiring two part time persons who will each spend 10-12 hours weekly in the upcoming year.

Reports by City Commission

Thereupon, Commissioner Jackson noted the National League of Cities Executive Board will gather at 5 p.m. tomorrow at the Country Club and then have supper at the Beauchamp Buffalo Ranch and they will be meeting on Friday at City Hall.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on June 10, 2002, at 3 p.m.
2. There will be a Work Study Session on June 17, 2002, at 3 p.m.

3. The Governing Body will have photos taken on June 19, 2002, at 9 a.m.
4. There will be a Joint City/County/School meeting on June 19, 2002, at Noon, at the Franklin County Jail

NEXT REGULAR MEETING: JUNE 19, 2002, AT 9:30 A.M.

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 7:25 p.m.

Bonita Nicewander, Assistant City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
June 10, 2002

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

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

Public Comments

There were no Public Comments offered at this time.

2003 Budget – Various Special Revenue Funds

Thereupon, the Governing Body reviewed the proposed 2003 Budget for the Revolving Loan Fund, Economic Development Fund, the Special Alcohol, Community Promotion Fund, and the Risk Management Fund.

Request to Use City Street

Thereupon, the Governing Body reviewed a request to hold a block party on Maple Street between 3rd and 4th on July 4, 2002, and agreed to grant its approval.

ECKAN Estates

Thereupon, the Governing Body reviewed a resolution to accept Public Improvements as part of the ECKAN Estates Development Project and agreed to place this item on the Regular Meeting Agenda on June 19, 2002.

Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed a memo suggesting approval for 838 Pecan, 722 Olive, 403 S. Cedar, 1121 N. Main, 113 N. Oak and 225 S. Walnut to be included in the Neighborhood Revitalization Program and agreed to place this item on the Regular Meeting Agenda. Thereupon, Commissioner Jackson asked for an analysis of the program's effectiveness.

June 10, 2002

City of Ottawa

Open Agenda

Thereupon, Commissioner Jackson shared a thank you from one of the Youth In Government program members for the scholarship, which the Governing Body has recently implemented.

Thereupon, Commissioner Fleer inquired of the remuneration for the Fixed Base Operator at the municipal airport. Thereupon, City Manager Weldon Padgett stated he has asked Mr. LeMaster for an accounting of actual expenses and for information from other airports.

Thereupon, Commissioner Gillette expressed concern over weeds between 15th and 17th on the west side of south main. Thereupon, City Manager Weldon Padgett announced one of the City Employees working in the Janitorial Division had been moved to a Summertime Enforcement Officer position.

Thereupon, Mayor Henningsen reminded the Governing Body that the City will be hosting a Chamber Coffee on June 20, 2002, at 8 a.m.

Announcements

Thereupon, the Mayor announced:

1. Allies Day Breakfast 17 June 2002 at 8 am (Country Club); Community and Industrial Tour at 9 am; Lunch at 12 pm and Golf Tournament at 1:30 pm
2. Study Session 17 June 2002 at 3 pm (Budget)
3. City Commission Photo Shoot 19 June 2002 at 9 am
4. Joint Lunch Meeting 19 June 2002 at 12 pm-Franklin County Jail Basement
5. Study Session 24 June 2002 at 3 pm (Budget)

NEXT REGULAR MEETING: 19 JUNE 2002 AT 9:30 AM

Adjournment

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

Scott D. Bird, City Clerk
June 10, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
June 17, 2002

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

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

Public Comments

Thereupon, Ms. Diane Caryl, representing the local American Legion Baseball Association asked the Governing Body to support the Midwest Regional Tournament, which will be hosted by Ottawa on August 8-12. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to support this tournament with a \$1,000 donation to the Ottawa American Legion Baseball program. The motion was considered and upon being put, all present voted aye. Ms. Caryl thanked the Governing Body and stated for this level of participation advertising would be included.

2003 Budget – Special Revenue Funds: Special Streets and General Obligation Debt

Thereupon, the Governing Body reviewed the Special Streets budget with City Manager Weldon Padgett and Public Works Director Andy Haney and reviewed the GO Debt Retirement Fund with the City Manager and City Clerk Scott Bird.

Recognitions

Thereupon, the Governing Body reviewed recognition for Mr. Greg Shaw for his efforts in organizing the recent Iron Horse 5k run and agreed to place this item on the Regular Meeting Agenda for June 19, 2002.

Minutes

Thereupon, the Governing Body reviewed the minutes from the Special Call Meeting of May 29, 2002, and accepted these minutes with one correction.

June 17, 2002

City of Ottawa

Temporary Note Sale-Rip Rap Project

Thereupon, the Governing Body reviewed a notice of sale for \$1.2 million in General Obligation Temporary Notes of the City of Ottawa, Kansas, to pay for the stone slope replacement, Rip Rap Project for the Marais des Cygne River. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 19, 2002.

Open Agenda

Thereupon, Commissioner Ramsey reported to the Governing Body regarding his trip to Buffalo, New York, for the National League of Cities-Small Cities Conference.

Thereupon, Commissioner Jackson noted that the National League of Cities Meeting will be held in Salt Lake City with a Policy Meeting on Wednesday of that week and the Steering Committee Meeting on Thursday.

Thereupon, Mayor Henningsen thanked the Youth in Government workers for their help with the "Join Hands Day".

Thereupon, City Manger Weldon Padgett stated there will be an Otasco Building unveiling on Tuesday, June 17, 2002, at 9:30 a.m. He further stated, he has received a letter from ORC Director Jane Morton asking the City to make a decision on Phase I and II of the Recreation proposals and he has met with Mr. Chuck Waymire regarding the Beech Street Cul-de-sac and will be reporting further on this issue in the future.

Announcements

Thereupon, the Mayor announced:

1. City Commission Photo Shoot 19 June 2002 at 9 am
2. Joint Lunch Meeting 19 June 2002 at 12 pm – Franklin County Jail Basement
3. Study Session 24 June 2002 at 3 pm (Budget)
4. Study Session 1 July 2002 at 4 pm

NEXT REGULAR MEETING: 19 JUNE 2002 AT 9:30 AM

Adjournment

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

Scott D. Bird, City Clerk

June 17, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
June 19, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to approve the consent agenda, which included the agenda approval and the minutes of the Special Call Meeting May 29, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

Presentations and Proclamations

Thereupon, the Mayor read a recognition honoring Mr. Greg Shaw for his efforts in organizing the first Iron Horse 5k Run. Thereupon, Mr. Dan Pickert, Iron Horse Director expressed his appreciation to Mr. Shaw for his organizational efforts and explained the 5k had 86 participants and the one-mile "fun run" had 45 participants. Approximately 40 percent were local; meaning 60 percent of the participants came from outside of Ottawa from such locations as Lawrence, Prairie Village, Moran, Pittsburg, Topeka, and others. Mr. Pickert thanked the City for their assistance and for providing the loan of traffic control devices.

Resolution -ECKAN Estates Public Improvements

Thereupon, there was presented a resolution accepting Public Improvements within ECKAN Estates addition to the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained that approval of this resolution provides acceptance of sewer improvements made for the ECKAN Estates Project. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Fleer aye, Commissioner Gillette abstained, Commissioner Jackson abstained, and Mayor Henningsen aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1206-02.

June 19, 2002

Neighborhood Revitalization

Thereupon, there was presented a recommendation for Neighborhood Revitalization approval for the following properties: 838 Pecan, 722 Olive, 403 S. Cedar, 1121 N. Main, 113 N. Oak and 225 S. Walnut. Thereupon, Commissioner Jackson 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 motion duly approved.

Reports by Youth Delegates

Thereupon, the Governing Body heard from Ms. Amanda Guenther who stated Youth Court had held a mock hearing last Thursday and last night, June 18th had been the first court meeting.

Reports by City Commission

Thereupon, Commissioner Gillette noted the fountain in Haley Park was functioning as of yesterday.

Reports by City Manager

Thereupon, City Manager Weldon Padgett introduced Justina Koch and Rebecca Yohn Public Administration Interns and the Governing Body heard from each.

Announcements

Thereupon, the Mayor announced:

1. Joint meeting 19 June 2002 at 12 pm at the Franklin County Jail
2. Work Study Session 24 June 2002 at 3 pm
3. Work Study Session 1 July 2002 at 3 pm
4. Work Study Session 3 July 2002 at 6 pm

NEXT REGULAR MEETING: 3 JULY 2002, AT 7 PM

Recess

Thereupon, City Clerk Scott Bird requested a recess until 10 am to allow the Bond Attorney to receive bids for the City's "Rip Rap" project. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess for a period of approximately 10 minutes and to reconvene at 10 am in the same chambers.

Reconvene

Thereupon, at 10 am Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to reconvene the meeting.

Acceptance of Low Bids

Thereupon, City Clerk Scott Bird read the bids as follows:

	Average annual net Interest Rate	
Kansas State Bank Of Ottawa, Kansas	2.40 percent	
Gold Capital Management Inc.	2.255 percent	
UMB Bank	2.149294 percent	
Commerce Bank	2.276471 percent	
Country Club Bank	2.11647 percent	“Low Bid”

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to accept the low bid of Country Club Bank at 2.11647 percent. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Resolution – Authorizing the Issuance of Temporary Notes

Thereupon, there was presented a resolution authorizing the issuance and delivery of \$1,200,000 principal amount of General Obligation Temporary Notes, Series 2002A, of the City of the City of Ottawa, Kansas, for the purpose of temporarily financing the cost or a portion of the cost of certain internal improvements of the City; and prescribing the terms and details of the notes. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained this action authorizes the City to issue \$1.2 million in temporary notes for the financing with cost associated with the City's levy system in accordance with requirements of the US Corp of Engineers. 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. 1207-02.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:12 a.m.

Scott D. Bird, City Clerk

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
June 24, 2002

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

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

Public Comments

Thereupon, Ms. Karen Harris representing Franklin County Landlords, requested their group be included anytime issues on rental property are discussed. Thereupon, Commissioner Jackson asked if a list of members could be provided to the Governing Body.

Professional Engineering Consultants (PEC)- Wastewater Treatment Plant

Thereupon, Mr. Jim Martin and Mr. John Bailey, representatives from PEC, provided the Governing Body current “best cost estimates” on the new Wastewater Treatment Plant.

2003 Budget – Wastewater Fund

Thereupon, the Governing Body reviewed the Wastewater Fund budget with City Manager Weldon Padgett and Utility Director Jim Bradley.

City Manager’s Report

Thereupon, the Governing Body discussed with City Manager Weldon Padgett the following items:

1. Ottawa Municipal Auditorium: Ms. Kathy Reed and Mr. Gene Schaefer, members of the Auditorium Board stated the board was very interested in meeting with the Governing Body. Commissioner Gillette and City Manager Weldon Padgett will be meeting with the OMA board for further discussion and will bring information back to the Governing Body.
2. Chip and Seal-Gravel Streets: Public Works Director Andy Haney will bring back dollar figures to the Governing Body.
3. County – Cost Share-Elm Street: The City will continue to discuss this option.

June 24, 2002

City of Ottawa

4. **Airport/FBO Financial Issue:** The City Manager asked for a moratorium on rental payments being made by the FBO. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve this request until the end of December 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request duly approved.
5. **ORC Proposal:** The Governing Body requested the City Manager notify the Recreation Commission the proposal is not approved as presented. The Governing Body is willing to look at other options.

Monthly Financial and Activity Report – May 2002

Thereupon, the Governing Body discussed and accepted the Monthly Financial and Activity Report for the month of May 2002.

Minutes of Previous Meeting

Thereupon, the Governing Body agreed to place the Work Study Session Minutes from June 3, 2002, and the Regular City Commission minutes for June 5, 2002, on the Regular City Commission Meeting with corrections.

Other Items from the City Commission or Staff

Thereupon, Commissioner Ramsey stated the State evaluation for Ottawa Main Street USA will be taking place this week, and they will have breakfast tomorrow at City Hall in the Study Session Room. Commissioner Ramsey also asked about the Electric Master Plan.

Thereupon, Commissioner Gillette discussed the Banners at the Carnegie Building that violate City Code. Thereupon, City Manager Weldon Padgett asked if a 30-day notice to remove would be in order. The Planning and Zoning Department will be looking at this issue.

Announcements

Thereupon, the Mayor announced:

1. Study Session 1 July 2002 at 3 p.m.
2. Study Session 8 July 2002 at 3 p.m.
3. Study Session 15 July 2002 at 3 p.m.

NEXT REGULAR MEETING: 3 JULY 2002 AT 9:30 A.M.

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.

Scott D. Bird, City Clerk

June 24, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
July 1, 2002

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

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

Public Comments

Thereupon, Mr. Scott Wasser asked the Governing Body to use caution with regards to awarding full authority to the OMA Board. Mr. Wasser suggested the Governing Body phase in the authority to the board over a period of time.

2003 Budget – Electric Fund

Thereupon, the Governing Body reviewed the Electric Fund budget with City Manager Weldon Padgett and Utility Director Jim Bradley.

Ordinance – Municipal Auditorium Authority

Thereupon, the Governing Body requested the City Manager bring additional information to a future Work Study Session.

Tree Board Appointment

Thereupon, it was suggested Ms. Connie Gaeddert be appointed to the vacancy on the Tree Board. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to appoint Ms. Connie Gaeddert to the Tree Board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared this appointment duly approved.

Ordinance – Rezone 900 Block of Beech Street

Thereupon, the Governing Body reviewed an ordinance to rezone a parcel located in the 900 Block of Beech Street from A1NN (Franklin County Zoning District) to R-1 (Single-Family Dwelling District). The Planning Commission has reviewed this request, held a public hearing, and recommended by a vote of 6-0 that the City Commission approve the rezone. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for July 3, 2002.

July 1, 2002

Ordinance – Sign Regulations

Thereupon, the Governing Body reviewed an ordinance to amend Article XXII, sign regulations. The Planning Commission has previously reviewed this request, held a public hearing, and recommended by a vote of 6-0 the City Commission approve this amendment. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda, July 3, 2002.

Ordinance – Fences

Thereupon, the Governing Body reviewed an ordinance to amend Article XXVI, Section 4, Number 8, fence regulations. The Planning Commission previously reviewed this request, held a public hearing, and recommended by a vote of 6-0 the City Commission approve the amendments to Article XXVI, Section 4, Number 8. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda July 3, 2002.

Ordinance – Condemnation Process – Wastewater Treatment Plant

Thereupon, the Governing Body discussed with City Attorney Bob Bezek the process of eminent domain on property necessary for the City's new wastewater treatment plant. It is the City's intent to negotiate purchase of these properties concurrent with the condemnation procedure. Thereupon, the Governing Body agreed by consensus to place this ordinance on the Regular Meeting Agenda July 3, 2002.

Review of Agenda Items – July 3, 2002

Thereupon, the Governing Body agreed by consensus to place the minutes from Study Sessions June 3rd, 5th, 10th and 17th (with addition), and Regular Meeting Minutes from June 19, 2002, on the Regular Meeting Agenda for July 3, 2002.

Open Agenda

Thereupon, Commissioner Ramsey noted the City will not be awarded the grant funds from the Department of Wildlife & Parks.

Thereupon, Commissioner Gillette discussed "Spot Zoning" as opposed to "Special Use Permit" for the proposed county storage facility, a.k.a. Crestview Nursing Home. Thereupon, Commissioner Gillette stated he had received a telephone call from a citizen asking about policy on cat control.

July 1, 2002

Thereupon, Commissioner Jackson asked if more preliminary work could be done in Planning and Zoning in order to have information readily available at Planning Commission meetings to avoid delays in proceeding with projects.

Thereupon, Commissioner Fleer asked if O'Leary's is remodeling and if permits had been issued.

Announcements

Thereupon, the Mayor announced:

1. Study Session: July 8, 2002, at 3 p.m.
2. Ottawa Vision Project Presentation: July 11, 2002, at 7 p.m. in the City Commission Chambers
3. Study Session: July 15, 2002, at 3 p.m.
4. City Commission Regular Meeting: July 17, 2002, at 9:30 a.m.
5. Joint Meeting: July 17, 2002, at noon, in the City Commission Chambers
6. Study Session: July 22, 2002, at 3 p.m.
7. Study Session: July 29, 2002, at 3 p.m.

NEXT REGULAR MEETING: JULY 3, 2002, AT 9:30 A.M.

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.

Scott D. Bird, City Clerk

July 1, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
July 3, 2002

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

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

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the consent agenda which included the approval of the agenda and minutes for Work Study Sessions June 3rd, 10th, and 17th, 2002. Regular Minutes from June 5th and 19th, 2002. 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 Mayor asked for Public Comments.

Thereupon, Ms. Jane Morton, Director of the Ottawa Recreation Commission, asked the Governing Body to considered other options for the proposed recreation improvements and asked the Governing Body, “how we can make this project happen?”

New Business

Ordinance – Rezone 900 Block of Beech Street

Thereupon, there was presented an ordinance re-zoning a parcel of land located in the 900 Block of Beech Street from A1NN to R-1 (Single-Family Dwelling District) and repealing the corresponding section of the zoning map, which is a part of Ordinance No. 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

July 3, 2002

City of Ottawa
Regular Meeting Minutes
July 3, 2002
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During discussion it was explained, the Planning Commission had reviewed this rezone, held a public hearing, and recommended to the Governing Body its 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. 3416-02.

Ordinance - Sign Regulation

Thereupon, there was presented an ordinance amending Article XXII, Sign Regulations, Ordinance No. 2933-90, the zoning ordinance for the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the Planning Commission reviewed this amendment to allow projecting signs in the C-3 Zoning District, held a public hearing and recommended to the Governing Body its 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 ordinance was duly numbered Ordinance No. 3417-02.

Ordinance – Fence Regulations

Thereupon, there was presented an ordinance amending Article XXVI, additional height area & use regulations, Ordinance No. 2933-90, the zoning ordinance for the City of Ottawa, Kansas. (Fence Ordinance) Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this amendment rewords Section 4, Number 8, dealing with fences to read the same as the wording in the Development Procedures Policy, which stated; all fences shall have gates or openings to provide proper access to utility meters. No permanent landscaping, buildings, fences or other obstruction shall be built, erected or installed within or across any permanent storm drainage or utility easements. The Planning Commission reviewed this amendment, held a public hearing and recommended its approval by a 6-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3418-02.

Ordinance – Eminent Domain, Wastewater Treatment Plant

Thereupon, there was presented an ordinance providing for the acquisition by eminent domain of certain private property, consisting of easements and fee simple title for the purpose of constructing and operating a wastewater treatment plant for the City of Ottawa, Kansas, directing that lands be acquired for such purposes and directing the City Attorney to file a petition in the District Court of Franklin County, Kansas for acquisition of easements and fee simple title therein and providing for the payment of costs thereof. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this action is related to the future expansion needs of the wastewater treatment plant facility. 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. 3419-02.

Reports by City Commission

Thereupon, Commissioner Jackson asked the Governing Body to consider a City of Character Program. Commissioner Jackson noted a similar effort had been made by the school district a few years ago.

Thereupon, Commissioner Fleer asked that the Governing Body to consider the ORC proposal to direct the Ottawa Municipal Auditorium. Thereupon, Commissioner Jackson stated the City Commission had given staff direction to obtain additional information and to bring the information back to the Governing Body regarding the auditorium. No further direction was given to staff at this time.

Reports by Mayor

Thereupon, the Mayor wished everyone a safe and happy Fourth of July.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: July 8, 2002, at 3 p.m.
2. Ottawa Vision Program Presentation: July 11, 2002, at 7 p.m., in the City Commission Chambers.
3. Work Study Session: July 15, 2002, at 3 p.m.
4. Joint Meeting: July 17, 2002, at Noon, in the City Hall Commission Chambers.
5. Work Study Session: July 22, 2002, at 3 p.m.
6. Work Study Session: July 29, 2002, at 3 p.m.

NEXT REGULAR MEETING: JULY 17, 2002, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Flear, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting adjourned at 9:57 a.m.

Scott D. Bird, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 8, 2002

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

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

Public Comments

Thereupon, Mr. Dan Andrews representing COF Training Services presented the Governing Body with COF's last payment on the Recapture Agreement with the City of Ottawa.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adopt a resolution authorizing the execution of a warranty deed in favor of COF Training Services, Inc. The motion was considered and upon being put, all presented voted aye. Thereupon, the Mayor declared the resolution duly approved and the resolution was duly numbered Resolution No. 1208-02.

During discussion it was explained with the final payment being presented, Mayor Henningsen will execute the Warranty Deed (following Kansas Statutory Warranty Form) and present the Warranty Deed to COF Training Services, which legally returns the real estate to COF.

2003 Budget

B. Martin Peck Animal Shelter

Thereupon, Larry Mages, Emily Mathias, and Roberta Compton, representing the B. Martin Peck Animal Shelter, reviewed with the Governing Body their request for an increase in City support of about \$10,500 over the current year's budget (from \$36,800 in 2002, to about \$47,425 for 2003). The increase is mostly attributed to salaries. Thereupon, the Governing Body agreed to include the requested increase into the budget, with the understanding it is subject to change during further budget considerations.

July 8, 2002

City of Ottawa

Public Works

Thereupon, the Governing Body reviewed the Cemetery, Streets, Flood Control, Fleet Management, Parks, and Special Street Fund, with City Manager Weldon Padgett and Public Works Director Andy Haney. Thereupon, Mr. George Marstall asked that more attention be given to the cemetery department, and to the development of Highland Cemetery, specifically the additional 40 acres at Highland Cemetery.

Utilities

Thereupon, the Governing Body reviewed the Utility Warehouse budget with City Manager Weldon Padgett and Utility Director Jim Bradley.

Street Right-of-Way Vacation – 100 Block of Ash Street

Thereupon, the Governing Body reviewed an ordinance to vacate that portion of the street right-of-way at Ash Street between 2nd Street and K-68 right-of-way. The described real estate is generally located on the 100 block of Ash Street (currently unopened), lying adjacent to Lot 21, 23, 25, 27, 29, 31, and 33, Block 53, Original Town, in the City of Ottawa, Franklin County, Kansas, and more particularly described as follows: The portion of Ash Street right-of-way to the south edge of K-68 right-of-way. Thereupon, the Governing Body agreed to place this item on the July 17, 2002, Regular Meeting Agenda.

Minutes from Previous Meeting

Thereupon, the Governing Body reviewed the June 24, 2002, Study Session Minutes and agreed by consensus to place them on the July 17, 2002, Regular Meeting Agenda.

Open Agenda

Thereupon, City Manager Weldon Padgett requested clarification regarding the Governing Body's desire for additional information concerning the ORC proposal/request presented at the July 3, 2002, City Commission meeting. Thereupon, the Governing Body agreed by consensus no further information is needed at this time.

Announcements

Thereupon, the Mayor announced:

1. Ottawa Vision project presentation: City Hall Commission Chambers, July 7, 2002, at 7 p.m.
2. Study Session: July 15, 2002
3. Joint Meeting-City/County/School: City Hall Commission Chambers, July 17, 2002, at noon.
4. Study Session: July 22, 2002
5. Study Session: July 29, 2002

NEXT REGULAR MEETING: JULY 17, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

July 8, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 15, 2002

The City Governing Body met in Work Study Session at 3 p.m. this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, 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.

2003 Budget

Library

Thereupon, the Governing Body reviewed the Library Budget with Library Treasurer Liz Reusch and Director Barbara Dew. It was noted the Library is asking for approximately a 5 percent increase from the 2002 Budget and asking for an additional mill levy in future years. The Governing Body agreed to place the Library Budget into the system noting final numbers are yet to be calculated on the City's mill levy. Some discussion ensued regarding the Library rent payments to the City.

Police/Municipal Court

Thereupon, the Governing Body reviewed the Police and Municipal Court Budget with Police Chief Jeff Herrman and Office Manager Karen Chase for the Police Department.

Planning/Zoning/Inspection

Thereupon, the Governing Body reviewed the Planning/Zoning and Inspection budgets with City Manager Weldon Padgett, Assistant to the Planning Director Tom Yahl and City Inspector Gary Skiles.

Human Resources

Thereupon, the Governing Body reviewed the Human Resources Budget with City Manager Weldon Padgett and City Clerk Scott Bird. Human Resource Director Judy Hasty is out for surgery.

July 15, 2002

Cherry Estates Final Plat

Thereupon, the Governing Body considered a recommendation from the Planning Commission to approve the final plat for Cherry Estates located on the south side of Estabrook, with the condition that the developer be responsible for improvements to Estabrook Street. Thereupon, the Governing Body asked questions regarding the level of improvement to Estabrook Street and whether or not a sidewalk had been planned for. Thereupon, Assistant to the Planning Director Tom Yahl explained sidewalks had not been planned for and it is unclear as to the level of street improvements the Planning Commission was requiring for Estabrook Street. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to remand this final plat back to the Planning Commission to clarify the improvements desired for Estabrook Street and to consider a requirement for sidewalks.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for July 1, 8, 2002, and Regular City Commission Minutes for July 3, 2002, and agreed to place these minutes on the Regular Meeting agenda for July 17, 2002.

Vacate Street Right-of-Way – 100 Block Ash Street

Thereupon, the Governing Body agreed by consensus to place this item on the July 17, 2002, Regular City Commission Agenda.

Open Agenda

Thereupon, City Manager Weldon Padgett noted there were very few items for the Regular Meeting Agenda and suggested the Governing Body utilize the opportunity to further discuss the budget. Thereupon, the Governing Body agreed to this suggestion.

Thereupon, Commissioner Ramsey asked when the Governing Body would be discussing the Vision Report. Thereupon, the City Manager suggested the Governing Body participate in a retreat some time this fall.

July 15, 2002

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School meeting: City Hall Commission Chambers, July 17, 2002, at noon.
2. Study Session: July 22, 2002
3. Study Session: July 29, 2002
4. Study Session: August 5, 2002
5. Regular City Commission Meeting: August 7, 2002, at 7 p.m.

NEXT REGULAR MEETING: JULY 17, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

July 15, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
July 17, 2002

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

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

Consent Agenda – Items 6 & 7

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the consent agenda, which included approval of today’s agenda and minutes for Work Study Sessions June 24, July 1, July 8, 2002, and Regular Meeting Minutes from July 3, 2002. 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.

Ordinance – Vacation of Right-of-Way (Ash St. between 2nd & K-68 Right-of-Way)

Thereupon, there was presented an ordinance vacating that portion of the street right-of-way at Ash Street between 2nd Street and the K-68 right-of-way. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained the described real estate is generally located on the 100 block of Ash Street (now unopened), lying adjacent to Lot 21, 23, 25, 27, 29, 31, and 33, Block 53, Original Town. 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. 3420-02.

Reports by City Commission

Thereupon, Commissioner Jackson stated the “Youth Action Council” has been voted as the outstanding Youth Volunteer organization by the State, and Rev. Doug and Linda Jenkins as outstanding volunteers in the State of Kansas.

July 17, 2002

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School meeting: today at City Hall Commission Chambers at noon.
2. Work Study Session: July 22, 2002, at 3 p.m.
3. Work Study Session: July 29, 2002, at 3 p.m.
4. Work Study Session: August 5, 2002, at 3 p.m.
5. Work Study Session: August 12, 2002, at 3 p.m.

NEXT REGULAR MEETING: AUGUST 7, 2002, AT 7 P.M.

Move to Study Session

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to move the meeting into the Study Session Room, where the meeting shall remain open to the public, for the purpose of continuing discussion of the 2003 Budget. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting motion duly approved.

Study Session – 2003 Budget

General Fund and Utility Administration

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and City Clerk/Finance Director Scott Bird the General Fund and Utility Administration budgets.

Open Agenda

Thereupon, Commissioner Jackson asked about the annexation on K-68.
Thereupon, City Manager Weldon Padgett stated this might be a topic to discuss in addition to the Vision Presentation at a retreat previously proposed for this fall.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Flear, 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 10:13 a.m.

Scott D. Bird, City Clerk

July 17, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 22, 2002

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

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

Public Comments

Thereupon, Mr. Mike Detwiler presented information to the City Commission and asked that the Fixed Base Operator situation be resolved.

Thereupon, Mr. Bob Caron, Garnett, asked how the Airport Master Plan would be implemented and suggested the City pursue a state grant.

Thereupon, Mr. Detwiler suggested using the 160 acres east of the airport for the recreation needs.

Request to Use Forest Park

Thereupon, the Governing Body reviewed a request from Shawn Markley requesting the use of Forest Park on August 3, 18, 25, and September 1, 2002, Noon to 5 p.m., for an S and K Car Stereo sound-off event. Thereupon, the Governing Body agreed by consensus to approve this request.

2003 Budget

Fire

Thereupon, the Governing Body reviewed the Fire Department Budget with Fire Chief Jeff Carner.

July 22, 2002

City of Ottawa

Electric Master Plan

Thereupon, the Governing Body reviewed the report staff developed in response to the PEC Electric Master Plan recommendations with City Manager Weldon Padgett and Utility Director Jim Bradley. Thereupon, Jim Bradley requested permission to hire the recommended Power Plant Maintenance person as soon as possible. Thereupon, the Governing Body agreed by consensus to approve this request. They also approved to proceed this year a split of circuit 10, and a recommendation to prepare an agreement with KMEA to fund approximately \$4,000,000 of substation improvements.

Open Agenda

Thereupon, City Manager Weldon Padgett announced the hiring of Ms. Bobbi VanHorn as Program Manager, an intern, for the City of Ottawa. Her duties include the Government Access Channel and filming of City Commission and Legislative Coffee meetings.

Adjournment

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

Scott D. Bird, City Clerk

July 22, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
July 29, 2002

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

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

Public Comments

Thereupon, Mr. Earl DeVore of DeVore Associates asked for clarification on projects under design prior to the implementation of the 2000 Building and Life Safety Codes. Specifically Mr. DeVore questioned the inspection of Bethany Baptist Church stairway noting that the design for said stairway conformed with the previous code and design had been underway well before the implementation of the newly adopted codes. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to allow this project to continue under the previous codes. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Jackson abstained, Commissioner Ramsey aye, Commissioner Fleer nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the motion duly approved by a 3-1-1 vote and Staff was asked to review this issue.

2003 Budget

Airport

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett the proposed Airport Budget. Thereupon, the City Manager noted this budget was being proposed to allow the City to proceed and changes could be made. Thereupon, the Governing Body suggested additional monies be funded in Contractual and possibly a Contingency Reserve. The City Manager further noted this activity has been withdrawn from the General Fund and will instead be a Special Revenue Fund for better tracking. It includes the possibility of Federal Grant Monies for the proposed parallel taxiway.

Thereupon, the Governing Body heard from Mr. Mike Detwiler who expressed concerns and comments regarding the level of consideration that the Airport has been given and suggested the Governing Body pursue the Master Plan.

July 29, 2002

City of Ottawa

General Fund

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and City Clerk Scott Bird the General Fund Revenue and Expenditures for 2003.

Tax Levy Comparison & Capital Improvement

The Governing Body also reviewed the tax levy comparison and the capital improvement program. The City Manager asked for consideration of sales tax vs. property tax, noting that the mill levy would be able to be reduced.

Franklin County Historical Society

Thereupon, the Governing Body heard from Ms. Deb Barker who requested an additional \$5,000 for the 2003 Budget, raising their allocation from \$2,500 to \$7,500. Thereupon, Commissioner Gillette suggested this amount be plugged into the 2003 Budget and the Governing Body agreed by consensus.

Review of Audit – 2001

Thereupon, the Governing Body reviewed the 2001 City Audit with Mr. Keith Gaeddert, C.P.A., of Agler & Gaeddert Chartered.

Demolition Bids

Thereupon, the Governing Body reviewed the proposed demolition bids for the next round of demolitions and recommended this item be placed on the Regular Meeting Agenda with corrections to the cover memo.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes of July 15th and 22nd, 2002, and Regular Meeting Minutes of July 17, 2002. A correction was requested on the July 15, 2002, Work Study Session Minutes with regards to the Library Budget. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for August 7, 2002.

Auditorium Director Position

Thereupon, the Governing Body heard from City Manager Weldon Padgett who suggested that duties for the Interim Director position be split between the two employees at the Auditorium and they be allowed to direct this facility until a more long-term solution can be addressed.

Equipment Purchase

Thereupon, the Governing Body heard from Public Works Director Andy Haney who stated the City had anticipated the purchase of a street sweeper in the amount of \$125,000 to be financed over 4 years in the 2002 Budget and the purchase of a road grater in the amount of \$150,000 to be financed over 10 years. Mr. Haney further stated that bids had recently been taken on a street sweeper and the cost after trade-in amounts to \$111,000 and a used 1986 caterpillar motor grater with approximately 3500 hours had been located for \$55,000. Mr. Haney suggested that financing be arranged and these two purchases could be paid off in considerably less time than earlier anticipated. The Governing Body gave approval for the purchase of these two pieces of equipment.

Adjournment

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

Scott D. Bird, City Clerk

July 29, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 5, 2002

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

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

Public Comments

None offered at this time.

2003 Budget- Discussion

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett the 2003 budget, reflecting changes made during all the budget discussion. The City Manager explained the new pay plan data has been integrated into the budget and the mill levy has been set so that there would not be a benefit accrued to the City from increased assessed value.

During discussion it was explained by City Manager Weldon Padgett most of the personnel changes in the budget process was to place personnel in the correct department line item instead of spreading the personnel over several funds. Other changes should simplify the budget.

Thereupon, Commissioner Gillette thanked City Manager Weldon Padgett and City Clerk Scott Bird for the work and changes made to the 2003 budget. The rest of the Governing Body concurred.

Monthly Financial and Activity Reports-June

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

Review of Agenda Items for August 7, 2002

Thereupon, the Governing Body agreed to place the Work Study Session Minutes from July 15th, and July 22nd, 2002, and Regular Meeting Minutes from July 17, 2002, on the agenda for August 7, 2002.

August 5, 2002

City of Ottawa

Thereupon, the Governing Body agreed to place the next round of demolition bids on the Regular Meeting Agenda for August 7, 2002. Thereupon, City Manager Weldon Padgett explained to the Governing Body that they could remove any property from this list.

During discussion Mr. Jessie Garcia, 1203 S. Ash, requested a meeting with the inspection department and additional time for any repairs to 816 N. Locust the inspection department may be requesting.

Thereupon, the Governing Body agreed to place the following properties for demolition bid approval on the agenda for August 7, 2002:

804 S. Locust
808 S. Cherry
816 N. Locust
1024 S. Walnut

Thereupon, Commissioner Ramsey suggested to Mr. Garcia that his attendance at the meeting would be important if he had a special request regarding his property at 816 N. Locust.

Open Agenda

Thereupon, Commissioner Ramsey requested additional copies of the Kansas Government Journal magazine that could be presented to the Franklin County Commissioners. Commissioner Ramsey stated there were at least two articles in the current issue that may be of interest to the County Commissioners.

Thereupon, Commissioner Jackson asked about the previously discussed sales tax issue and stated he felt it should be up to the people to vote on this issue. Thereupon, Commissioner Fleer asked if an increase in sales tax would take business out of Ottawa? Thereupon, Mayor Henningsen stated she had visit with a local merchant who sold “fairly big ticket items” and they didn’t feel a minor increase in sales tax would make much difference.

Thereupon, Commissioner Gillette stated in the event of a disaster or terrorist threat the City needs to know whom it should contact at the County level. He recently had tried to contact someone and couldn’t get any help.

Thereupon, Mayor Henningsen announced the tentative date for the Youth Summit would be September 14, 2002.

Announcements

Thereupon, the Mayor announced:

1. Study Session: August 12, 2002, at 3 p.m.
2. Study Session: August 19, 2002, at 3 p.m.
3. City Commission Meeting: August 21, 2002, at 9:30 a.m.
4. Joint City/County/School Meeting: August 21, 2002, at Noon, at USD 290, 123 West 4th.

NEXT REGULAR MEETING: AUGUST 7, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas
August 7, 2002

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

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

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the consent agenda, which included approval of the agenda and approval of the Work Study Session Minutes for July 15 and 22, 2002, and Regular Meeting Minutes from July 17, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Presentations

Thereupon, Commissioner Ramsey made a presentation expressing the Governing Body's appreciation to Blaine Finch for his diligent work on the Vision Program and presented the former Commissioner with a plaque recognizing his efforts.

Thereupon, Mr. Finch expressed his appreciation on behalf of all who participated in this project and made it successful.

Demolition Projects

Thereupon, there was presented a recommendation to accept bids for the demolition of:

1024 S. Walnut	Halls Bobcat	\$2,300
808 S. Cherry	Darrell Gowing	\$3,350
816 N. Locust	Steve Higbie	\$3,500
804 S. Locust	Steve Higbie	\$3,700

August 7, 2002

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the recommendation.

During discussion Commissioner Fleer stated she believed the owner of 816 N. Locust had expressed a sincere interest in improving his property and thought he should be given that chance.

Further discussion ensued and upon being put to the question, the motion failed by the following vote: Commissioner Jackson aye, Commissioner Gillette aye, Commissioner Fleer nay, Commissioner Ramsey nay, and Mayor Henningsen nay. Thereupon, the Mayor declared the motion duly defeated.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer to approve the bids for 1024 S. Walnut, 808 S. Cherry, and 804 S. Locust. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the low bid for 1024 S. Walnut, 808 S. Cherry, and 804 S. Locust duly approved.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to allow the property owner at 816 N. Locust, 60 days to make substantial progress on deficiencies and this item be brought back to the Governing Body for further consideration.

During discussion it was suggested by the City Inspector that priority be given to the foundation. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Fleer aye, Commissioner Ramsey aye, Commissioner Jackson nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the motion duly approved.

Thereupon, City Manager Weldon Padgett asked City Inspector Gary Skiles to make sure letters are sent to effected property owners to inform them of this evenings decisions and those letters be sent by certified mail.

Reports by Youth Delegates

Thereupon, Bryce Huschka, OHS Class 2002, thanked the Governing Body for their attention toward the youth of this community and noted that their work in Youth in Government and commitment to provide scholarships would pay dividends well beyond the monetary value. Mr. Huschka stated the Governing Body had shown that the youth and their opinions are appreciated in the community and thanked the Governing Body for their investment in the "Youth of Ottawa".

August 7, 2002

Thereupon, Mr. Huschka also stated he wanted to express his congratulations to the Ottawa American Legion Baseball team for recently becoming a two-time state champion and reminded those listening that Regional playoff games start on Thursday evening at Harvey Drake Field.

Reports by Commissioners

Thereupon, Commissioner Jackson thanked Mr. Huschka for his participation and recognized him as a fine ambassador for the City of Ottawa. Mr. Jackson further reminded the listeners that the City of Ottawa has applications for the upcoming year and they will be available in the City Clerk's Office.

Thereupon, Commissioner Ramsey congratulated Commissioner Jackson for the Youth In Government Program and expressed his appreciation to Mr. Huschka. Commissioner Ramsey also noted that the Ottawa American Legion team will play its first game of the Regional Tournament on Friday evening.

Thereupon, Commissioner Gillette stated he believed the Youth In Government Program had brought many good ideas forward.

Reports by Mayor

Thereupon, Mayor Henningsen thanked Mr. Huschka and wished him good luck in his college endeavors. Mayor Henningsen reminded the Governing Body that the Mayor Youth Summit is scheduled for September 7, 2002, at Ottawa Middle School. The Mayor thanked Bobbi Van Horn the City's government channel, Program Manager and invited all who were listening to the Ottawa American Legion Baseball games to be conducted this weekend and congratulated the local team for their outstanding representation.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: August 12, 2002, at 3 p.m.
2. Work Study Session: August 19, 2002, at 3 p.m.
3. Joint City/County/School Meeting: August 21, 2002, at Noon, at USD 290, 123 W. 4th

4. Work Study Session: August 26, 2002, at 4 p.m.
5. Work Study Session: NONE, September 2, 2002, (Labor Day Holiday)

NEXT REGULAR MEETING: AUGUST 21, 2002, AT 9:30 A.M.

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 7:31 p.m.

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas
August 8, 2002

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

The meeting was called for the specific purpose of reviewing cemetery software, which is being implemented for the purpose of better record keeping in Highland and Hope Cemeteries.

The Governing Body heard from Public Works Director Andy Haney, Public Works Secretary JoAnn Nowatzke, Interns Taran Markley and Laura Gilges who explained the way the new software would function and how it will be made available to the public. Several questions ensued and the meeting was adjourned at 4:40 p.m.

Scott D. Bird, City Clerk

August 8, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 12, 2002

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

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

Public Comments

None offered at this time.

2002 Pay Plan

Thereupon, the Governing Body reviewed with Ms. Becky Crowder of Austin Peters Group the 2002 Pay Plan. Ms. Crowder explained she and her company had interviewed 138 employees with the City of Ottawa, had shared the information with the Department Heads, had re-interviewed several employees, and had worked with the City Manager to create a product that the City should be able to build upon in the future. Ms. Crowder explained the steps, which had been taken during this process and noted, as expected, some departments were in need of adjustments.

Thereupon, City Manager Weldon Padgett recommended that the Pay Plan be implemented as early as possible. However, he suggested that the Governing Body eliminate the longevity bonuses starting in 2003 in order to offset these increases. It was noted that the cost to implement the new Pay Plan is in excess of \$98,000, but eliminating the longevity bonus will offset this.

Thereupon, Ms. Crowder answered several questions from the Governing Body and it was noted career ladders had been put in place. Further work will be needed regarding the evaluation system and educational incentives.

Thereupon, Commissioner Ramsey made a motion to implement the new Pay Plan immediately and to rescind the longevity bonuses starting in 2003. The motion was seconded by Commissioner Fleer, upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

August 12, 2002

City of Ottawa

Sales Tax Information

Thereupon, the Governing Body reviewed a proposal to call for a referendum on a ½ cent sales tax question. The Governing Body discussed this at considerable length noting that ½ cent sales tax would raise approximately 1 million dollars, which could lower the mill levy by up to 8 mills. However, it was suggested that this issue be delayed at least until the April election.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session for July 29, and August 5, 2002. Thereupon, these items were placed on the next Regular City Commission Agenda.

Open Agenda

Thereupon, Commissioner Fleeer asked if the Animal Control Officer could be utilized during evening and weekend hours. Thereupon, Sergeant Mark D'Augereau responded that this in fact does occur, although, not routinely.

Thereupon, Mayor Henningsen extended her congratulations to the Ottawa American Legion Division II baseball team for winning the National Championship.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: August 19, 2002, at 3 p.m.
2. Joint City/County/School Meeting: August 21, 2002, at Noon, at USD 290, 123 W. 4th St.
3. Work Study Session: August 26, 2002
4. Work Study Session: NONE, September 2, 2002, (Labor Day Holiday)
5. Mayor's Youth Summit: September 7, 2002, at Ottawa Middle School

NEXT REGULAR MEETING: AUGUST 21, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

August 12, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 19, 2002

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

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

Public Comments

Mosquitoes-Skunk Run

Thereupon, Mr. Wilford Bugner, 701 E. Third, expressed health concerns for the community regarding the storm water system known as "Skunk Run" from 3rd & Poplar to the retention area. Mr. Bugner noted that this area does not have a concrete floor and as a result has a tendency to back up in spots causing stagnant pools of water. Mr. Bugner stated he believed sanitary sewer backed up in this area but was mostly concerned due to the recent episodes of West Nile Virus, which has been detected in Kansas. Mr. Bugner suggested these pools be drained and the ditch be lined with concrete.

Thereupon, Public Works Director Andy Haney thanked Mr. Bugner for his comments and stated that the City is taking a more aggressive position in treating these areas with an approved chemical, which will inhibit the growth of mosquitoes. Mr. Haney further stated if there is other situation of a like nature in the Ottawa area, the Public Works Department would like to hear about them. Thereupon, the Mayor thanked Mr. Bugner for his comments.

Memorial Park Bench

Thereupon, the Governing Body heard from Ms. Wanda Gavel, with Air Technologies, who stated that the employees at Air Technologies have started a Memorial Fund for Mr. Keith Gutreuter with the intention of purchasing a City park bench and for it to be dedicated in his memory. Ms. Gavel further stated she would like the bench to be placed either at the City Park Bandstand or in front of the Carnegie Building and a plaque be part of this memorial. Thereupon, Public Works Director Andy Haney asked if a plaque is used that it be embedded in the concrete slab upon which the park bench would set upon.

August 19, 2002

City of Ottawa
Study Session Minutes
August 19, 2002
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Veterans Day Celebration

Thereupon, the Governing Body reviewed letter from Mr. Harold Mayes requesting \$1,000 in financial support for the Veterans Day Celebration to be held November 9, 2002. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the \$1,000 support. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the \$1,000 in financial support duly approved.

Minutes

Thereupon, the Governing Body reviewed the Regular City Commission meeting minutes of August 7, 2002, and the Special Commission meeting minutes of August 8, 2002, and recommended that they be placed on the agenda for August 21, 2002.

Rezone- 136 S. Ash

Thereupon, the Governing Body reviewed a recommendation to rezone an area generally located at 136 S. Ash from R-1 (Single-Family Dwelling) to I-1 (Light Industrial). The Governing Body reviewed this recommendation and agreed to place this item on the Regular Meeting Agenda scheduled for August 21, 2002.

Rezone- 1124 W. 7th Terrace

Thereupon, the Governing Body reviewed a rezone request at 1124 W. 7th Terrace from R-1 (Single-Family Dwelling) to O & I (Office & Institutional). It was explained the Planning Commission had held a Public Hearing on July 10, 2002, and recommended denial of this request. However, it was further explained the Planning Commission had approved a text amendment to allow "Centers For Documentation" as a Special Use in the residential zoning districts and unanimously voted to recommend granting a special use permit on the aforementioned property. However, this action could not be taken until a 14-day protest period has expired.

Thereupon, the Governing Body agreed to place the denial of the rezone on the Regular Meeting Agenda of August 21, 2002, and the tentative approval of the Special Use Permit on the Regular Meeting Agenda for September 4, 2002.

2003 Budget

Thereupon, the Governing Body agreed to place a Public Hearing scheduled for August 21, 2002, on the Regular Meeting Agenda and also agreed to place the 2003 Budget adoption on the Regular Meeting Agenda for August 21, 2002.

Bethany Chapel Baptist Church

Thereupon, the Governing Body agreed to place a proclamation recognizing the Bethany Chapel Baptist Church for their 135th Anniversary on the Regular Meeting Agenda for August 21, 2002.

City Commission Retreat

Thereupon, the Governing Body reviewed a recommendation to hold a City Commission retreat and agreed to work with Commissioner Fleer on a date sometime in November and preferably November 15th, but possibly the 8th or 22nd.

Open Agenda

Thereupon, Commissioner Gillette congratulated the Police Department for another successful DARE Camp.

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School Meeting: August 21, 2002, at Noon, at USD 290, 123 W. 4th St.
2. Work Study Session: August 26, 2002, at 4 p.m.
3. Work Study Session: NONE, September 2, 2002, (Labor Day Holiday)
4. Work Study Session: Tentative- September 4, 2002, at 6 p.m.
5. City Commission Meeting: September 4, 2002, at 7 p.m.
6. Work Study Session: September 9, 2002, at 4 p.m.
7. League of Kansas Municipalities Conf.: Wichita, October 13-15
8. National League of Cities Conf.: Salt Lake City, December 3-8

NEXT REGULAR MEETING: AUGUST 21, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas
August 21, 2002

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

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

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda, which consisted of the agenda approval and the minutes of the Regular City Commission meeting of August 7, 2002, and a Special Call Meeting on August 8, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Warren Hallgren of Hallgren & Son Construction Company, Vassar, Kansas. Mr. Hallgren expressed frustration with a house he has recently constructed in Cherry Estates noting that the real estate agent and developer had told him there was no problem with breaking up the property. He noted that he has run into a problem with splitting what should be 2 lots and has not been able to satisfactorily understand the reason. Mr. Hallgren also expressed frustration with additional expenses he had not anticipated, such as, stake out cost. Thereupon, the Mayor explained a decision would not be made today, however, additional information would be sought from staff and an answer would be forthcoming.

Proclamation-Bethany Chapel Baptist Church

Thereupon, the Mayor read a proclamation recognizing Bethany Chapel Baptist Church for their 135th Anniversary and congratulated the church for its long-standing tenure. The proclamation was received by Rev. Dimitri Clark who thanked the Governing Body for recognizing the church and stated it was his sincere desire that Bethany Baptist Church continued to be a blessing to the community.

August 21, 2002

City of Ottawa
Regular Meeting Minutes
August 21, 2002
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Public Hearing- 2003 Budget

Thereupon, the Mayor opened a Public Hearing to consider the 2003 Budget.

Thereupon, the Governing Body heard from Ms. Jane Morton, Director of the Ottawa Recreation Commission, who stated that the ORC Board had asked her to remind the Governing Body of the need for facilities. Ms. Morton reminded the Governing Body that Ottawa had recently benefited from strong recreation programs as the Ottawa American Legion Baseball Team had successfully defended their State Championship title and won the Regional Championship. She asked the Governing Body to carry these thoughts into the 2003 budget.

There being no other comments the Mayor closed the Public Hearing at 9:59 a.m.

Adoption of 2003 Budget

Thereupon, there was presented the 2003 Budget for the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to approve the budget. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the budget duly approved.

Ordinance-Re-zone 136 S. Ash

Thereupon, there was presented an ordinance re-zoning 136 S. Ash from R-1 (Single-Family Dwelling) to I-1 (Light Industrial) within the City of Ottawa, Kansas, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 2933-90 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained this item related to the property located at the new Law Enforcement Center. 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. 3421-02.

Rezone Request-1124 W. 7th Terrace

Thereupon, there was presented a rezone request at 1124 W. 7th St. Terrace from R-1 (Single-Family Dwelling) to O & I (Office & Institutional). Thereupon, it was explained that the Planning Commission had held a Public Hearing and discussions resulted in a recommendation to deny the rezoning request. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to deny this rezone request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the rezone duly denied.

During discussion it was explained that the Planning Commission approved a text amendment to allow "Centers For Documentation" as a Special Use Permit in residential zoning districts, and also unanimously voted to recommend granting a Special Use Permit for the property. This item will appear on the September 4, 2002, City Commission Agenda.

Reports by City Commission

Thereupon, Commissioner Jackson stated there had been approximately 20 applications for the Youth in Government Program handed out. He further reminded the Governing Body that Ottawa is a "City of Promise" which is an opportunity to give back to the community. Commissioner Jackson stated the City has not signed on and he will bring information to a future meeting to propose that this be corrected.

Reports by Mayor

Thereupon, the Mayor reminded the Governing Body that the Youth Summit is scheduled for September 7, 2002.

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School Meeting: August 21, 2002, at Noon, at USD 290, 123 W. 4th St.
2. Work Study Session: August 26, 2002, at 4 p.m.
3. Work Study Session: NONE, September 2, 2002, (Labor Day Holiday)
4. Work Study Session: Tentative- September 4, 2002, at 6 p.m.

5. Work Study Session: September 9, 2002, at 4 p.m.
6. Work Study Session: September 16, 2002, at 4 p.m.
7. City Commission Meeting: September 18, 2002, at 9:30 a.m.
8. Joint City/County/School Meeting: September 18, 2002, at Noon, at Franklin County Jail
9. League of Kansas Municipalities Conference: October 13-15, in Wichita
10. Work Study Session: NONE October 14, 2002 (*League of Kansas Municipalities Conference*)
11. National League of Cities Conference: December 3-8, Salt Lake City

NEXT REGULAR MEETING: SEPTEMBER 4, AT 7:00 P.M.

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 10:07 a.m.

Scott D. Bird, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
August 26, 2002

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

Thereupon, Mayor pro tem Jackson called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, City Clerk Scott Bird explained that he had been asked by the Ottawa Ministerial Association to inform the Governing Body that it is their intention to secure permission from the County Commission to use the courthouse lawn for a memorial service on September 11, 2002, and to ask permission to park a flatbed truck on City parking in this area to use as a platform for a 30-40 minute program. Thereupon, the Governing Body agreed to allow this request.

Review of Agenda-City Commission-September 4, 2002

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for August 12th and 19th, 2002, and agreed to place these items on the next Regular Meeting City Commission agenda.

*Ordinance – Centers for Documentation
Special Use Permit – 1124 W. 7th Terrace*

Thereupon, the Governing Body heard from Assistant Planning Director Tom Yahl regarding an ordinance to amend Appendix A to allow “Centers for Documentation” [SIC #8231] as a Special Use in R-S, R-1, R-2, R-3, M-H and M-P Residential Zoning Districts. It was explained that a Public Hearing had been held by the Planning Commission on August 14, 2002, and approval of this amendment is recommended.

In addition, Mr. Yahl reviewed a Special Use Permit for 1124 W. 7th Terrace to allow a “Centers for Documentation” at this location. The Governing Body reviewed these two issues and agreed to place them on the September 4, 2002, Regular Meeting Agenda.

August 26, 2002

City of Ottawa

Congress of Cities – Voting and Alternate Delegates

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to appoint Mayor Henningsen as a voting delegate to the National League of Cities Congress of Cities in Salt Lake City and that Commissioner Jackson be appointed the alternate voting delegate. The motion was considered and upon being put, all present voted aye.

Open Agenda

Monthly Financial and Activity Report

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of July 2002.

Thereupon, Commissioner Ramsey asked for further clarification regarding the outstanding municipal court debt.

Voting Delegates-Kansas League of Municipalities

Thereupon, City Manager Weldon Padgett asked for voting delegates to be nominated for the Kansas League of Municipalities meeting scheduled in Wichita. Thereupon, it was moved and seconded to appoint Mayor Henningsen, Commissioner Jackson, and Commissioner Gillette as voting delegates and City Manager Weldon Padgett be appointed the alternate voting delegate. The motion was considered and upon being put, all present voted aye. Thereupon, the motion was declared duly approved.

Industrial Park-Winnelson

Thereupon, City Manager Weldon Padgett explained that the City has been negotiating with a local company called Winnelson for the acquisition of Industrial Park property, that is: *Lots 1-11, Block B, in the Northeast Industrial Park, Second Addition.*

Thereupon, City Attorney Bob Bezek explained that it is his recommendation to close this deal on Wednesday and he requested authority to allow the Mayor pro tem to execute a \$67,392.00 contract with Winnelson. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to authorize the Mayor pro tem and the City Clerk to execute such documents as necessary to consummate a deal with Winnelson. The motion was considered and upon being put, all present voted aye. Thereupon, the motion was declared duly approved.

Beech Street- Cul-de-sac

Thereupon, the City Manager reported on the Beech Street cul-de-sac noting that the City Attorney had met with effected property owners and worked out an agreement with their attorney to complete the construction of a cul-de-sac in the area of 14th and Beech. Mr. Padgett noted that the cost to the City for this project will be approximately \$22,000. Thereupon, the Governing Body gave their consensus to proceed with this project.

Cherry Estates-Mr. Warren Hallgren

Thereupon, the City Manager suggested that the Governing Body remand back to the Planning Commission an issue, which was raised by Mr. Warren Hallgren in regards to a lot split in the Cherry Estates area. Mr. Padgett stated he would like for Public Works Director Andy Haney and Fire Chief Jeff Carner to participate in the discussion and make sure that everyone is comfortable with a reasonable solution and suggested that this review take place on Thursday, August 29, 2002.

Announcements

Thereupon, the Mayor pro tem announced:

1. Work Study Session: NONE, September 2, 2002 (Labor Day Holiday)

NEXT REGULAR MEETING: SEPTEMBER 4, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

August 26, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
September 4, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to approved the Consent Agenda which included the agenda approval and approval of the following minutes: Work Study Sessions of July 29th, August 5th, 12th, and 19th, 2002. 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.

Response-Previous Public Comments

Thereupon, the Mayor read the following:

Previous Public Comments: Mr. Warren Hallgren (Hallgren & Son Construction Co.) expressed frustration with City procedures involved with building a house adjacent to the proposed Cherry Estates addition. He noted that the real estate agent and developer had told him there would not be a problem with getting his property divided into two lots; however, the Planning Commission recently denied his plat, which would have accomplished the property division. Mr. Hallgren stated he did not understand the Planning Commission's reasons for denying the plat, expressed frustration with additional expenses he had not anticipated (i.e. staking), and felt that he was asked to complete certain building requirements that other developers did not have to do.

September 4, 2002

Staff Response: The Planning Commission held a Work Study Session on August 29, 2002, and discussed Mr. Hallgren's situation. The six Planning Commission members present again voted that the plat be denied. The reasons given were that: 1) Mr. Hallgren had indicated to the Planning Commission that he would not participate in any improvements to Estabrook, and 2) the addition of homes on a single lane gravel dead-end road without an adequate turn around presented a safety concern. The Planning Commission stated that if Mr. Hallgren had agreed to construct the cul-de-sac at the end of Estabrook, his plat would probably have been approved. Staff concurs with the Planning Commission's decision and reasoning.

Thereupon, Commissioner Ramsey asked if this issue would come back to the Governing Body. Thereupon, City Attorney Bob Bezek stated the denial of the Planning Commission would not be brought to the Governing Body and Mr. Hallgren's other course of action could be to challenge the Planning Commission in court.

Thereupon, Commissioner Fleer asked about another developer and how the Planning Commission might respond. Thereupon, City Manager Weldon Padgett stated he could not speak for the Planning Commission; however, he thought the Planning Commission might look favorably on a developer who is willing to meet the City standards.

Ordinance- Centers for Documentation

Thereupon, there was presented an ordinance to amend Appendix A of Ordinance No. 2933-90, the zoning ordinance for Ottawa, Kansas, to allow "Centers for Documentation" [Sic #8231] as a Special Use in a R-S, R-1, R-2, R-3, M-H and M-P Residential Zoning Districts. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained a Public Hearing had been held by the Planning Commission on August 14, 2002, and the Planning Commission recommended to the City Commission approval of this amendment. 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. 3422-02.

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Resolution – Special Use Permit – 1124 W. 7th Terrace

Thereupon, there was presented a resolution granting a Special Use Permit for a Center for documentation in the R-1 Zoning District at 1124 W. 7th Terrace requested by the Franklin County Commission, in the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained the Planning Commission held a Public Hearing regarding this issue on August 14, 2002, and unanimously recommended the request be forwarded to the City Commission for approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1209-02.

Reports by City Commission

Thereupon, Commissioner Gillette reminded the Governing Body that Commissioner Jackson had called to the City Commissioners attention that Ottawa is a Community of Promise. Thereupon, Commissioner Gillette issued to the Governing Body information regarding the City of Promise program.

Reports by Mayor

Thereupon, Mayor Henningsen announced the Youth Summit will be this Saturday, September 7, 2002, with registration starting at 8 a.m., at the Ottawa Middle School and prizes will be drawn for at the end of the day.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: NONE September 9, 2002 (Cancelled)
2. Work Study Session: September 16, 2002, at 4 p.m.
3. Joint City/County/School Meeting: September 18, 2002, at Noon, at the Franklin County Jail
4. Work Study Session: September 23, 2002, at 4 p.m.
5. Work Study Session: NONE September 30, 2002 (City Commission Retreat at 8:30 a.m.)

NEXT REGULAR MEETING: SEPTEMBER 18, 2002, AT 9:30 A.M.

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Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Flear, 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 7:15 p.m.

Scott D. Bird, City Clerk

September 4, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
September 16, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and asked for Public Comments.

Public Comments

None offered at this time.

Cedar Street Project

Public Works Director Andy Haney introduced the new City Engineer, BG Consultants, represented by Vice President Cecil Kingsley and Engineer David Hamby. Mr. Kingsley expressed his appreciation for being chosen as the City's Engineer and introduced Mr. Hamby as the Engineer for the Cedar Street Project. Mr. Hamby began an explanation of the project.

[Commissioner Jackson arrived at 3:07 p.m.]

Mr. Hamby explained the Cedar Street Project will include expanding the street width from 31 feet to 35 feet back-to-back of the curb. The tentative bid letting date is January 2005. Other dates regarding this project include field check plans with KDOT in March of 2003, plan checks in February 2004, and final checks in June 2004. It was explained it is the City's intention to design this project from 1st-15th street. However, due to funding and affordability the project will probably be done in at least two phases. The first phase extending through 5th street, possibly as far as 6th street.

City Manager Weldon Padgett explained it is unsure whether KDOT will review the design of all 15 blocks at one time. The City is asking for a waiver in policy to allow this so plans will be in place if and when funding becomes available.

Mr. Hamby continued by explaining the engineers have looked at the accident analysis and are proposing some type of traffic calming measures in various parts of the project to reduce speed throughout the Cedar Street Corridor. He stated the next step is to hold public meetings and to solicit public input from those most closely effected. (i.e. residents and property owners on Cedar)

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City of Ottawa

Mr. Kingsley emphasized the need for public input, stating that there may be some things that can't be done, but that, the desire is to prepare and execute a project that best reflects what the community wants.

Airport-Engineering For Parallel Taxiway Grant Project

The Governing Body heard from City Manager Weldon Padgett who requested permission to retain a consulting engineer for the design of the Parallel Taxiway overlay project at the municipal airport. Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to authorize the City Manager to proceed. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion approved.

Wastewater Treatment Plant-Sludge Hauling

The Governing Body heard from Utility Director Jim Bradley who requested permission to purchase a used belt feed press from the City of Emporia to reduce the cost of paying to have sludge hauled from the Wastewater Treatment Plant. Commissioner Gillette made a motion, seconded by Commissioner Jackson, to authorize Mr. Bradley to proceed. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Prohibiting Parking

Thereupon, the Governing Body reviewed a petition from the 1000 Block of South Olive requesting a change to prohibit parking on the east side of Olive Street between the hours of 7 a.m.-4 p.m., Monday through Friday. The Governing Body agreed that this change should be made; however, with the condition that the neighborhood is provided the opportunity to respond to this possible change in case some have been left out of the petition process.

They further discussed allowing the Police Chief to place this type of sign under the authority given him in the Standard Traffic Ordinance, and agreed to this recommendation.

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City of Ottawa

Pigs on Parade

Thereupon, the Governing Body reviewed a request to use public sidewalks to display decorative concrete pigs as part of a fund raising project. After discussion it was moved and seconded to approve the request and passed by the following vote: Commissioner Gillette aye, Commissioner Jackson aye, Commissioner Fleer aye, Mayor Henningsen aye, and Commissioner Ramsey nay. Thereupon, the Mayor declared the motion duly approved.

Review of Minutes

Thereupon, the Governing Body reviewed Work Study Session Minutes of August 26, 2002, and Regular Meeting Minutes of August 21, 2002, and September 4, 2002, and placed these items on the next Regular Meeting Agenda.

Wall of Honor

Thereupon, the Governing Body agreed to place a proclamation recognizing the Ottawa High School "Wall of Honor" candidates for 2002 on the Regular Meeting of September 18, 2002.

Proclamation-Race Equality Proclamation

Thereupon, the Governing Body reviewed a proclamation promoting racial equality and justice as a fundamental aspect of a healthy community and agreed to place this proclamation on the Regular Meeting Agenda for September 18, 2002.

Diversity Statement

Thereupon, the Governing Body reviewed a diversity statement originally adopted by the Governing Body in 1997 and agreed to place this item on the Regular Meeting Agenda for September 18, 2002.

Termination of BPU Contract

Thereupon, the Governing Body reviewed with Utility Director Jim Bradley a contract for Hydro Electric Power generated by Western Area Power Administration, (WAPA). Mr. Bradley explained that the City is currently a "B" City in this contract which means that it does not take the power allocated by WAPA. He further explained that BPU, as did Ottawa, elected at the time of the original

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contract not to receive its allocation of power due to transmission constraints. These constraints have been eliminated and BPU now believes it is able to provide transmission of their allocated power. BPU wishes to take this power rather than remain a “B” city. Mr. Bradley recommended to the Governing Body that this contract be terminated and BPU be allowed to take 5 mega watts of energy from WAPA. Thereupon, the Governing Body agreed to place this issue on the Regular Meeting Agenda of September 18, 2002.

Willow Estates Final Plat

Thereupon, the Governing Body reviewed a final plat for Willow Estates and agreed to place this item on the Regular Meeting Agenda for September 18, 2002.

Open Agenda

Thereupon, the Governing Body reviewed items for the upcoming retreat including:

- Vision items
- Strategic Plan
- E-Government
- Airport
- Swimming Pool and Recreation
- Sales Tax
- Annexation
- Auditorium
- Streets and Sidewalks
- Power Plant
- Rail Trail- 1st to 5th
- Youth Center
- Main Street
- Youth Roundtables
- Possible City participation in development projects

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Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School: September 18, 2002, at Noon, Franklin County
2. Work Study Session: September 23, 2002, at 4 p.m.
3. Work Study Session: NONE September 30, 2002, City Commission Retreat
4. Work Study Session: October 2, 2002, at 6 p.m. (tentative)
5. City Commission Meeting: October 2, 2002, at 7 p.m.
6. League of KS Municipalities Conference in Wichita: October 13-15
7. Work Study Session: NONE October 14, 2002, - League of KS Municipalities Conference
8. National League of Cities Conference in Salt Lake City: December 3-8

NEXT REGULAR MEETING: SEPTEMBER 18, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

September 16, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
September 18, 2002

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

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

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to approve the Consent Agenda which included the agenda approval and approval of minutes for Work Study Session August 26, 2002, and Regular meetings of August 21st, and September 4th. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Thereupon, Commissioner Fleer arrived at 9:35 a.m.

Public Comments

None offered at this time.

Proclamations

Wall of Honor

Thereupon, the Mayor read a proclamation recognizing the Ottawa High School Renaissance Program "Wall of Honor". Receiving the proclamation was Mr. Gary Kuntz of Ottawa High School who thanked the Mayor and the City Commission and stated that this year's "Wall of Honor" recipients are Larry Crane from the Class of 1962, Marvin Wilson from the Class of 1956, and Fred Kaiser from the Class of 1955. Mr. Kuntz reminded the listeners that the recognition of these three OHS graduates will be conducted next Thursday and Friday at the OHS football game.

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Race Equality Week

Thereupon, the Mayor read a proclamation declaring the week of September 23, 2002, as “Race Equality Week” in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson accepted the proclamation and explained this is a nation-wide recognition. He further explained that on September 24, 2002, the City will host a breakfast to discuss diversity issues and there will be a meeting on September 25, 2002, at OHS, which will allow students the opportunity to do the same.

New Business

Diversity Statement

Thereupon, there was presented the City of Ottawa’s Vision and Commitment: Valuing and Managing Diversity Statement. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the statement. Thereupon, the Mayor read the statement in its entirety and upon being put, all present voted aye. Thereupon, the Mayor declared the “Diversity Statement” of the City of Ottawa duly approved.

Hydro Power Pooling Contract

Thereupon, there was presented an authorization to terminate the Hydro Power Pooling Contract between the Board of Public Utilities Kansas City, Kansas, BPU and KMEA. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to authorize the termination.

During discussion it was explained the Board of Utilities of Kansas City, Kansas, BPU has requested to be terminated as a project participant in the KMEA Hydro Power Pool and all related agreements. The pooling contract requires KMEA to ask and receive consent of a majority of the Hydro Power Pool project participants to amend the agreement. Thereupon, Utility Director Jim Bradley stated in 1989, 30 cities were represented by KMEA to attain power from Western Area Power Administration. However, Ottawa and Kansas City, Kansas, were considered class “B” cities, that is, unavailable to receive their share of the Hydro Power due to transmission constraints. Mr. Bradley explained these constraints have been recently overcome and Kansas City, Kansas, BPU will be able to receive its allocation of power. In order to do so, the previous contract needs to be terminated. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the authorization duly approved.

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Willow Court Estates-Final Plat

Thereupon, there was presented a resolution accepting all easements within the Willow Court Estates. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that the adoption of this resolution would accept all easements located within Willow Court Estates on the final plat prepared by Taylor Surveying. The Planning Commission approved the final plat on September 11, 2002, by a vote of 5-0. Thereupon, Interim Planning Director Tom Yahl explained this property is located at 1020 S. Willow and will put into affect 5 individual lots, opening up 2 new single-family lots and 1 lot with a two-family unit. 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. 1210-02.

Reports by Youth Delegates

Thereupon, Ms. Amanda Guenther spoke to the Governing Body and stated that the Youth in Government program has started a new year with a lot of interest and the Teen Court is still functioning two times a month.

Report by City Manager

Thereupon, City Manager Weldon Padgett explained there has been a request that the Christmas lights be turned on this weekend on the evening of September 21, 2002, for the car show "Cruise Night".

Reports by Mayor

Thereupon, Mayor Henningsen reported that the recent Youth Summit had a very good turn out and the Youth had expressed an interest to continue roundtable discussions with City leaders.

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School Meeting: September 18, 2002, at Noon, at Franklin County Jail.
2. Work Study Session: September 23, 2002, at 4 p.m.

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3. Work Study Session: NONE September 30, 2002, (City Commission Retreat at 8:30 a.m.)
4. Work Study Session: October 2, 2002, at 6 p.m., (tentative)
5. Work Study Session: October 7, 2002, at 4 p.m.
6. Work Study Session: October 14, 2002, League of KS Municipalities Conference in Wichita

NEXT REGULAR MEETING: OCTOBER 2, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

September 18, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
September 23, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and asked for Public Comments.

Public Comments

Thereupon, Mr. Grant Neil, 320 West 11th, from the Ottawa High School Band requested permission to use three to four parking spots in front of Maria's Restaurant on October 9th from 5-8 p.m. in order to conduct an OHS Band "Taco Night" to raise funds so the band can travel to and perform at the Sun Bowl. The Governing Body considered this issue, granted the request, and remanded the issue to staff.

Thereupon, Mr. Ralph Finch, 2136 Sand Creek Road, representing the Over the Road Car Club thanked the Governing Body, Police Department, Public Works, and others within the City for the hard work and support during the just completed Ole' Marais River Run. Mr. Finch explained the show had attracted 1,060 cars, which is the largest event ever. They were pleased with the overall program and apologized for some minor incidents, which had occurred during the weekend. Thereupon, Mr. Finch requested September 20th and 21st for use of the park and the downtown area in 2003. Mr. Finch also stated the car club will probably ask for use of City Park for cars on "Cruise Night" next year, due to the increased volume.

Neighborhood Revitalization Program- Dennis Bien

Thereupon, the Governing Body reviewed documentation supporting a request from Mr. Dennis Bien for reinstatement into the Neighborhood Revitalization Program. It was explained that there had been a misunderstanding and miscommunication between Mr. Bien and his bank causing the bank to fail to pay Mr. Bien's taxes from escrow. Therefore, Mr. Bien had been dropped from the Neighborhood Revitalization Program. The Governing Body discussed this issue considerably. Thereupon, Commissioner Gillette made a motion, seconded by

September 23, 2002

City of Ottawa

Commissioner Ramsey, to reinstate 618 Linwood owned by Dennis Bien to the Neighborhood Revitalization Program for the entire tenure of the program, providing that taxes are paid. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Gillette aye, Commissioner Jackson aye, Commissioner Fleer nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the motion duly approved.

Proclamations

Thereupon, the Governing Body agreed to place a proclamation declaring September 15th - October 15th as Hispanic Heritage Month on the Regular Meeting agenda for October 2, 2002.

Thereupon, the Governing Body agreed to place a proclamation declaring October 6-12, 2002, as Fire Prevention Week in the City of Ottawa, Kansas, and agreed to place this item on the next Regular Meeting Agenda.

Special Use Permit-911 E. Wilson

Thereupon, the Governing Body reviewed a request for the construction of an aquatic center at 911 E. Wilson. The Planning Commission reviewed the Special Use Permit (SUP), held a public hearing and recommends to the City Commission by a vote of 6-0 that the SUP be approved with the conditions outlined in the resolution. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to place the SUP for 911 E. Wilson on the Regular Meeting Agenda for October 2, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the motion duly approved.

Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed a memo requesting City Commission approval of applications under the City's Neighborhood Revitalization Program.

During discussion the Governing Body reviewed the Neighborhood Revitalization Program area map, and requested in the future staff bring colored copies of pictures to the meetings regarding this program and that the new Planning Director, when on board, be asked to review this program. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to place this item on the Regular Meeting agenda October 2, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Ordinance - Standard Traffic

Thereupon, the Governing Body reviewed an ordinance requesting the 2002 edition of the Standard Traffic Ordinance be placed on the October 2, 2002 City Commission Agenda. Thereupon, the Governing Body agreed by consensus to place this item on the agenda for October 2, 2002, Regular Meeting.

Open Agenda

Thereupon, Commissioner Gillette gave an overview of his recent trip to Sheridan, Wyoming. Commissioner Gillette participated in the Energy Environment and Natural Resources (EENR) Steering Committee on behalf of the City of Ottawa.

Thereupon, Mayor Henningsen reminded the Governing Body of the Community Leaders Breakfast tomorrow at 7:30 a.m., here at City Hall in the Commission Chambers.

Thereupon, Commissioner Ramsey stated the Main Street Board is changing their meeting day with the reorganization, which creates a conflict for him. Commissioner Ramsey asked if Commissioner Fleer would be willing to serve on this committee. Thereupon, Commissioner Fleer agreed to serve on the Main Street Board.

Thereupon, City Manager Weldon Padgett stated he would try and provide to the Governing Body additional information before the City Commission Retreat.

Thereupon, Commissioner Ramsey stated he had been approached by one ORC Board Member asking if the Governing Body would like the ORC represented at their retreat. The Governing Body agreed by consensus there are ORC issues to be discussed, but didn't feel a representative at the retreat would be necessary. However, if ORC has printed information they would like to include in the packets being distributed for the retreat that would be acceptable.

Thereupon, Commissioner Gillette expressed his thanks to City Staff regarding the condition of the parks and community during the recent car show and antique tractor show. He said he had received many compliments and wanted to publicly pass on his thanks to those departments.

Thereupon, Commissioner Ramsey passed on his appreciation to the car show staff for the nice clean up work they did. Commissioner Ramsey stated he noticed lots of trash had been picked up by early Sunday morning and he appreciated their efforts.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: NONE September 30, 2002, City Commission Retreat.
2. Work Study Session: October 2, 2002, at 6 p.m., (tentative)
3. City Commission Meeting: October 2, 2002, at 7 p.m.
4. League of Kansas Municipalities Conference in Wichita: October 13-15, 2002
5. Work Study Session: NONE October 14, 2002, League of KS Municipalities Conference
6. National League of Cities Conference in Salt Lake City: December 3-8

NEXT REGULAR MEETING: OCTOBER 2, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas
October 2, 2002

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

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

Consent Agenda

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

Public Comments

None offered at this time.

Proclamations

Hispanic Heritage Month

Thereupon, the Mayor read a proclamation declaring September 15, 2002, through October 15, 2002, as Hispanic Heritage Month in the City of Ottawa, Kansas. The proclamation was presented to Commissioner Fleer who presented the proclamation to the youth representing the Hispanic Community. Thereupon, Mr. DeLaTorre thanked the Governing Body for the proclamation and expressed appreciation for the previous Diversity Statement the City of Ottawa adopted and would like to see our community function as one unit.

Fire Prevention Week

Thereupon, the Mayor read a proclamation declaring the week of October 6-12, 2002, as Fire Prevention Week. The proclamation was presented to Assistant Fire Chief Rick Oglesby who explained the department has a month filled with different activities to educate the community on fire safety. The fire prevention safety theme for the 2002 Fire Prevention Week is "Team Up for Fire Safety". Thereupon, Mayor Henningsen thanked Assistant Chief Oglesby and expressed appreciation for the great job the department

does.
October 2, 2002

City of Ottawa
Regular Meeting Minutes
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National French Week

Thereupon, the Mayor read a proclamation declaring the week of November 7-13, 2002, as National French Week. The proclamation was presented to Ms. Michelle Gray and Dr. Murle Mordy. Ms. Gray and Dr. Mordy thanked the Governing Body for the proclamation and announced different activities being held in the schools in honor of "National French Week".

Special Use Permit- 911 E. Wilson

Thereupon, there was presented a resolution granting a Special Use Permit (SUP) for an indoor aquatic center in the R-1 Zoning District at 911 E. Wilson requested by Mark R. and Carolyn S. Retzer. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the resolution as presented.

During discussion it was explained the Planning Commission reviewed the SUP, held a public hearing and recommends to the City Commission by a vote of 6-0 that the SUP be approved with the following conditions in the resolution: 1. An application for a lot split of 911 E. Wilson be submitted and approved; 2. The special use permit will be subject to staff review one (1) year after issuance; 3. A site plan for the proposed building be submitted and approved by the DRC Committee and the Planning Commission.

Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Gillette nay, Commissioner Fleer aye, Commissioner Ramsey aye, and Mayor Henningsen nay. Thereupon, the Mayor declared the resolution duly adopted by a 3-2 vote and the resolution was duly numbered Resolution No. 1211-02.

Thereupon, Mr. Mark Retzer, 911 E Wilson asked for written clarification of the one year review.

Thereupon, City Manager Weldon Padgett stated the City would be reviewing the entire process and will respond to Mr. Retzer's request.

Neighborhood Revitalization Program Applications

Thereupon, the Governing Body reviewed a request to include properties into the Neighborhood Revitalization Program. Thereupon, Commissioner Fleer made a

motion, seconded by Commissioner Jackson, to accept applications for 316 W. Wilson, 502 S. Cedar, 709 N. Main, 703 E. 7th, and 804 N. Cherry.

During discussion it was explained the Neighborhood Revitalization Program Review Committee has approved and recommends to the Governing Body that these properties be included in the program. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Fleer aye, Commissioner Ramsey aye, Commissioner Jackson aye, and Mayor Henningsen abstained. Thereupon, the Mayor declared the motion duly approved.

Ordinance- Standard Traffic Ordinance

Thereupon, there was presented an ordinance to adopt the 2002 Standard Traffic Ordinance. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt this ordinance.

During discussion it was explained each year the League of Kansas Municipalities update the standard traffic ordinance that is adopted by most cities in Kansas. The standard traffic ordinance corresponds with the state traffic act and provides an all-encompassing traffic code for Kansas cities. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the 2002 Standard Traffic Ordinance duly adopted. Thereupon, the ordinance was duly numbered Ordinance No. 3423-02.

Resolution- Nuisances-1411 S. Maple

Thereupon, there was presented a resolution to remove and abate inoperable vehicles and nuisance items located at 1411 S. Maple. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to accept the resolution as presented.

During discussion it was explained that City Ordinance requires the Governing Body to pass a resolution to allow staff to proceed with the abatement of nuisances such as inoperable vehicles. The cited property has generated numerous complaints, has had more than ample time to respond to the notice of violation issued by the City, yet continues to be in violation. 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. 1212-02.

Thereupon, Commission Jackson asked what could be done with repeat offenders and Commissioner Gillette asked if an offender moved across the street and did the same thing would the process have to start all over again. Thereupon, Interim Planning Director Tom Yahl stated it depends on the courts and the penalty they impose and the process currently does start all over.

Demolition Bid Award – 1024 Walnut Change

Thereupon, the Governing Body reviewed a request to change an originally accepted demolition bid award. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve this request.

During discussion it was explained on August 8, 2002, a bid of \$2,300 for the demolition of property located at 1024 Walnut was awarded to Hall's Bobcat. Mr. Hall has repeatedly failed to sign the bid contract; therefore, City staff is recommending to the City Commission the next lowest bid be awarded to Killough Construction for the amount of \$3,050. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request duly approved.

Reports by Youth Delegates

Thereupon, Amanda Guenther a member of Youth In Government stated interviews are being conducted to add new members to the program.

Reports by City Commission

Thereupon, Commissioner Ramsey encouraged the Governing Body and Staff to write letters of support with regards to state transportation funding issues. Local projects will be affected if proposed cuts take place. Commissioner Ramsey also reminded everyone a meeting will be held next Tuesday in Overland Park and it will be important for there to be City representation at this meeting.

Thereupon, Commissioner Jackson thanked everyone who attended the diversity breakfast last week. Those attending have requested additional follow up meetings. Diversity meetings were also held with Ottawa Middle and High School Youths. Commissioner Jackson also thanked KOFO for attending both meetings.

Thereupon, Commissioner Ramsey stated he didn't feel the statement in today's Ottawa Herald was accurate as the media, was very aware of the recent Commission retreat and were assured it was an open meeting.

Reports by Mayor

Thereupon, Mayor Henningsen stated she felt the retreat was a great day and a lot was accomplished.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: October 7, 2002, at 4 p.m.
2. Work Study Session: NONE October 14, 2002, League of KS Municipalities Conference in Wichita
3. Joint City/County/School Meeting: October 16, 2002, at Noon, City Commission Chambers at City Hall
4. Work Study Session: October 21, 2002, at 4 p.m.
5. Work Study Session: October 28, 2002, at 4 p.m.
6. Work Study Session: November 4, 2002, at 4 p.m.
7. Regular City Commission Meeting: November 6, 2002, at 7 p.m.

NEXT REGULAR MEETING: OCTOBER 16, 2002, AT 9:30 A.M.

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 7:45 p.m.

Scott D. Bird, City Clerk

October 2, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
October 7, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and asked for Public Comments.

Public Comments

There were no public comments offered at this time.

Law Enforcement Center Update

Thereupon, Mr. Jerry Thompson provided a Law Enforcement Center construction progress update to the Governing Body and stated the estimated completion for this project is April 1, 2003.

Review of Minutes

Thereupon, the Governing Body reviewed Work Study Session Minutes for September 16, 2002, September 23, 2002, and Regular Meeting Minutes for September 18, 2002, October 2, 2002 and agreed to place these items on the Regular Meeting Agenda for October 16, 2002.

Proclamation - National Business Women's Week

Thereupon, the Governing Body reviewed a proclamation to recognize National Business Women's Week and agreed to place this item on the Regular Meeting Agenda for October 16, 2002.

Dare Camp Recognitions

The Mayor noted that the Ottawa Police Department would like to recognize participants and sponsors of the 2002 Dare Camp at the next Regular Meeting.

October 7, 2002

City of Ottawa

Condemnations

Thereupon, the Governing Body reviewed a tentative schedule for the next round of condemnations along with the resolutions authorizing condemnations as follows: 320 E. 4th, 922 E. 8th, 717 S. Cherry, 130 S. Elm, 1248 Lincoln, 719 N. Main, and 737 Tremont. Thereupon, it was moved and seconded to adopt the resolutions.

During discussion it was explained that these resolutions would call for a public hearing to be held November 20, 2002, at 9:30 a.m. regarding these issues. Upon being put, all present voted aye. Thereupon, the Mayor stated the motion was duly approved and the resolutions were duly numbered as follows:

Resolution No.	1213-02	320 E. 4th
Resolution No.	1214-02	922 E. 8th
Resolution No.	1215-02	717 S. Cherry
Resolution No.	1216-02	130 S. Elm
Resolution No.	1217-02	1248 Lincoln
Resolution No.	1218-02	719 N. Main
Resolution No.	1219-02	737 Tremont

816 N. Locust

Thereupon, the Governing Body discussed a letter received from Peoples National Bank Loan Officer Adam Weigand on behalf of Mr. Jesus S. Garcia in regards to property located at 816 N. Locust. The Mayor stated the letter explained Mr. Garcia had made application to Peoples National Bank for a residential remodel loan with the letter being dated October 7, 2002.

During discussion it was noted that the Governing Body had extended Mr. Garcia 60 days to make substantial improvement to the property. However, this has not been done and therefore the condemnation proceedings would continue regarding this property.

Neighborhood Revitalization Program-Applications

Thereupon, the Governing Body reviewed a recommendation that 842 Estabrook, 917 E. 6th, 911 E. 6th, and 1029 S. Main be included in the Neighborhood Revitalization Program. Thereupon, the Governing Body agreed to place this item on the agenda for October 16, 2002.

October 7, 2002

Monthly Activity Report – August 2002

Thereupon, the Governing Body reviewed the Monthly Activity Report for August 2002 and Commissioner Ramsey asked that representatives from the Ottawa Recreation Commission be invited to clarify complaints, which had been recorded in the Recreation Commission Meeting Minutes.

City Manager's Report

Thereupon, the Governing Body reviewed a report by the City Manager regarding projects and activities of staff.

Open Agenda

Thereupon, it was noted that visiting American Legion baseball teams had damaged their uniforms when sitting on freshly painted benches at Orlis Cox Field and they had attempted to recover their loses through the Recreation Commission. Commissioner Ramsey suggested the City make this right with these visiting teams and that the Recreation Commission be asked to then reimburse the City. Risk Manager Judy Hasty noted that the City is named as additionally covered on the Recreation Commission insurance.

Announcements

Thereupon, the Mayor announced:

1. League of KS Municipalities Conference in Wichita: October 13-15, 2002
2. Work Study Session: NONE October 14, 2002, League of KS Municipalities Conference
3. Joint City/County/School Meeting: October 16, 2002, in the City Commission Chambers
4. Work Study Session: October 21, 2002, at 4 p.m. (tentative)
5. Work Study Session: October 28, 2002, at 4 p.m. (tentative)
6. National League of Cities Conference in Salt Lake City: December 3-8, 2002

Note: Blaine Finch has expressed interest in attending a future Work Study Session.

NEXT REGULAR MEETING: OCTOBER 16, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

October 7, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
October 16, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the Consent Agenda, which included the agenda approval and Work Study Session Minutes from September 16 and 23, 2002; and Regular Meeting Minutes from September 18 and October 2, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Public Comments

None offered at this time.

Presentations and Proclamations

Presentations-2002 DARE Camp Recognitions

Thereupon, Mr. Jerry Tenbrink, the DARE State Coordinator, thanked the Governing Body and Police Department for continuing this program. Police Chief Jeff Herrman stated the program this year had approximately 1,000 kids from the Ottawa area. Mr. Jerry Tenbrink, Police Chief Jeff Herrman, and Detective Rick Geist made presentations and thanked the following businesses for their donations and support of the DARE Camp program: Wendy's, Wal-Mart D.C., Wal-Mart Supercenter, Timber Lake Camp, Optimists, Kansas National Guard, Sirloin Stockade, and Pizza Hut.

October 16, 2002

Proclamation-National Business Women's Week

Thereupon, the Mayor read a proclamation declaring October 21-25, 2002, as National Business Women's Week. Thereupon, National Business Women Ms. Cathy Skeet, Ms. Julie Brayman, and Ms. Sharon Haney accepted the proclamation. On behalf of the National Business Women Ms. Haney thanked Mayor Henningsen and the Governing Body for their contributions to the community.

Applications-Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed applications for the following properties to be included in the Neighborhood Revitalization Program: 842 Estabrook, 917 E. 6th, 911 E. 6th, and 1029 S. Main. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to accept the applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly accepted into the Neighborhood Revitalization Program.

Reports by City Manager

City Manager Weldon Padgett confirmed ORC would be able to meet with the Governing Body at their Work Study Session on October 21, 2002, at 3 p.m. Mr. Padgett asked the Governing Body for any additional input for this meeting.

Reports by City Commission

Thereupon, Commissioner Jackson thanked Barb Nelson, Judy Hasty and John Verssue for the fine job on the booth at the recent League Meeting in Wichita. Commissioner Jackson stated he had received a lot of positive comments on the booth. Commissioner Jackson further stated Youth in Government members Laura O'Conner and Anne Killough attended the recent League Meetings in Wichita. At least 30 cities are interested in the program and Ottawa will be invited to other cities to explain our program. Commissioner Jackson also reminded the Governing Body about the 20/20 information provided in the League packet and stated Ottawa didn't have any participants last year. In addition, Commissioner Jackson expressed disappointment with the two candidates for Governor who provided few answers regarding demand transfers or highway funds.

October 16, 2002

City of Ottawa
Regular Meeting Minutes
October 16, 2002
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Thereupon, Commissioner Gillette expressed appreciation to all involved in the program and their efforts for participation in the DARE program. Commissioner Gillette discussed the recent League Meeting in Wichita with regards to the Youth Representation, the booth and his participation in a roundtable.

Thereupon, Commissioner Fleer stated she had attended a Main Street meeting and would like to see financial statements from the Chamber who receives \$50,000.

Reports by Mayor

Thereupon, Mayor Henningsen thanked Judy Hasty, Barb Nelson, and John Verssue for the great booth at the recent League Meeting. Mayor Henningsen expressed her appreciation to be able to attend the League Meeting as she found it to be very worthwhile.

Thereupon, Commissioner Gillette reminded the Governing Body about the Candidate Forum scheduled for October 22, 2002, at 7 p.m., at the Franklin County Annex Building.

Announcements

Thereupon, the Mayor announced:

1. Joint City/County/School Meeting: October 16, 2002, at Noon, in the City Commission Chambers at City Hall
2. Work Study Session: October 21, 2002, at 3 p.m. with ORC Board
3. Work Study Session: October 28, 2002, at 4 p.m. (scheduled as tentative, but will probably be needed)
4. Work Study Session: November 4, 2002, at 4 p.m.
5. Regular Meeting: November 6, 2002, at 7 p.m.

Adjournment

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:52 a.m.

Scott D. Bird, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
October 21, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and stated that the purpose of this meeting was to meet jointly with the Ottawa Recreation Commission. Members present: Randy Vance, Steve Hasty, Peg McFadden, Tony DeLaTorre, and Bill Wright.

Thereupon, the Mayor asked for public comments.

Public Comments

There were no public comments offered at this time.

City Commission/Ottawa Recreation Commission

Recreation Facility Discussion

Thereupon, Mr. Vance expressed his appreciation to the Governing Body for the invitation, noting that the Ottawa Recreation has extended a proposal for additional recreational facilities for the past two years.

Discussion ensued that the two bodies need to work together and the key is communication. It was noted that the latest proposal from the Ottawa Recreation Commission is taken from a similar project in Junction City and maintenance cost are not included.

Commissioner Ramsey stated he was concerned as to whether or not the Recreation Commission could afford an additional building once it is completed.

Mr. Vance noted that the Recreation Commission has located a piece of property on the south part of Ottawa with approximately 19 acres which could be purchased and would like to pursue this possibility with the intent of constructing a recreation facility, financed with City bonds, which would in turn be paid off by a one mill school levy which the Recreation Commission currently receives.

October 21, 2002

City of Ottawa

Thereupon, the Mayor noted she would like to have a task force study showing the needs and desires of the community.

Commissioner Jackson noted that the study would include issues outside of baseball, softball, and basketball, more specifically, community arts and theater.

It was noted that the school district would be putting forth a bond issue in the near future to construct three schools, which will include three gymnasiums. However, it was argued that these gymnasiums would be primarily for school use and it would only be available to recreation needs as schedules allow.

Mr. Vance noted he did not believe there should be a budget issue for the City regarding this project since the Recreation Commission is willing to pledge this one mill. Several of the Commissioners expressed concern that a future school board would remove this levy. The possibility of some type of contractual agreement between the Recreation Commission, City Commission, and School District was discussed and it was noted that the Bond Attorney would need to be involved, as well as, City legal council and finance.

Other considerations include zoning of the proposed property.

Baseball Uniforms

Thereupon, the issue of damaged baseball uniforms during the Legion National Tournament was raised. Thereupon, Ms. Jane Morton, Director of the Recreation Commission stated the Recreation Commission had offered to pay half of the cost of the damaged uniform pants at approximately \$600 if the local American Legion Baseball Association would stand the rest of the cost. However, she noted the no information had been brought back to them since they had made this offer.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to pay the other half of this reimbursement not to exceed \$600. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the motion duly approved.

Thereupon, Commissioner Gillette made a motion to accept the Ottawa Recreation Commissions proposal to purchase approximately 19 ½ acres at 19th and Eisenhower. Commissioner Ramsey seconded the motion. The

motion was discussed and upon being put, was defeated by the following vote: Commissioner Ramsey nay, Commissioner Fleer nay, Commissioner Jackson nay, Commissioner Gillette aye, and Mayor Henningsen nay. However, it was further discussed that the City Commission would like to consider this proposal further and further joint meetings would be advantageous. The Governing Body in addition requested information concerning cost before proceeding on land acquisition.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for October 7, 2002, and agreed to place them on the November 6, 2002, agenda.

Prairie Spirit Rail Trail

Thereupon, the Governing Body reviewed a resolution proposed by Public Works Director Andy Haney to declare the eligibility of the City of Ottawa to submit an application to the Kansas Department of Transportation for 2 grants through TEA-21. These funds will be used to extend the Rail Trail north from the Marais des Cygnes River Bridge to the Old Depot Museum, and to enhance the lighting of the current trail south of the Marais des Cygnes River to 23rd Street. The participation will be 80/20. The Governing Body agreed to place this item on the November 6, 2002, Regular Meeting Agenda.

Tax Abatement Request

Thereupon, the Governing Body reviewed a tax abatement request from MacFastener's, Inc. and agreed to place this item on the agenda as a public hearing for November 20, 2002.

Youth In Government

Thereupon, Commissioner Jackson revealed the names of the Youth In Government participants for the Year 2002-2003. Those participants are as follows:

Daryl Bugner	12th Grade
Laura O'Conner	12th
Amanda Guenther	11th
Kyle Huschka	11th

Anne Killough	11th
Jennifer Nelson	11th
Heather Parkin	11th
Andrew Huschka	9th

Commissioner Jackson asked that these youth be sworn in at the November 6, 2002, Regular Meeting.

Open Agenda

Thereupon, the possibility of meeting with State Representatives prior to the next Legislative Session was discussed.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: October 28, 2002, at 4 p.m.
2. Work Study Session: November 4, 2002, at 4 p.m.
3. Work Study Session: November 11, 2002, at 4 p.m. (tentative)
4. Work Study Session: November 18, 2002, at 4 p.m.
5. Regular Meeting: November 6, 2002, at 7 p.m.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 4:38 p.m.

Scott D. Bird, City Clerk

October 21, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
October 28, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and asked for public comments.

Public Comments

There were no public comments offered at this time.

Recreational Task Force

Thereupon, the Governing Body reviewed a recreation task force draft memorandum. Thereupon, Commissioner Jackson suggested that other churches be involved who are not necessarily members of the ministerial alliance. In addition he asked disabled representatives be included and other day care providers be contacted to participate in this effort.

Thereupon, discussion ensued regarding this issue on topics such as how quickly this task force could be moved ahead, whether or not the Recreation Commission should be conducting this task force, and whether or not additional citizen input is necessary.

Thereupon, Mr. Tony DeLaTorre representing the Recreation Commission asked the City to make a decision whether or not to purchase land. Thereupon, the City Manager stated he did not want to talk about property acquisition in open meeting and that to do so before the issues are discussed would be premature.

Thereupon, Ms. Jane Morton, Director of the Recreation Commission, stated she believed that the facilities side had been studied and answers were already available. Thereupon, the City Manager asked for a copy of all studies and stated he would bring this back to a future study session.

October 28, 2002

City of Ottawa

Policy for Extending Certain Public Improvements

Thereupon, the Governing Body discussed the policy for extending certain public improvements. This policy is designed to attract larger subdivision construction, new commercial enterprise and/or assist in retaining existing development. Under this policy the city would consider extending certain public improvements to proposed developments.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for October 21, 2002, and the Regular Meeting Minutes for October 16, 2002. Thereupon, the City Clerk noted that Page 124 regarding the Prairie Spirit Rail Trail would be further clarified to provide information that two grants are being applied for. Thereupon, Commissioner Ramsey asked for clarification on Page 123 that the City's share of the reimbursement shall not exceed \$600. Thereupon, Commissioner Jackson asked that it be clarified that the Governing Body asked for additional information concerning cost before proceeding on land acquisition.

Street Right-of-Way Vacation-400 Block of N. Cedar

Thereupon, the Governing Body considered a request for right-of-way vacation at the 400 Block of North Cedar, the owners of Coconuts Restaurant, 222-224 E. Logan requested this street vacation. The Governing Body discussed this issue and agreed to place it on the Regular Meeting Agenda. Thereupon, the City Manager noted that during this process it was discovered there is a need for procedural change that these types of things be brought before staff before being sent directly to the Governing Body. It was further noted that the ordinance regarding this issue would be changed slightly to make it more legally correct before the Governing Body acted on it. It was agreed to place this item on the Regular Meeting Agenda.

Open Agenda

Thereupon, Commissioner Ramsey asked for Monthly Financial Statements from the Chamber and OFCED. Commissioner Jackson suggested that in addition a monthly report of activity be included.

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to direct the City Manager to contact the Community Arts Center to have the banners and signage in the front the Carnegie Building be removed within 20 days.

During discussion the City Manager stated he needed time to research the possibility of a legal allowance on this issue. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Gillette aye, Commissioner Flear aye, Commissioner Jackson nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the motion duly approved 4-1.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: November 4, 2002, at 4 p.m.
2. Work Study Session: November 11, 2002, at 4 p.m. (tentative)
3. Work Study Session: November 18, 2002, at 4 p.m.
4. City Commission Meeting: November 20, 2002, at 9:30 a.m.
5. Joint City/County/School Meeting: November 20, 2002, at Noon, at USD 290
6. Work Study Session: November 25, 2002, at 4 p.m.
7. National League of Cities conference in Salt Lake City: December 3-8, 2002

In addition, it was further announced there will be a Special Meeting October 30, 2002, from 4-6 p.m., at Ottawa University in the Student Union regarding the Cedar Street Improvement Project.

Thereupon, Commissioner Ramsey stated he was very pleased with the levy stone slope project and congratulated Mr. Haney for his efforts.

Thereupon, Commissioner Jackson noted that Youth In Government Representatives would be going to Salina.

NEXT REGULAR MEETING: NOVEMBER 6, 2002, AT 7 P.M.

Adjournment

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

Scott D. Bird, City Clerk

October 28, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
November 4, 2002

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

Thereupon, Mayor Henningsen called the meeting to order and asked for public comments.

Public Comments

There were no public comments offered at this time.

Governmental Accounting Standards Board (GASB)

Thereupon, the Governing Body heard from City Auditor Keith Gaeddert who explained the requirements under an accounting procedure known as GASB 34. Mr. Gaeddert recommended the Governing Body exempt itself from the General Accepted Accounting Procedures and instead conduct its financial reporting at year end in accordance with State Law; that is, the cash basis and budget laws. It was explained that the new standard known as GASB 34 would require the City to expend a great deal of effort and resources to capitalize all of the City's infrastructure, for example: sidewalks, curbs, gutters, bridges, etc. and then calculate the depreciation thereon. Mr. Gaeddert explained this option to waive GASB 34 would save the City between \$1,500 - \$2,500 annually based on the present audit fee.

The Governing Body discussed this issue and agreed to place a resolution to request a waiver for the 2002 audit on the Regular Meeting for November 6, 2002.

Power of the Past

Thereupon, the Governing Body heard from Mr. Richard Mullins representing the Power of the Past antique tractor and engine show. Mr. Mullins thanked the Governing Body for the use of Forest Park and for the support of City Staff for the recently held Power of the Past event in September. Mr. Mullins estimated that the event attracted approximately 4,000 visitors and requested use of Forest Park again for September 12-14, 2003. Thereupon, the Governing Body agreed that this event should be held in 2003 and that Forest Park be reserved for this purpose.

November 4, 2002

City of Ottawa

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes of October 28, 2002, asking for more detail on the extension of public improvements on page 127 and the timeframe in which the banners and signage in front of the Carnegie Building to be removed was 20 days rather than 21 days.

Winnelson Industrial Park Easement

Thereupon, the Governing Body reviewed a Release of Utility Easement as recommended by the Planning Department and supported by Utility Director Jim Bradley, which stated there is no need for this easement and this will help with the development of the Winnelson project in Industrial Park. The Governing Body agreed to place this resolution on the November 6, 2002, agenda.

City Commission Task Force- Recreation

Thereupon, the Governing Body discussed the recreational task force. Thereupon, Commissioner Fleer read a prepared statement supporting the recreational facilities as a top priority for the Ottawa community and noted that the City Commission is seriously looking at two important issues regarding recreation; that is, the approval to secure property for a facility and the evaluation task force.

Thereupon, discussion ensued regarding the possibility of hiring a paid facilitator for the task force. It was further discussed that a report would be expected from the Recreational Task Force by February 15th with possible participants suggested to include Larry Felix from Ransom Memorial Hospital. Thereupon, Commissioner Ramsey asked that other participants might include: Calvary Baptist Church, the Lutheran Church, and the First Methodist Church. Other issues discussed were the need for Youth representation and the need for diversity makeup on the task force. It was agreed to place this item on the Regular Agenda for November 6, 2002. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to appoint Mayor Henningsen as the Governing Body's appointment to the task force. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Proclamations

Thereupon, there was presented three proclamations:

1. Recognizing Pastor Doug and Linda Jenkins as the State's "You Make a Difference Day" award winners.
2. Recognizing "National Hospice Month"
3. Recognizing the "Youth Council"

It was agreed to place these items on the Regular Meeting for November 6, 2002.

Monthly Activity Report – September 2002

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for September 2002.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: Canceled-November 11, 2002
2. Work Study Session: November 18, 2002, at 4 p.m.
3. City Commission Meeting: November 20, 2002, at 9:30 a.m.
4. Joint City/County/School Meeting at Noon, at USD 290
5. Work Study Session: November 25, 2002, at 4 p.m.
6. National League of Cities Conference: December 3-8, 2002, in Salt Lake City

NEXT REGULAR MEETING: NOVEMBER 6, 2002, AT 7 P.M.

Board Replacement

Thereupon, the Mayor noted former Commissioner Joan Tyson who has been the Governing Body's representative to the Tourism Board is ill and in the hospital and unable to perform these duties. It was suggested a replacement be found for Ms. Tyson. The Governing Body agreed that this position would be advertised for.

Adjournment

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

Scott D. Bird, City Clerk

November 4, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
November 6, 2002

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

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

Youth In Government

Thereupon, the Mayor recognized Daryl Bugner, Laura O'Conner, Amanda Guenther, Kyle Huschka, Anne Killough, Jennifer Nelson, Heather Parkin, and Andrew Huschka as members of the 2002-2003, Youth in Government Program. Thereupon, the City Clerk administered the Oath of Office and the Governing Body congratulated the new members for their acceptance into the program.

Consent Agenda

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approve the Consent Agenda, which included the agenda approval and minutes of Work Study Sessions of October 7, 21, 28, 2002, and the Regular Meeting of October 16, 2002.

Public Comments

Thereupon, the Governing Body heard from Mr. Forest Lowry, representing the Community Arts Council, who requested the Governing Body allow the Arts Council an additional week to remove the banners in front of the Carnegie Building to allow time for the Arts Council to make a full presentation to the Governing Body as to why the advertisements should stay. Mr. Lowry noted that the City sign regulations allow for a waiver. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to extend the removal date to the Arts Council until November 18, 2002, to make presentation as requested.

During discussion Commissioner Gillette asked for a point of order noting that the Governing Body normally does not take action during public comments and the Mayor had read this as part of the preliminary comments to the to Public Comments. Thereupon, the City Clerk noted that as the Chair of the meeting the Mayor had recognized Commissioner Ramsey, accepted his motion,

November 6, 2002

City of Ottawa
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November 6, 2002
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and the second from Commissioner Fleer, and a motion, in fact, was on the floor. Upon being put, the motion passed by the following vote: Commissioner Ramsey aye, Commissioner Fleer aye, Commissioner Jackson aye, Commissioner Gillette nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the motion duly approved.

Thereupon, Ms. Candy Finch, representing the Over the Road Gang, presented the Governing Body with an award for their support during the recently completed Ole' Marais River Run.

Presentations

Thereupon, the Mayor read a proclamation declaring November as "National Hospice Month" in the City of Ottawa, Kansas.

Thereupon, the Mayor read a proclamation recognizing Doug and Linda Jenkins for being recognized in Salina for their outstanding volunteer work and declared November 9, 2002, as "Doug and Linda Jenkins Day" in the City of Ottawa, Kansas.

Thereupon, the Mayor read a proclamation declaring November 8, 2002, as "Youth Action Council Day" in the City of Ottawa, Kansas.

New Business

Kansas Dept. of Transportation-Federal Transportation Equity Act Grant Application

Thereupon, there was presented a resolution declaring the eligibility of the City of Ottawa, Kansas, to submit an application to the Kansas Department of Transportation for use of transportation enhancement funds set forth by the Federal Transportation Equity Act for the 21st Century for the pedestrian and bicycle facilities project in Ottawa, Kansas, and authorizing the Public Works Director to sign the application. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was noted that this resolution authorizes the City to apply for grant funds for improvements to the Prairie Spirit Rail Trail, including lighting enhancements and continuation of trail from the River Bridge to the Old Depot Museum, as well as, a parking facility for trailhead functions at the Old Depot. It

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November 6, 2002
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assures the improvement will be on property controlled by the City; the improvement will be maintained by the City; and commits the City to funding the local share of the project costs should the grant be offered and accepted. 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. 1220-02.

Vacation of 400 Block of North Cedar St.

Thereupon, there was presented an ordinance vacating that portion of the street right-of-way in the 400 Block of North Cedar located South of Logan Street, adjacent to Blocks 8 and 9, Ottawa Original Town. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance provides for vacation of street right-of-way in the 400 Block of North Cedar as requested by the adjacent property owners and in association with development of the Coconuts restaurant. The City will retain the necessary utility easements. 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. 3424-02.

GAAP-Based Accounting Waiver

Thereupon, there was presented a resolution authorizing the City to request the Director of Accounts and Reports to waive the statutory requirement to use GAAP Based Accounting for the reporting of fiscal year 2002. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that the City Auditor, City Manager, and City Clerk had recommended the adoption of this resolution to exempt the City from GAAP Based Accounting, more specifically to exempt the City from GASB-34 requirements which would add financial and administrative cost to the City while providing no foreseeable benefits. The City will continue to make its financial reports in accordance with State law, more specifically the cash basis and budget laws. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1221-02.

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City of Ottawa
Regular Meeting Minutes
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Release of Easement-Winnelson Project-Industrial Park

Thereupon, there was presented a resolution finding the necessity and authorizing the release of a certain easement, now held by the City of Ottawa, Kansas, back to the underlying property owner. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution will release a 20-foot utility easement in the City's industrial park back to the underlying property owner. The original easement provided power to a home which no longer exists. The easement is no longer necessary and the firm purchasing the property desires to place a building over the easement. Staff recommended the vacation of the easement be accepted. 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. 1222-02.

Creation of a City Commission Task Force on Recreation

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to create said task force.

During discussion it was explained the City Commission desires to develop a task force on recreation that will bring together broad-based representation of the community to assess the recreational offerings and needs within the City of Ottawa. The task force will be responsible for evaluating the facilities, programs and services currently provided, and will prepare a final report to be submitted to the City Commission by February 15, 2003. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by Youth Delegates

Thereupon, the Governing Body heard from Ms. Amanda Guenther stating that the Youth in Government had had their meeting this evening, had discussed the possibility of a project, but would be waiting until after the Salt Lake City Conference to make a decision.

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Regular Meeting Minutes
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Announcements

Thereupon, the Mayor announced:

1. Work Study Session: November 11, 2002, Cancelled
2. Work Study Session: November 18, 2002, at 4 p.m.
3. Joint City/County/School meeting: November 20, 2002, at NOON, at USD 290
4. Work Study Session: November 25, 2002, at 4 p.m.
5. Work Study Session: December 2, 2002, at 4 p.m.

NEXT REGULAR MEETING: NOVEMBER 20, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:40 p.m.

Scott D. Bird, City Clerk

November 6, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS
Minutes of
November 18, 2002

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

Thereupon, the Mayor pro tem called the meeting to order and asked for public comments.

Public Comments

There were no public comments offered at this time.

Community Arts Council

Thereupon, the Governing Body heard from Mr. Forest Lowry who stated that the Arts Council located at the Carnegie Building has been working with the Main Street Association to develop permanent signage for advertising events at this location. However, while the development of such a sign would not take very long, the ability to fund it will take longer. Mr. Lowry argued that the banners are colorful, tasteful, and allow the community and others to know what is going on at the Carnegie Building. He asked the Governing Body for an extension of up to two to three years to allow the banners to stay while other possibilities are pursued.

Thereupon, the Governing Body heard from Alice Jo Lewis who expressed her enthusiasm for the life that exist in the Carnegie Building and stated that the reason is that people see the advertisements and are drawn to participate in events and activities.

Thereupon, Commissioner Ramsey asked legal council for an opinion. Thereupon, Mr. Bezek stated the Governing Body has authority to grant an exemption to the sign ordinance.

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City of Ottawa

Thereupon, Mayor Jackson asked if the banners could be moved to a more appropriate location and still be effective. After some discussion the City Manager suggested the signs be moved away from the direct line of sight of the building somewhere to the south of their current location and City Staff work with the Arts Council to make this happen.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to grant the Arts Council an exemption to the sign ordinance for up to one year and limit them to two banners and the artwork that is currently located in the front yard of the Carnegie Building be removed. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved 4-0.

Franchise Agreement

Thereupon, the Governing Body reviewed a letter from City Attorney Bob Bezek that asked that the franchise agreement with Cox Communications be extended one year. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda scheduled for November 20, 2002.

Idle Fund Investments

Thereupon, the Governing Body heard from City Clerk/Director of Finance Scott Bird who explained that recent changes in the local banking industry has created a necessity to adopt a new policy to more clearly define institutions in which the City may place idle funds. Mr. Bird explained that with the change in ownership of Intrust Bank to First Bank of Medicine Lodge, and with the interest of other local banks, the City's banking policy needs to be updated. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda.

Municipal Code Amendment- Outside Electrical Service Disconnect

Thereupon, the Governing Body heard from Fire Chief Jeff Carner who asked that an ordinance be placed on the Regular Meeting Agenda to allow the Fire Chief and the City Inspector to make decisions on whether an outside electrical service disconnect is required. The Governing Body agreed to place this item on the Regular Meeting Agenda.

Municipal Code Amendment – Environmental Codes

Thereupon, the Governing Body heard from Assistant Planning Director Tom Yahl who asked the Governing Body to make changes to the vehicles and general nuisances requirements that would authorize the Inspection Department to abate conditions causing a violation, noting that the changes would allow abatement of environmental code violations in a fashion similar to the process used in abating grass and weeds. The Governing Body agreed to place this item on the agenda and further agreed that a \$55.00 administration fee should remain in place.

Resolutions to Condemn Unsafe and Dangerous Structures

Thereupon, the Governing Body reviewed resolutions to condemn 320 E. 4th, 922 E. 8th, 717 S. Cherry, 130 S. Elm, 1248 Lincoln, 719 N. Main, and 737 Tremont. The Governing Body agreed to place these items on the next Regular Meeting.

Service Awards

Thereupon, the Governing Body reviewed a list of employees who have worked for the City for 10 and 25 years and agreed to place recognition of these employees on the Regular Meeting.

Proclamations

Thereupon, the Governing Body reviewed a proclamation to recognize Bonita Nicewander and Carolyn Snethen for professional development and agreed to place this item on the Regular Meeting Agenda.

Minutes

Thereupon, the Governing Body reviewed the Work Study Session Minutes for November 4, 2002, and the Regular Meeting Minutes for November 6, 2002, and agreed to place these items on the Regular Meeting Agenda.

Announcements

Thereupon, the Mayor announced:

1. Next Regular Meeting is scheduled for November 20, 2002, at 9:30 a.m.
2. Joint City/County/School Meeting, November 20, 2002, at Noon, to be hosted by USD 290.

November 18, 2002
City of Ottawa

Executive Session

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to recess into Executive Session related to Attorney Client Privilege for a period of 20 minutes and to reconvene at 4:32 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, at 4:32 p.m. 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 further business to come before the Governing Body Commissioner Gillette 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 Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

November 18, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
November 20, 2002

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

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

Consent Agenda

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to approve the Consent Agenda, which included the agenda approval and the approval of minutes for the Work Study Session on November 4, 2002, and the Regular Meeting Minutes of November 6, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

Public Comments

None offered at this time.

Presentations

Thereupon, the Commission recognized employees Tim Cronin, Ken Hennessey, and Nancy Thacker for 10 years of service and recognized Randy Hughes of the Public Works Department for 25 years of service to the City of Ottawa.

Proclamation

Thereupon, the Mayor read a proclamation recognizing Carolyn Snethen and Bonita Nicewander for their completion of training at the International Institute of Municipal Clerks Certification program.

Public Hearing-Mac Fasteners

Thereupon, the Mayor opened a public hearing to consider tax abatements for Mac Fasteners. Thereupon, Mr. Bob MacDonald, owner of Mac Fasteners,

November 20, 2002

addressed the Governing Body and asked them to consider favorably this tax abatement proposal, noting that the company came to town from its infancy and has remained a vibrant part of this community with payroll anticipated to exceed \$600,000.

There being no further comments the public hearing was closed.

Public Hearing-Condemnations

Thereupon, the Mayor opened a public hearing to consider condemnations for the following properties: 320 E 4th, 922 E 8th, 717 S Cherry, 130 S Elm, 1248 Lincoln, 719 N Main, and 737 Tremont.

Thereupon the Governing Body heard from Mr. Gene Mitchell, regarding 1248 Lincoln and asked the Governing Body for an explanation as to why his property was on the condemnation list. Mr. Mitchell stated he had met with the Inspection Department and the only problem they had found in his file was for grass. He presented the Governing Body with pictures to illustrate his property should not be considered for demolition. Thereupon, City Inspector Gary Skiles stated that this property has been a problem since 1997 and the Deputy Inspector had inspected a furnace and noted that improvements were being made without a permit.

Next to address the commission was Mr. James Castell, 737 Tremont, who also questioned the rationale of his property being placed on a condemnation list. Mr. Castell noted recent improvements have been made to the property including a new roof and new siding. He concurred that the property needs to be painted but in general was in good shape.

There being no further comments the public hearing was closed.

New Business

Condemnation Resolutions

Thereupon, there was presented Bills No.: 2002-112, 2002-113, 2002-114, 2002-115, 2002-116, 2002-117, and 2002-118; resolutions to condemn unsafe and dangerous structures located at 320 E 4th, 922 E 8th, 717 S Cherry, 130 S Elm, 1248 Lincoln, 719 N Main, and 737 Tremont; all in the City of Ottawa. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the resolutions. However, Bills No. 2002-116 and 2002-118, which relate to properties, located at 1248 Lincoln and 737 Tremont respectively

should be removed from this list. The motion was considered and upon being put, passed by the following vote: Commissioner Gillette aye, Commissioner Fleer aye, Commissioner Ramsey aye, and Mayor Jackson nay. Thereupon, the resolutions were declared duly adopted by a 3-1 vote and the resolutions were duly numbered as follows:

<u>Bills No.</u>	<u>Property</u>	<u>Resolution No.</u>
2002-112	320 E 4th	1223-02
2002-113	922 E 8th	1224-02
2002-114	717 S Cherry	1225-02
2002-115	130 S Elm	1226-02
2002-117	719 N Main	1227-02

Franchise Agreement

Thereupon, there was presented an extension of a franchise agreement with CoxCom, Inc. d/b/a Cox Communications, Inc. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to accept this agreement.

During discussion it was explained that this agreement extends the current terms and conditions of the cable television Franchise Agreement with Cox Communication through October 2, 2003. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Depository Institutions for Idle Funds

Thereupon, there was presented a resolution defining depository institutions for idle funds held by the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained with the recent changes in the local banking industry it is necessary to adopt a new policy to more clearly define those institutions in which the City might place idle funds. The change in ownership of 1st Bank, as well as, interest shown on the part of other local banks with home offices in Kansas makes the adoption of this resolution advisable. 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. 1228-02.

Electric Service Disconnection

Thereupon, there was presented an ordinance amending Chapter VI, Article III of the Municipal Code of the City of Ottawa, Kansas, 1997, specifically, Section 6-309, 80-37 Number 2, of said code, and providing for incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1997. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette to adopt the ordinance.

During discussion it was explained that the proposed ordinance amends the Municipal Code to allow the Fire Chief and the City Inspector to determine whether an outside electrical service disconnection is required. It was further explained that this ordinance will allow the Fire Chief and City Inspector more flexibility in determining whether or not an electric service disconnect would be needed for certain commercial buildings. 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. 3425-02.

Junk Vehicles and General Nuisances

Thereupon, there was presented an ordinance amending Chapter X, Article VI, Sections 10-608 and 10-610 of the Municipal Code of the City of Ottawa, Kansas, 1997, and repealing Sections 10-608 and 10-610 of Ordinance No. 3133-95 of the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that the part of the Municipal Code that deals with junk vehicles and general nuisances currently requires the City Commission to adopt a resolution authorizing the Public Officers of the City to abate the conditions causing the violation. This ordinance allows City Staff to abate environmental code violations in a manner similar to the process used in abating grass and weeds and will not require Commission action. 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. 3426-02.

Junk Vehicles and General Nuisances

Thereupon, there was presented an ordinance amending Chapter X, Article II, Sections 10-210 and 10-213 of the Municipal Code of the City of Ottawa, Kansas, 1997, and repealing Section 10-210 and 10-213 of Ordinance No. 3134-95 of the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained that the code that deals with junk vehicles and general nuisances currently requires that the City Commission adopt a Resolution authorizing the Public Officers of the City to abate the conditions causing the violation. This ordinance allows City Staff to abate the environmental code violations without such a resolution. 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. 3427-02.

Reports by City Manager

Thereupon, the City Manager informed the Governing Body that the Police Department, and Fire Department had been recognized at a meeting on November 19, 2002, by the US Postal Service for their exemplary service during a threat at the Post Office dealing with an unknown white powder substance.

Reports by City Commission

Thereupon, Commissioner Fleer noted she had attended the USA Main Street meeting the previous evening and they are working on signage for the Carnegie Building.

Thereupon, Commissioner Ramsey requested that the properties removed from the condemnation list located at 1248 Lincoln and 737 Tremont be brought back for further study at a future Study Session Meeting. Commissioner Ramsey also recognized Commissioner Jackson for having received an award for 30 years of service to ECKAN during an evening meeting on November 19, 2002.

Reports by the Mayor pro tem

Thereupon, Mayor Jackson announced:

1. Joint City/County/School Meeting: Today at Noon, at Ottawa Middle School.
2. Work Study Session: November 25, 2002, at 4 p.m.

NEXT REGULAR MEETING: DECEMBER 18, 2002, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body, Commissioner Gillette made a motion, seconded by Commissioner 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 10:10 a.m.

Scott D. Bird, City Clerk

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
November 25, 2002

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

Thereupon, the Mayor called the meeting to order and asked for public comments.

Public Comments

There were no public comments offered at this time.

Thereupon, Commissioner Ramsey arrived at 3:07 p.m.

Condemnations

Thereupon, the Governing Body heard from Mr. Gene Mitchell, owner of 1248 Lincoln, property that the Governing Body had removed from the condemnation list at its previous Regular Meeting on November 20, 2002. Thereupon, Commissioner Gillette suggested that the Inspection Department and Mr. Mitchell work together on this particular property, and come to an agreement.

Thereupon, Commissioner Jackson asked why this particular address had been included on the condemnation list. Thereupon, Deputy Inspector Dave Piotrowsky stated that there are safety and blighting issues that might call for condemnations which are unseen from the outside of this structure. Mr. Piotrowsky read the code pertaining to these issues. However, Commissioner Jackson again asked what specifically needed to be done in regards to this property. It was noted that the taxes had not been paid for some time. Mr. Mitchell stated they have been paid to date.

Mayor Henningsen asked if the property could be insured. Mr. Mitchell assured her it is covered. Thereupon, Commissioner Gillette made a motion to direct staff to work with Mr. Mitchell to determine what is necessary to bring this property into compliance. The motion was seconded by Commissioner Fleer. Upon being put, the motion failed by a 3-2 vote.

Further discussion ensued and City Manager Weldon Padgett stated he believed that additional information could be brought to this issue and suggested that Mr. Mitchell be responsive to the Planning Department to work through this issue.

November 25, 2002

City of Ottawa

737 Tremont

Thereupon, the Governing Body heard from Mr. James Castell regarding 737 Tremont previously removed from the condemnation list, who asked that his property not be condemned. Thereupon, the Mayor asked if the taxes had been paid on this property? Mr. Castell said no. Mr. Piotrowsky noted that there are problems with the property and that progress on a siding job has halted. No permits have been pulled. Mr. Castell said that permits on the roof were not required when he started the remodel project. Mr. Castell also under inquiry stated that the garage on this property is a blight to the neighborhood.

Thereupon, the City Manager noted he believed this property warranted the condemnation and after the adoption of resolution Mr. Castell would have 60 days to show progress before the property would be demolished. Thereupon, it was moved and seconded to place this item on the Regular Meeting Agenda for December 18, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared this item placed on the December 18, 2002, Regular Meeting Agenda.

130 Elm

Thereupon, the Governing Body heard from Mr. Bill Crowley, 130 Elm. This property was previously acted upon at the Regular Meeting of November 20, 2002, and the Governing Body explained that Mr. Crowley had 60 days to make significant improvements or demolish the property himself. Mr. Crowley stated he would like to demolish the property himself. The Governing Body concurred and thanked Mr. Crowley for his attention to this issue.

Zoning Ordinance-Special Use

Thereupon, the Governing Body reviewed a proposed ordinance to amend Ordinance 2933-90 of the Zoning Ordinance for the City of Ottawa, which will allow "Office Uses" in Residential Districts as a special use. The Planning Commission had held a public hearing and made recommendations to the Governing Body by a vote of 6-0 to approve Security and Commodity Broker, Dealers, Insurance Agents, Brokers & Services, Real Estate Agents & Managers, and Accounting, Auditing & Bookkeeping Services in RS; R; R1; R2; R3 Zoning Districts. The Governing Body considered this issue and agreed to place it on the Regular Meeting for December 18, 2002.

Special Use Permit-Home Daycare, 533 S. Oak

Thereupon, the Governing Body reviewed a request from Mr. and Mrs. Joe White for a Special Use Permit to operate a home daycare at their residence located at 533 S. Oak. The Planning Commission have reviewed this issue and recommended approval. The Governing Body agreed to place this item on the December 18, 2002, Regular Meeting Agenda.

Special Use Permit-Home Daycare, 126 ½ Cedar

Thereupon, the Governing Body heard from Mr. and Mrs. Wendell Lewis requesting a Special Use Permit to operate a daycare located at 126 ½ S. Cedar. It was noted that the requesters would not be occupying this facility and it is in compliance with state and county requirements. The Lewis's have obtained applicable state licenses to operate a daycare and the special use is valid only during the time the applicants own the subject property. Mr. Lewis noted there will be a driveway constructed from Cedar Street along the south side of the structure to allow children to enter and exit at an existing doorway. The Governing Body agreed to place this item on the Regular Meeting Agenda for December 18, 2002.

Special Use Permit-Investment Brokerage Office

Thereupon, the Governing Body reviewed a request from Mr. William Henningsen for a Special Use Permit to operate a business in the R2 Zoning District located at 502 S. Cedar. Thereupon, the Mayor asked the Mayor pro tem to chair this part of the meeting noting a conflict of interest. The Planning Commission has reviewed this Special Use Permit and held a public hearing and recommended to the Governing Body by a vote of 6-0 for the special use permit. It was further noted that the special use permit will be valid only during the time the applicant owns the subject property and any change in use of the property must conform to those uses permitted by special use permit in the R2 Zoning District. Assistant Planning Director Tom Yahl stated that one person had spoke in favor of the proposal during the public hearing and no one had spoke in opposition. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda for December 18, 2002, by a vote of 3-1-1 with Commissioner Fleer dissenting.

Review of Minutes

Thereupon, the Governing Body agreed to place the minutes from the Study Session of November 18, 2002, on the Regular Meeting Agenda.

November 25, 2002

Open Agenda

Thereupon, Commissioner Ramsey inquired about the front door situation for City Hall and the signage at the Carnegie Building.

Thereupon, Commissioner Gillette asked for some information regarding cat control.

Thereupon, the City Manager stated he had a four-page report in response to the Ottawa Recreation Commission proposal that would be coming to the Governing Body in the near future.

Thereupon, Commissioner Ramsey noted that Don Moler of the League of Kansas Municipalities had expressed concern for demand transfers at a recent league meeting in Prairie Village.

Announcements

Thereupon, the Mayor announced:

1. Work Study Session: December 2, 2002, at 3 p.m.
2. City Commission Meeting: NONE, December 4, 2002 (City Commission at the National League of Cities Conference)
3. Work Study Session: December 9, 2002, at 4 p.m.
4. City/County/School with State Representatives: December 9, 2002, at 5 p.m. in the City Commission Chambers.

It was further discussed there will be a "City Hall at the State Capital Meeting" on January 30, 2002.

NEXT REGULAR MEETING: DECEMBER 18, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk
November 25, 2002

STUDY SESSION MINUTES
OTTAWA, KANSAS

Minutes of
December 2, 2002

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

Thereupon, the Mayor called the meeting to order and asked for public comments.

Public Comments

None offered at this time.

Introduction of Planning Director

Thereupon, the City Manager introduced Ms. Wynndee Lee as the new Planning Director for the City of Ottawa.

Ottawa Recreation Facility

Thereupon, the Governing Body reviewed a memo from the City Manager outlining various options related to the proposal for land purchase and the construction of a recreation center.

Thereupon, members of the Recreation Commission and Jane Morton, Director of Ottawa Recreation, discussed possible locations including Orli Cox Field, the Woodward Center, Forest Park, 1st Street, and 20 acres located at 19th and Eisenhower.

Thereupon, Mayor Henningsen stated that she thought a Recreational Master Plan would be a good idea before the location is settled upon.

Thereupon, Commissioner Jackson stated he believed the 19th and Eisenhower location has potential for residential development.

It was further discussed that the school district plans on constructing three schools; each with a full size gym, and those facilities could possibly be used for evening events. Thereupon, school board representative John Coen stated that evening times would be available for gymnasium usage. It will take full size gymnasiums to satisfy the needs of the elementary schools throughout the school day, but for the most part, these gymnasiums should be available for evening use and for tournaments, etcetera.

December 2, 2002

City of Ottawa

Thereupon, Ms. Morton stated that the Recreation Commission supports the school issue to satisfy the schools' needs first, but the Recreation Commission believes there is a greater need for availability.

Thereupon, the City Manager stated that the public needs to know this is ultimately the City's debt and even though the school district intends to set aside one mill to support this project, future school boards cannot necessarily be held to that commitment.

Thereupon, it was decided that an Executive Session would be called to discuss the possibility of property acquisition.

KMEA Mutual Aid

Thereupon, the Governing Body heard from Utility Director Jim Bradley who asked the Governing Body to renew the Mutual Aid Agreement with the Kansas Municipal Energy Agency and their affiliates. The Governing Body agreed to place this item on the Regular Meeting Agenda, scheduled for December 18, 2002.

Open Agenda

Demand Transfers

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Director of Finance Scott Bird regarding the demand transfer situation. It was explained that the first information that the City had received from the League of Kansas Municipalities had indicated that demand transfers; that is, City/County Revenue Sharing (CCRS); Local Ad Valorem Tax Reduction (LAVTR); and Special City-County Highway funds (SCCHF); have been cut entirely. However, more recent information indicated that the Special City/County Highway Fund cuts were only at 6.6 percent rather than total. Therefore, the City is looking at cuts in the neighborhood of \$120,000.

It was further explained that the state is looking at legal action to challenge the Governor's authority in making such decisions outside the action of the legislature and it was agreed to bring a resolution to authorize the League of Kansas Municipalities to act on the City's behalf in such legal action before the Governing Body at the Regular Meeting of December 18, 2002.

Fund Request – Ms. Heather Parkin

Thereupon, the Governing Body discussed a letter from Ms. Heather Parkin asking for funds to support her participation in the People to People Student Ambassador Program summer trip to Europe. The Governing Body discussed this issue and decided that such action would set a precedence that they would rather not establish.

Announcements

Thereupon, the Mayor announced:

1. City Commission Meeting: NONE, December 4, 200, (National League of Cities Conference)
2. Work Study Session: December 9, 2002, at 4 p.m.
3. Joint City/County/School Meeting: December 9, 2002, at 5 p.m. with State Representatives
4. Work Study Session: December 16, 2002, at 4 p.m.
5. Joint City/County/School Meeting: December 18, 2002, at NOON, with the County hosting.

NEXT REGULAR MEETING: DECEMBER 18, 2002, AT 9:30 A.M.

Adjournment

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

Scott D. Bird, City Clerk

December 2, 2002

City Commission

**Special Call
Ottawa, Kansas
December 9, 2002**

The City Governing Body met in Special Session at 5 p.m. this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Fleer, Commissioner Gillette, Commissioner Jackson, and Commissioner Ramsey. A quorum was present.

The purpose of this meeting was to meet with State Senators Derek Schmidt, and Robert Tyson; and representatives Joe Humerickhouse, Tom Holland, Bill Feuerborn, and Stanley Dreher.

Others Present: Franklin County Commissioners, School Board Members, Tom Weigand, KOFO Radio, and Ottawa Herald.

Issues Discussed:

- Demand transfers
- Sales tax issues (particularly e-commerce sales)
- School financing
- School consolidation
- Local home rule authority
- Various committees the State Representatives would be serving on in the upcoming Legislative Session

Adjournment

At 6:45 p.m. the Mayor declared the meeting duly adjourned and thanked all present for attending and participating in this open forum.

Scott D. Bird, City Clerk

December 9, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
December 9, 2002

The City Governing Body met in Work Study Session at 3:30 p.m. in the upstairs large conference room at City Hall this date, with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Ramsey. A quorum was present.

Thereupon, the Mayor called the meeting to order and asked for public comments.

Public Comments

Thereupon, the Governing Body heard from Mr. John Verssue representing Ottawa Main Street, who invited the Governing Body to a meeting scheduled at 11:45 a.m. on January 16, 2003, for a Vision update and report. Mr. Verssue asked for the City Commission and City Manager input regarding the progress of the Vision program.

Wastewater Treatment Plant Bids

Thereupon, the Governing Body heard from Mr. Jim Martin of PEC who explained that the City had opened bids for the Wastewater Treatment Plant with the lowest base bid from CAS Construction at \$9.2 million. With the alternates, soil testing, contingency, and engineering added in, and subtracting the two grants, the total cost for the project is about \$9.7 million. The City previously secured \$8.9 million from the State in a low interest loan and will need to revisit the state to make up the difference in the cost of the project. Mr. Martin stated he believed the City received four good bids for this project, and would like to have had 6 but CAS out of Topeka, is a company that PEC has worked with in the past and should be able to do a good job for the City of Ottawa. Mr. Martin explained that with the City Commissions green light today, shop drawings would be prepared and the contractor would begin to start the project. The estimated time for completion would be 15 months. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Fleer, to accept the low bid from CAS Construction. The motion was considered and upon being put, all present voted aye.

Tree Regulations

Thereupon, the Governing Body reviewed a draft ordinance to authorize the City to regulate the planting, maintenance, treatment and removal of street trees, park trees and shrubbery in the City of Ottawa. The Governing Body agreed to place this item on the agenda with changes.

December 9, 2002

City of Ottawa

Power Supply Fund

Thereupon, the Governing Body heard from Jim Bradley, Director of Utilities, who recommended a resolution be adopted to provide the consent of the City to the third amendment of the Nearman Power Sales contract which establishes a “Power Supply Fund” that will allow the City to participate with KMEA in the development of a “Power Supply Fund” to be used by the City of Ottawa to construct Capital Improvement items for the electric utility without making a change in utility rates. The Governing Body agreed to place this item on the Regular Meeting agenda for December 18, 2002.

Demand Transfer Litigation

Thereupon, the Governing Body reviewed a draft resolution authorizing the League of Kansas Municipalities to act on the City’s behalf concerning litigation regarding the elimination of demand transfers by the Governor. It was agreed to bring this item back to the Study Session scheduled for December 16, 2002.

CMB Licenses

Thereupon, the Governing Body heard from City Clerk Scott Bird who stated that all CMB applications have been received with the exception of one and it is anticipated to be received before the December 18, 2002, meeting. The Governing Body agreed to place these items on the Regular Meeting for December 18, 2002.

Tax Abatement Request

Thereupon, the Governing Body reviewed a tax abatement request from Mac Fasteners, Inc. 1110 E. Enterprise. The owner, Robert MacDonald, has requested a tax abatement of property taxes for a proposed 6,000 square foot addition to the current manufacturing facility. The Governing Body reviewed the resolution ordinance, contract, and cost benefit analysis and agreed to place these items on the Regular Meeting agenda for December 18, 2002.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes for November 25 and December 2, 2002, Study Session and the Regular Meeting Minutes from November 20, 2002, and agreed to place these items on the Regular Meeting Agenda for December 18, 2002.

Open Agenda

Recreational Task Force

Thereupon, the Governing Body heard an update from the Mayor regarding the Recreational Task Force. The first meeting of the Task Force is scheduled for December 19, 2002.

National League of Cities Conference

Thereupon, the Governing Body heard from Commissioner Gillette who reported on the National League of Cities Conference in Salt Lake City. Commissioner Gillette stated that the major focus of his involvement at this conference dealt with Homeland Security funding for first responders.

Litigation

Thereupon, the Governing Body heard from City Attorney Bob Bezek who stated that cities affected by the Board of Public Utilities fuel conveyor problem had been heard in appellant court and had received a favorable decision which means this case will be remanded back to District Court. Mr. Bezek stated that this case could eventually end up in the Kansas Supreme Court and suggested that he prepare a memo to be delivered to the Governing Body members for further explanation.

Announcements

Thereupon, the Mayor announced:

1. December 16, 2002, @ 3 p.m.: Executive Session for Personnel and one Property Acquisition
2. December 16, 2002, @ 4 p.m.: Work Study Session
3. December 18, 2002, @ Noon: Joint City/County/School meeting (at the County)
4. December 23, 2002, @ 4 p.m.: Work Study Session (consider canceling)
5. December 30, 2002, @ 4 p.m.: Work Study Session (consider canceling)

NEXT REGULAR MEETING: DECEMBER 18, 2002, AT 9:30 A.M.

Adjournment

There being no further business to come before the Governing Body during this meeting it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned and invited all present to join her in the City Commission Chambers for a special meeting to meet with representatives from the School Board, County Commission, and other interested parties in the community along with State Senators Derek Schmidt, and Robert Tyson; and representatives Joe Humerickhouse, Tom Holland, Bill Feuerborn; and Stanley Dreher.

Scott D. Bird, City Clerk

December 9, 2002

**STUDY SESSION MINUTES
OTTAWA, KANSAS**

Minutes of
December 16, 2002

The City Governing Body met in Work Study Session at 3:00 p.m. this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Fleer, Commissioner Gillette, and Commissioner Ramsey. A quorum was present.

Thereupon, the Mayor called the meeting to order and asked for an Executive Session to discuss the City Manager's evaluation.

Executive Session

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss non-elected personnel for a period not to exceed 30 minutes in order to conduct the City Manager's evaluation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 3:30 p.m. Commissioner Gillette 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 meeting was duly reconvened.

Recess

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss non-elected personnel for a period not to exceed 10 minutes in order to continue the discussion regarding the City Manager's evaluation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 3:40 p.m. 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 recessed.

December 16, 2002

City of Ottawa

Executive Session

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss property acquisition for a period not to exceed 18 minutes. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 4 p.m. Commissioner Ramsey made a motion, seconded by Commissioner Fler, to reconvene the meeting. The motion was considered and upon being put, all present voted aye.

Public Comment

There were none offered at this time.

Information and Discussion Items

Elm Street Improvements

Thereupon, the Governing Body discussed the Elm Street Improvement Project. The City Manager noted that the cost for this project has escalated due to the existence of pre-existing gas lines and the City and County would be expected to pay for their relocation.

Activity Reports

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of October 2002.

League of Kansas Municipalities Lawsuit

Thereupon, the Governing Body discussed the lawsuit that the League of Kansas Municipalities had announced to be filed against the Governor and others for the elimination of demand transfers to cities in the State of Kansas. Discussion ensued as to whether it is in the City's best interest to be a part of this suit, noting that future demand transfers may hang in the balance. It was further discussed that the Governor's action will force local communities to raise taxes and/or reduce spending to meet the burden that this action has inflicted.

Southwestern Bell Telephone Extension Agreement

Thereupon, the Governing Body reviewed a draft document to be placed on the December 18, 2002, Regular Meeting Agenda to extend the Southwestern Bell Telephone Franchise Agreement. This issue was discussed and it was agreed to place this item on the December 18, 2002, Regular Meeting Agenda.

Other Items

Thereupon, the Governing Body heard from Commissioner Fleer, Commissioner Jackson, Youth Delegates Jennifer Nelson and Heather Parkin regarding the recent NLC trip to Salt Lake City.

Thereupon, Mayor Henningsen stated that the Governing Body would be looking at Forest Park as an alternative for the proposed recreation facility.

Thereupon, the Governing Body heard from City Manager Weldon Padgett who stated that discussion on the development of infrastructure on the 23rd Street and Eisenhower corridor continued but there is a small development in this area that is the catalyst for such development. The idea is for the property owners to pay up front but they are asking the City to participate. The City Manager noted that he is not recommending anything at this time, but will continue to work on this project.

Thereupon, the City Manager mentioned that the Cedar Street Project might include roundabouts and suggested a temporary roundabout be placed at the corner of 11th and Ash to allow the community to experience this traffic device and to provide feedback to City staff. The City Manager noted that the cost would be minimal, between \$1,000-\$2,000. Thereupon, the Governing Body agreed to direct staff to install this temporary roundabout at 11th and Ash with Commissioner Ramsey dissenting.

Thereupon, the City Manager expressed his pleasure that the Waymire Cul-de-sac had been taken care of and there is a proposal to subdivide this area and acceptance of the easements would be placed on the Regular Meeting Agenda for December 18, 2002.

Announcements

Thereupon, the Mayor announced:

1. Regular City Commission Meeting: December 18, 2002, at 9:30 a.m.
2. Joint City/County/School Meeting: December 18, 2002, at Noon, at the County
3. Work Study Session: December 23, 2002, at 4 p.m. (tentative)
4. Work Study Session: December 30, 2002, at 4 p.m. (tentative)
5. Regular City Commission Meeting: NONE, January 1, 2003 (New Year's Day)

Adjournment

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

Scott D. Bird, City Clerk

December 16, 2002

City Commission
Regular Meeting Minutes
Ottawa, Kansas
December 18, 2002

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

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

Consent Agenda

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to approve the consent agenda, which consisted of agenda approval and the minutes of the November 18th, 25th, and December 2, 2002, Study Session; and Regular City Commission meeting minutes of November 20, 2002. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

New Business

Condemnation 737 Tremont

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 737 Tremont in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution. The motion was considered and upon being put, all present vote aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1129-02A.

Ordinance-Amendment to Zoning Ordinance Appendix A

Thereupon, the Mayor asked Mayor pro tem Jackson to chair the next item on the agenda. Thereupon, there was presented an ordinance to amend Appendix A of Ordinance No. 2933-90, the Zoning Ordinance for the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

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Regular Meeting Minutes
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During discussion it was explained that the Planning Commission had reviewed this amendment to Appendix A to allow certain office uses and residential zoning districts, more specifically, Security and Commodity Brokers/Dealers; Insurance Agents, Brokers & Service; Real Estate Agents & Managers; Accounting, Auditing & Bookkeeping Services as a special use. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Flear nay, Commissioner Gillette aye, Commissioner Jackson aye, and Mayor Henningsen abstained. Thereupon, the Mayor pro tem declared the Ordinance duly adopted by a 3-1-1 vote and the Ordinance was duly numbered Ordinance No. 3428-02.

Resolution- Special Use Permit- Daycare Home 533 S. Oak

Thereupon, there was presented a resolution granting a Special Use Permit for a Daycare Home in the R-2 Zoning District at 533 S. Oak requested by Joe and Kim White in the City of Ottawa, Kansas. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that Mr. and Ms. White requested a Special Use Permit to operate a home daycare at 533 S. Oak. It was further explained that the Planning Commission had reviewed the Special Use Permit, held a Public Hearing and recommended approval to the Governing Body. 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. 1130-02A.

Resolution- Special Use Permit-Daycare Center 126 ½ S. Cedar

Thereupon, there was presented a resolution granting a Special Use Permit for a Daycare Center in the C-3 Zoning District at 126 ½ S. Cedar requested by Wendell and Thelma Lewis in the City of Ottawa, Kansas. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that Mr. and Ms. Lewis requested a Special Use Permit to operate a home daycare at 126 ½ S. Cedar. It was further explained that the Planning Commission had reviewed the request, held a public hearing, and recommended approval to the Governing Body. 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. 1131-02A.

Resolution- Special Use Permit 502 S. Cedar

Thereupon, the Mayor asked Mayor pro tem Jackson to chair this item. Thereupon, there was presented a resolution granting a Special Use Permit for an investment brokerage in the R-2 zoning District at 502 S. Cedar requested by William J. Henningsen in the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that Mr. William Henningsen had requested a Special Use Permit to allow a business in an R-2 Zoning District located at 502 S. Cedar. The Planning Commission reviewed the request, held a Public Hearing and recommended approval to the Governing Body. The motion was considered and upon being put, passed by the following vote: Mayor pro tem Jackson aye, Commissioner Ramsey aye, Commissioner Fleer nay, Commissioner Gillette aye, and Mayor Henningsen abstained. Thereupon, the Mayor pro tem declared the resolution duly adopted by a 3-1-1 vote and the resolution was duly numbered Resolution No. 1132-02A.

Resolution- KMEA – Mutual Aid Program

Thereupon, there was presented a resolution authorizing City participation in the Kansas Municipal Energy Agency (KMEA) Mutual Aid Program and executing an agreement adding the City to the Mutual Aid Program. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that the Kansas Municipal Energy Agency, Mutual Aid Program is a group of 58 Kansas cities, which have banded together to help each other in times of natural disaster. It was further explained that Ottawa has been the beneficiary of such aid at two different times; once following the 2002 ice storm and the other time after the 1999 microburst. In order to receive certain reimbursements from FEMA the City must belong to a mutual aid program. 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. 1133-02A.

Ordinance-“Trees and Other Plant Material”

Thereupon, there was presented an ordinance adopting Chapter 60, entitled “Trees and Other Plant Material,” and incorporating it into the Municipal Code of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained that this change will help regulate trees and other plant material in the community and has been recommended to the City Commission by the Tree Board. 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. 3429-02.

Resolution-Demand Transfers Litigation

Thereupon, there was presented a resolution authorizing the League of Kansas Municipalities to act on behalf of the City of Ottawa, Kansas, in litigation with the State of Kansas, related to demand transfers. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that this resolutions will allow the League of Kansas Municipalities to represent the City in a lawsuit which has been filed on behalf of cities in the State of Kansas against the Governor and others related to the elimination of demand transfers. The motion was considered and upon being put, failed by the following vote: Commissioner Gillette nay, Commissioner Jackson aye, Commissioner Ramsey nay, Commissioner Fleer aye, and Mayor Henningsen nay. Thereupon, the Mayor declared the resolution duly defeated.

Resolution-Tax Abatement-Mac Fasteners, Inc.

Thereupon, there was presented a resolution authorizing an agreement with Mac Fasteners, Inc., Ottawa, Kansas, granting a tax exemption pursuant to Article 11, Section 13, of the Constitution of the State of Kansas, and following the City’s tax abatement policy. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that this resolution will authorize an agreement with Mac Fasteners, Inc. and the City of Ottawa to provide a 50 percent tax abatement for a proposed 6,000 square foot addition to their current manufacturing facility all contingent upon the approval of the State Board of Tax Appeals.

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Thereupon, Mr. Bob McDonald, of Mac Fasteners, stated that when he first arrived in Ottawa he had 3 employees. In the new facility he currently has 19 and anticipates this number continuing to increase because of their growth. He further illustrated to the Governing Body that the taxes paid by Mac Fasteners have continued to increase, again resulting from the growth of his company. 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. 1134-02A.

Ordinance-Tax Abatement-Mac Fasteners, Inc.

Thereupon, there was presented an ordinance exempting certain property from ad valorem taxes for economic development purposes in the City of Ottawa, Franklin County, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained that this action is necessary to formalize the City's intent to provide 50 percent tax relief for a period of 8 years beginning in 2003 and ending in 2010 for Mac Fasteners, Inc. This action will be reviewed and contingent upon final approval of the State Board of Tax Appeals. 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. 3430-02.

Cereal Malt Beverage Licenses

Thereupon, there was presented the following Cereal Malt Beverage Applications:

Taylor Oil, Inc., d/b/a Co-op Country Store, 302 N. Main
Taylor Oil Inc., d/b/a Amoco, 2305 South Cedar
Kayo Oil Company, d/b/a Conoco, Inc., 2243 Princeton
Casey's General Stores, Inc., Store #2361, 1002 North Main Street
Casey's General Stores, Inc., Store #2362, 1019 West 7th Street
Charles R. Wood Oil Co., Inc., 304 E. Logan
Charles R. Wood Oil Co., Inc., 2130 Princeton Road
Wal-Mart Stores, Inc. 702 S. W. 8th St., Bentonville, AR. 72716-8013 (2101 Princeton Road)
C & Z Inc., d/b/a Total Stop N Save, 1621 South Main
H W Development Corp., d/b/a Wingert's Texaco, 2520 E. Logan
OPCO d/b/a Ottawa Phillips 66, 216 E. 23rd
C & J Management Serv., Inc., d/b/a Country Mart, 2138 Princeton Circle Dr.

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The following applications are for license for retail cereal malt beverages, for consumption on the premise:

Shari Bishop d/b/a Bishop's Brew, 120 E. Dundee
Ottawa Antique Mall & Restaurant, 202 Walnut
Pizza Hut of America, Inc., Law Dept./Licensing, 14841 Dallas Pkwy., Dallas, TX 75240
Pizza Village, Inc., 330 South Main
Susan Jackson, d/b/a Poncho's of Ottawa, 429 South Main
Royal Lanes, 2040 Princeton Road

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to accept the applications.

During discussion it was explained that annually the Governing Body reviews retail sales of CMB within the City. Applications have been received from all current CMB retailers and subsequently reviewed by staff and it was recommended that all applications be approved. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Extension Agreement – Southwestern Bell Telephone

Thereupon, there was presented an extension of agreement with Southwestern Bell Telephone. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to approved the agreements.

During discussion it was explained that staff recommended this extension be granted to facilitate further negotiations between the City of Ottawa and Southwestern Bell Telephone Company. This agreement will allow an extension until June 30, 2003, or until a new ordinance between the two parties takes effect. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Resolution-Waymire Addition-Acceptance of Dedication

Thereupon, there was presented a resolution accepting the dedication of all easements within the Waymire Addition, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Gillette, to adopt the resolution.

During discussion it was explained that the Planning Commission had reviewed the final plat for the Waymire Addition and recommended by a vote of 6-0 that

City Commission 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 1135-02A.

KMEA Power Supply Fund

Thereupon, there was presented a resolution approving the third amendment to the Nearman Power Sales contract between the City of Ottawa and KMEA creating a Power Supply Fund. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that this effort had been started earlier this year when the City took up its study of the Electric Master Plan. Utility Director Jim Bradley further explained that \$34,220 has been set-aside on a monthly basis in order to make debt payments on the Nearman contract. However, this contract expires and this resolution will allow the flow of funds through a similar financial vehicle to provide financing for projects such as the new substation projects. 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. 1136-02A.

Reports by City Manager

Thereupon, the City Manager stated that two letters had been received from the Kansas Department of Transportation acknowledging Charles King and Andy Stauffer of the Public Works Department for their awareness and immediate notification of problems existing on the K-68 Bridge and because of their quick action the bridge repairs had been completed before the public was endangered.

The City Manager further reported that the City intends to build a temporary roundabout at the corner of 11th and Ash. This temporary roundabout will be established to provide feedback to staff after the community has an opportunity to try it. The City Manager suggested citizens try it out more than once then call staff with their thoughts on this important issue.

Reports by City Commission

Thereupon, Commissioner Ramsey explained that his no vote on the demand transfer lawsuit did not reflect his concern about demand transfers and that he believed the Governor was wrong in his actions. However, he further expressed concern about future demand transfers and thanked Commissioner Jackson for his work on the League Governing Body.

Thereupon, Commissioner Fleer explained her no votes on the Special Use Permit, stating she believed businesses should be located in the Main Street downtown area.

Reports by Mayor

Thereupon, Mayor Henningsen stated that the City had been recognized by the National League of Cities and was honored for 25 years of membership and dedicated service in shaping and advocating national municipal policy and helping to strengthen and promote communities of all sizes.

Announcements

Thereupon, the Mayor Announced:

1. Joint City/County/School meeting: December 18, 2002 (County)
2. Work Study Session: December 23, 2002, (Canceled)
3. Work Study Session: December 30, 2002, (tentative)
4. City Commission Meeting: January 1, 2003, NONE (New Years Day)

NEXT REGULAR MEETING: JANUARY 15, 2003, AT 9:30

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 10:05 a.m.

Scott D. Bird, City Clerk