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**101 S. Hickory**  
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**TO:** Mayor and City Commissioners  
**RE:** **Study Session Agenda**  
**FROM:** Richard U. Nienstedt, City Manager

A Study Session is scheduled for **April 30, 2012 at 4:00 pm** in the conference room on the first floor of City Hall, 101 S. Hickory. The following items will be presented:

**I. Public Comments**

**II. Items to be Placed on the Regular City Commission Agenda**

- a. Minutes from the April 9 and 18, 2012 Special Call meetings; April 16, 2012 Study Session, and April 18, 2012 Regular Meeting. *pp. 2-10*
- b. Recognition of the Ottawa High School 2011-12 Boys and Girls Basketball Teams.
- c. A request to rezone 109 W. Ninth Street from C-1 Office & Service Business Zoning District to MU/RC Residential/Commercial Zoning District. *pp. 11-19*
- d. Slurry Seal Bid Summary and Recommendation *pp. 20-21*
- e. 2012 Street Rehabilitation Recommendation *pp. 22-24*
- f. A recommendation to seat Ruthanne Wasko as the Planning Commission representative on the Board of Zoning Appeals. *p. 25*

**III. Items for Presentation and Discussion**

- a. Interviews for the Board of Zoning Appeals and Tree Board. *pp. 26-31*
  - 4:30 Claudia Gibson - BZA
  - 4:45 Garry A. Niehoff - Tree Board
  - 5:00 Beth Bird - Tree Board
  - 5:15 David Drumright - Tree Board
  - 5:30 Sean Powell - Tree Board
  - 5:45 Jay Warren - Tree Board
- b. City Manager's Report  
A request to reschedule May 16 Regular Meeting to 7:00 pm  
15th Street sidewalk project ribbon cutting

**2012 Priorities**

Streets & Sidewalk Improvements • Economic Development • Parks • Business Development • Citizen Relations

c. Commissioners' Reports

d. Mayor's Report

**IV. Announcements**

May 2, 2012	<b>NEXT REGULAR MEETING</b> , 7:00 pm
May 7, 2012	15th Street sidewalk project ribbon cutting, 2:30 pm
May 7, 2012	Study Session, 4:00 pm
May 14, 2012	Study Session, 4:00 pm
May 16, 2012	Regular Meeting, rescheduled to 8:00 am
May 16, 2012	Special Call Meeting—County Summit, Franklin County Annex, 7:30 am
May 16, 2012	Joint City/County/USD 290 Luncheon canceled
May 21, 2012	Study Session, 4:00 pm – Cemetery Facilities Tour
May 28, 2012	City Offices Closed – Memorial Day holiday
May 28, 2012	Study Session canceled – Memorial Day holiday
June 11, 2012	Study Session, 4:00 pm – Parks Facilities Tour
July 23, 2012	Study Session, 4:00 pm – Streets Facilities Tour

**V. Adjourn**

**VI. Items Already Placed**

- a. A public hearing at the 7:00 pm Regular Meeting on Wednesday, May 2, 2012 for the purpose of considering the loan application for the Eastside Interceptor sanitary sewer project.
- b. An ordinance authorizing a loan agreement with KDHE for the purpose of financing the Eastside Interceptor project.

**City Commission**  
**Special Call Minutes**  
**April 9, 2012**  
**Large Conference Room, City Hall**  
**101 S. Hickory, Ottawa, Kansas**

The Governing Body met at 4:45 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Caylor, Commissioner Richards, Commissioner Reed, and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order.

**Purpose**

City Commission Retreat

- 1) Describe the most positive thing that has happened to you as a City Commissioner
- 2) Recurring themes of community-based leadership
- 3) What would you personally like to see happen in next 12 months to take Ottawa to next level?
  - a. Long-term financial plan
  - b. Economic development/business growth and job creation
  - c. Strengthen City/county relationship
  - d. Citizen involvement
- 4) 2012 Goals Refined
  - a. Streets and Sidewalks
  - b. Parks
  - c. Economic Development
  - d. Business Development
  - e. Citizen Relations

**Adjournment**

Upon motion and second the meeting was duly adjourned.

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Carolyn S. Snethen, City Clerk

April 9, 2012

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**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
April 16, 2012**

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

Mayor Jorgensen called the meeting to order.

**Public Comments**

None offered at this time.

**Review of Minutes**

The Governing Body reviewed minutes from the April 4, 2012 Regular Meeting and the April 9, 2012 Study Session and agreed to place these items on the next Regular Meeting agenda for April 18, 2012.

**Proclamation-National Volunteer Week**

The Governing Body reviewed a proclamation recognizing April 15-21, 2012 as National Volunteer Week and agreed to place this item on the next Regular Meeting agenda.

**Proclamation-Tom Weigand Day**

The Governing Body reviewed a proclamation recognizing April 24, 2012 as Tom Weigand Day and agreed to place this item on the next Regular Meeting agenda.

**Public Hearing-Eastside Interceptor Sanitary Sewer Project**

The Governing Body reviewed a request to hold a public hearing at the Regular Meeting on May 2, 2012 at 7 pm for the purpose of considering the loan application for the Eastside Interceptor sanitary sewer project. Commissioner Caylor made a motion, seconded by Commissioner Ramsey, to place the public hearing on the 7 pm May 2, 2012 Regular Meeting agenda. The motion was considered and upon being put, all present voted aye. The Mayor declared the request to place the public hearing duly approved.

**Ordinance-KDHE Loan Agreement**

The Governing Body reviewed an ordinance authorizing a loan agreement with KDHE for the purpose of financing the Eastside Interceptor project and agreed by consensus to place the ordinance on the Regular Meeting agenda on May 2, 2012.

**Report-“Electric System Master Plan”**

The Governing Body heard from DeAnn Dotson of Sawvel and Associates, Inc who provided a presentation on the recently completed “Electric System Master Plan”.

April 16, 2012

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During the presentation, Ms. Dotson and KMEA General Manager Bob Poehling addressed questions from the Governing Body.

### **Report-Open Positions on City Boards & Commissions**

City Manager Richard Nienstedt reported the City received 11 applications for the Ottawa Recreation Commission (ORC) Board and 6 applications for the Tree Board.

The Governing Body agreed by consensus to the following:

- All ORC interviews will be completed at the April 23, 2012 Study Session
- The 3 candidates that applied for the ORC and Tree Board will be asked additional questions during their ORC interview to cover the Tree Board interview concurrently
- Tree Board interviews will be completed at the April 30, 2012 Study Session

### **City Manager's Report**

The City Manager reported on the following:

- A revised draft agenda of the Governing Body's 2012 Priorities
- July 4 Regular Meeting: A Study Session will be held on July 2, 2012 at 5:30 pm. The Regular Commission Meeting will be held on July 2, 2012 at 7 pm due to the July 4<sup>th</sup> holiday.
- Facility visits: Scheduled for the third Monday of each month, lasting 1 – 1 ½ hours for tour of each facility. An attempt will be made for the "tour" to be the only agenda item.
- County Summit: Scheduled for May 16, 2012 at 9 am
- May 16, 2012 Regular Meeting is rescheduled for 8 am
- Director of Planning/Codes/Inspections Wynndee Lee announced the City was awarded a \$15,000 Lets Play Grant from Dr Pepper Snapple Group and non-profit KaBOOM! to use towards the purchase of an "Imagination Playground in a Box". The City will be partnering with the library and ORC and the equipment will be housed at the Don Woodward Center.

### **Commissioners' Reports**

The Governing Body discussed the 2012-2013 Board and Commission assignments and they are as follows: Ottawa Main Street Association, Commissioner Richards; Prairie Paws (Bea Martin Peck Animal Shelter), Commissioner Ramsey; Ottawa Library Board, Mayor Jorgensen; Chamber of Commerce, Commissioner Caylor; Ottawa/Franklin County Economic Development (O/FCED), Mayor Jorgensen; Kansas Municipal Energy Agency, Commissioner Reed; Airport Advisory Board, Mayor Jorgensen; Play Task Force, Commissioner Caylor; Stormwater Task Force, Commissioner Reed; Ottawa Recreation Commission, Governing Body will rotate; and Neighborhood Revitalization Committee, Commissioner Richards.

Commissioner Richards reported on the following:

- This is Kansas Private College Week and the City is fortunate to have Ottawa University in the community

April 16, 2012

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Commissioner Caylor reported on the following:

- This week is National Volunteer Week

### **Graduation-D.A.R.E. Program**

The Governing Body heard from Community Services Officer Larabe Alexander who announced this is the 27<sup>th</sup> year for the D.A.R.E. program and invited the Governing Body and public to attend the D.A.R.E. program graduations. The graduation programs are scheduled as follows:

- May 7, 2012: Lincoln School at 8:30 am
- May 8, 2012: Sacred Heart at 10:30 am
- May 8, 2012: Eugene Field at 2:30 pm
- May 10, 2012: Garfield at 1:30 pm

Commissioner Ramsey discussed concerns on the North side community garden. Mayor Jorgensen offered the use of his back lot if needed for the community garden.

### **Executive Session**

#### **Recess**

Commissioner Ramsey made a motion, seconded by Commissioner Richards, to recess into executive session to discuss attorney-client privilege with the City Manager, City Attorney, and Police Chief Dennis Butler present for a period of 10 minutes and to reconvene into open session at 5:38 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed.

#### **Reconvene**

Commissioner Richards made a motion, seconded by Commissioner Caylor, to reconvene into open session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 5:38 pm.

#### **Recess**

Commissioner Caylor made a motion, seconded by Commissioner Richards, to recess into executive session to discuss personnel matters of non-elected personnel with the City Manager, City Attorney, and Police Chief Dennis Butler present for a period of 10 minutes and to reconvene into open session at 5:48 pm. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly recessed.

#### **Reconvene**

Commissioner Caylor made a motion, seconded by Commissioner Richards, to reconvene into open session. The motion was considered and upon being put, all present voted aye. The Mayor declared the meeting duly reconvened at 5:48 pm.

*Mayor Jorgensen excused himself from the meeting at 5:50 pm.*

### **Announcements**

Mayor Caylor announced the following:

- April 18, 2012: City Park bridge dedication at 9 am
- April 18, 2012: Next Regular Meeting at 9:30 am
- April 18, 2012: City/County/USD 290 Luncheon at USD 290 Offices
- April 23, 2012: Study Session at 4 pm

### **Open Agenda**

City Attorney Bob Bezek discussed an option for interviewing applicants on City Boards and Commissions.

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Richards made a motion, seconded by Commissioner Ramsey, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Caylor declared the meeting duly adjourned at 5:56 pm.

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Carolyn S. Snethen, City Clerk

**City Commission**  
**Special Call Minutes**  
**April 18, 2012**  
**City Park, 5<sup>th</sup> & Main**  
**Ottawa, Kansas**

The Governing Body met at 9 am this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Caylor, Commissioner Richards, Commissioner Reed, and Commissioner Ramsey. A quorum was present.

**Purpose**

The Governing Body was in attendance at this Special Call meeting in order to attend a Public Dedication of the new bridge in City Park.

**Adjournment**

Upon motion and second the meeting was duly adjourned.

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Carolyn S. Snethen, City Clerk

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of April 18, 2012**

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

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Director of Planning/Codes/Inspections Wynndee Lee.

**Consent Agenda**

Commissioner Ramsey made a motion, seconded by Commissioner Richards, to approve the consent agenda. The consent agenda included the agenda and minutes from the April 2 and April 9, 2012 Study Sessions; and the April 4, 2012 Regular Meeting. The motion was considered and upon being put, all present voted aye. The Mayor declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

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

**Proclamation-Child Abuse Prevention & Awareness Month**

Mayor Jorgensen read a proclamation recognizing April as Child Abuse Prevention and Awareness Month and April 24, 2012 as "I am for the Child" Day. April is National Child Abuse Prevention and Awareness Month. Court-Appointed Special Advocates (CASA) volunteers Shelly Lojka and Sasha St John accepted the proclamation. Ms. Lojka thanked the Governing Body for the recognition and encouraged everyone to wear blue on April 24, 2012 in support of all children.

**Proclamation-Ottawa Volunteer Week**

Mayor Jorgensen read a proclamation recognizing Ottawa Volunteer Week. Volunteers provide much-needed assistance and support to many local organizations and businesses. Director of Ottawa Volunteer Center Lisa Rivers accepted the proclamation. Ms. Rivers thanked the Governing Body for recognizing Ottawa Volunteer Week and encouraged the community to donate their time. Ms. Rivers invited everyone to attend the volunteer appreciation luncheon at Washburn Towers on Friday, April 20, 2012 from 11am–1:30 pm.

April 18, 2012

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### **Proclamation-Tom Weigand**

Mayor Jorgensen read a proclamation recognizing Tom Weigand. After nearly 10 years of service to the Ottawa Area Chamber of Commerce, President and CEO Tom Weigand is moving on to his next career opportunity. The Governing Body thanked Tom for his work and commitment to the City of Ottawa. Mr. Weigand expressed his appreciation for this recognition and the support he received while serving Ottawa. Mayor Jorgensen thanked Mr. Weigand for the excellent job he has done over the years.

### **City Manager's Report**

The City Manager reported on the following:

- Joint City/County/USD 290 Luncheon today at USD 290 offices, 1404 S Ash

### **Commissioners' Reports**

Commissioner Caylor reported on the following:

- Today's meeting was a favorite as many great things that have happened in our community were celebrated
- Thanked the citizens for their generosity

Commissioner Reed reported on the following:

- Glad to be part of this morning's celebrations

Commissioner Richards reported on the following:

- Read a quote that is meaningful to him and encouraged everyone to live each day to their fullest potential

Commissioner Ramsey reported on the following:

- Our community is rich with volunteers
- Ottawa is a great community to be in

### **Announcements**

The Mayor announced the following:

- April 18, 2012: City/County/USD 290 Luncheon at USD 290 Offices, 1404 S. Ash
- April 23, 2012: Study Session at 4 pm
- April 30, 2012: Study Session at 4 pm
- May 2, 2012: Next Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Caylor made a motion, seconded by Commissioner Reed, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Jorgensen declared the meeting duly adjourned at 9:51 am.

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Carolyn S. Snethen, City Clerk  
April 18, 2012

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## STAFF MEMORANDUM

Target Meeting Date: May 2, 2012

**TO:** Richard U. Nienstedt, City Manager

**FROM:** Staff

**DATE:** April 23, 2012

**SUBJECT:** **Rezone request** filed by Ottawa Community Church and Key Marketing, LLC, to rezone the property located at 109 W. 9th Street from C-1, Office & Service Business District to MU/RC Mixed Use Residential/Commercial District.

**Comments:** The Planning Commission held a public hearing on April 11, 2012 and reviewed the proposed rezone. The applicant made a presentation stating he need to relocate to a larger building due to impending changes in Kansas liquor laws. There were no other public comments.

The recommendation of staff to approve the requested rezoning from C-1, Office & Service Business District to MU/RC Mixed Use Residential/Commercial District is based on the following conclusions:

- The change in classification is consistent with the intent of the MU/RC district regulations.
- If changed the surrounding area will not negatively impact the subject property and, conversely, the proposed change will not have an adverse effect on the surrounding neighborhood.
- The subject property is suitable for commercial development, at a limited scale.
- Adequate utilities and public services are available to serve uses permitted as changed.
- The proposed change is consistent with the City's Comprehensive Plan.

The Planning Commission recommends to the City Commission by a vote of 6-0 approval of the rezone action.

Attachments: Ordinance  
Staff Findings  
Location Map

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE RE-ZONING AN AREA WITHIN THE CITY OF OTTAWA, KANSAS, AND REPEALING THE CORRESPONDING SECTION OF THE ZONING MAP WHICH IS A PART OF ORDINANCE NO. 3501-05 OF THE CITY OF OTTAWA, KANSAS.

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the City of Ottawa, Kansas, as follows:

**Section 1:** RE-ZONING WITHIN CITY LIMITS. Pursuant to recommendations issued by the City Planning Commission of the City of Ottawa, Kansas, after a public hearing, notice of which was duly given; the following described parcels of land, situated within the City of Ottawa, Franklin County, Kansas is hereby re-zoned from C-1 Office & Service Business Zoning District to MU/RC Residential/Commercial Zoning District.

Lots 42, 44, 46, and 48, Block 4, Sheldon's Subdivision, in the City of Ottawa, Franklin County, Kansas. Commonly known as 109 W. 9<sup>th</sup>.

**Section 2:** REPEALING A SECTION OF THE ZONING MAP. The section of the zoning map designating the above-described parcel of land as C-1 is hereby repealed.

**Section 3:** EFFECTIVE DATE; PUBLICATION. This ordinance shall take effect after its publication in the official city newspaper.

PASSED AND ADOPTED by the Governing Body of the City of Ottawa, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## STAFF & PLANNING COMMISSION REPORT

**TO:** City Commission

**FROM:** Staff & Planning Commission

**MEETING DATE:** April 11, 2012

**SUBJECT:** Request filed by Key Marketing LLC to rezone property located at 109 W. Ninth Street, in the City of Ottawa, from C-1, Office and Service Business District to MU/RC, Mixed Use / Residential-Commercial District.

**Summary:** The subject property is located at the northwest corner of the intersection of Ninth and Main streets. The property is developed with a church building and a residential structure. The site is 100 feet wide, along Main, and 150 feet deep along Ninth Street. The applicant has submitted the rezone request in order to facilitate redevelopment of the site.

It is the recommendation of staff that the rezoning request be approved.

### Findings

**When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based, using the following guidelines. Note that all references to agriculture in this report also include associated residential uses.**

**1. Whether the change in classification would be consistent with the intent and purpose of these regulations;**

The intent of the Mixed Use Districts is to accommodate compatible mixed-use development. The intent of the Mixed Use/Residential-Commercial (MU/RC) District is to encourage compatible mixed use residential and commercial uses of low to moderate intensity, complementing neighborhood residential areas with high quality development and urban design standards.

**Staff & Planning Commission Finding:**

The change in classification is consistent with the intent of the MU/RC district regulations.

**2. The character and condition of the surrounding neighborhood and its effect on the proposed change;**

The neighborhood is a mix of long established commercial and residential uses. The subject property is a church building and a residential structure. There are additional residential uses west and north of the subject property, as well as across Ninth Street and Main Street. The corner properties at the intersection are Ransom Hospitals' Gollier Center (former Apple Market), Subway sandwich shop, and a vacant commercial space, formerly Briscoe Drug.

**Staff & Planning Commission Finding:**

Despite the long established commercial uses, the neighborhood surrounding the subject property is primarily residential. The inclusion of commercial uses in the development pattern at this intersection was intended to serve merely as a neighborhood center. The surrounding neighborhood has seen reinvestment in the past ten years. The proposed change confirms the existing pattern of neighborhood commercial uses among residential uses, resulting in stabilization of the surrounding area.

**3. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions;**

The area around the subject property has remained stable for many years. The most recent large investment at this location was the development of the Gollier Center in 2001.

**Staff & Planning Commission Finding:**

The development of the Gollier Center at 901 S. Main Street was a reduction of the intensity of use from a retail use to an office use, essentially changing it from a C-2 to C-1 type of use.

**4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification;**

The commercial uses (Gollier, Subway, China Palace and Briscoe) at the intersection of Ninth and Main are zoned C-1, Office and Service Business District. The residential uses adjacent to the subject property are R-1, Low Density Residential District, as are the properties south of Ninth Street. The residential uses on the east side of Main Street are zoned R-2, Medium Density Residential District.

**Staff & Planning Commission Finding:**

The MU/RC classification allows varied density of residential uses and limited commercial uses, which is intended to be compatible with the surrounding neighborhoods. The size of the subject property does not allow for much buffering between the existing residential uses. However, the existing development pattern provides some natural buffering between the church and neighboring residences. Maintaining the house on this site is planned and will allow for a buffer, avoiding any adverse impact on the adjacent residential structures to the west. To the north, buffering would likely be accomplished by screening, if the site is redeveloped. The tracts to the north are prime for redevelopment as well.

**5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on other property in the immediate vicinity;**

The MU/RC district allows the uses permitted in the R-2, R-3, C-1 and C-2 districts, which includes a varied density of residential uses and a wide variety of commercial uses at limited scale of development.

**Staff & Planning Commission Finding:**

Some of uses permitted by the reclassification are not compatible with those existing on adjacent property. These include restaurants, and retail sales and services. The limited scale of building area was created to make retail or other high traffic uses more compatible with surrounding residential areas. There are permitted uses that are compatible with the surrounding area, such as the residential development that is permitted. All new construction in the district is limited to 5,000 square feet of ground floor area. However, the applicant has indicated a desire to build a project that is far less than the ground

floor area permitted by the regulations, about 3,500 square feet of gross building area. In addition the change will make the residential use a conforming use.

6. The suitability of the applicants property for the uses to which it has been restricted;

Residential or neighborhood commercial uses are most compatible at this location at this time, and have been developed as such for a number of years.

**Staff & Planning Commission Finding:**

If changed, the property will continue to be limited to residential and neighborhood commercial uses, for which it is most suitable.

7. **The length of time the subject property has remained vacant or undeveloped as zoned;**

The subject property has been developed with the existing structures since approximately 1910.

**Staff & Planning Commission Finding:**

The buildings on the subject property have been occupied on a regular basis. Thus, this factor is not applicable.

8. Whether adequate sewer and water facilities, and all other needed public services exist or can be provided to serve the uses that would be permitted on the property if it were reclassified;

There are adequate utilities and public services at this site to accommodate development. Ninth Street at this location is classified as a local street and is improved with only a brick surface.

**Staff & Planning Commission Finding:**

While utilities and public services are in place to accommodate redevelopment of the subject property, Ninth Street is a substandard street, due to the brick surface and width, which is only 22 feet. The current standard for a local residential street is 24 foot width, while the standard for a local commercial street is 26 feet. As the scale is still small it does not appear the traffic would be impacted and, in fact, parking may be less of an issue that with the current church use. Any increase in intensity or accidents would likely cause staff to review and, possibly, recommend removal of the on-street parking at the intersection. Preliminary review indicates that limited commercial development on the property, driveway accesses onto Ninth Street, may improve the functional area of the adjacent intersection.

9. **The general amount of vacant land that currently has the same zoning classification proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development;**

There is a very small amount of property in the City that is zoned MU/RC. These locations include individual properties in the 1100 block of North Main Street, the area in the 100 and 200 blocks of East Logan Street, and the area along South Elm and West Twenty-third streets.

**Staff & Planning Commission Finding:**

Although most of the locations currently zoned MU/RC are developed, the properties along South Elm and West Twenty-third streets are available for development.

10. Whether the proposed amendment would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;

There is consistency with the City's comprehensive plan in regard to the proposed rezoning. The Future Land Use portion of the Comprehensive Plan designates the subject property as commercial/ residential. The narrative related to commercial uses specifically calls for retail activities to be located along Main Street. Other text describing the commercial category prescribes that "the scale and character of Commercial development should be compatible with the surrounding uses." (Comp Plan page 4-6). Other recommendations related to commercial development show to "cluster neighborhood centers at the arterial roads that connect to the highways." (p. 5-4) Another recommendation is to preserve the existing housing stock in the community.

**Staff & Planning Commission Finding:**

The proposal is consistent with the Future Land Use Map. The proposed amendment is consistent for the subject property as the map indicates an ability to reuse the nonresidential part of the property, while also keeping the residential use, maintaining a pattern of neighborhood commercial uses. Consistency with development standards would be expected during the development process if the area is rezoned.

11. **Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification; and,**

This factor is addressed in the finding below.

**Staff & Planning Commission Finding:**

The findings above illustrate that the proposed location is suitable for commercial development, which is compatible with the surrounding area. Although there are public interests that require protection, the additional uses allowed by the change create only a marginal possibility of harm to the public interests. As the property is currently zoned for commercial use, the hardship that results from not recommending the change is not outweighed by the marginal harm that may result by allowing such change.

12. **Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application**

13. **The recommendations of professional staff;**

It is the recommendation of staff that the requested rezoning C-1 to MU/RC be **approved** based on the following conclusions:

- The change in classification is consistent with the intent of the MU/RC district regulations.

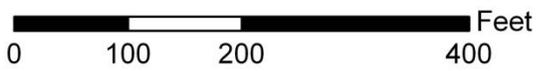
- If changed the surrounding area will not negatively impact the subject property and, conversely, the proposed change will not have an adverse effect on the surrounding neighborhood.
- The subject property is suitable for commercial development, at a limited scale.
- Adequate utilities and public services are available to serve uses permitted as changed.
- The proposed change is consistent with the City's Comprehensive Plan.

# Location Map

Address: 109 W. Ninth Street  
Owner: Ottawa Community Church  
Applicant: Key Marketing LLC  
Current Zoning: C-1, Office & Service Business District  
Current Land Use: Church building and single family home



Aerial Photo



CITY OF OTTAWA, KANSAS  
MEMORANDUM

TO: Richard Nienstedt  
FROM: Andy Haney  
SUBJECT: Bid Summary and RRECOMMENDATION - Ottawa Slurry Seal (2012)  
DATE: April 26, 2012

Attached is a summary of the bids received for the 2012 Slurry Seal Program. The project consists of approximately 30,217 square yards of Slurry Seal surface rehabilitation at the following locations:

<b>STREET</b>	<b>From</b>	<b>To</b>
10th St.	Main St.	Cedar St.
Locust St.	1st St.	N to dead end
6th St.	Willow St.	Ash St.
6th St.	Pine St.	Beech St.
Locust St.	7th St.	8th St.
Poplar St.	4th St.	5th St.
4th St.	Elm St.	Maple St.
4th St.	Walnut St.	Elm St.
Locust St.	7th St.	9th St.
3rd St.	Locust St.	Elm St.
5th St.	Cherry St.	Sycamore St.
Walton St.	Lincoln St.	Burrough St.
5th St.	Ash St.	Pine St.
Mulberry St.	3rd St.	4th St.
8th St.	Burrough St.	Cherry St.
8th St.	Lincoln St.	Burrough St.
5th St.	Sycamore St.	Mulberry St.
Willow Street	2nd St.	3rd St.

This list constitutes all of the remaining streets for which slurry seal is the appropriate treatment, based on the condition survey completed as an element of the Transportation Master Plan. The lowest cost proposal was the only one received that "met" the specifications. All other proposals exceed the minimum specifications, but at significantly higher expense. We did forward the details to the City Engineer for review. His recommendation was that the cost difference was too significant not to accept the low bid, which meets our specifications. He did indicate that the best alternative of the highest cost proposals would be the one from Ballou Pavement, as the amount of material they proposed to apply was significantly higher. Staff had hoped to implement a micro-surfacing program to enable a comparison of the methods over the coming years. However, the cost differential is too significant in our opinion.

**RECOMMENDATION**

Staff recommendation is that the contract be awarded to Vance Brothers Construction in the amount of \$65,873.06 (estimated). The final payment amount will be based on the actual number of square yards completed.

2012 Street Rehabilitation - Type II Slurry Seal  
 Bid Opening  
 Wednesday, April 18, 2012 at 2:00 p.m.

<b>Bidder / Vendor Name</b>	<b>Description</b>	<b>Unit Price</b>	<b>Est. SY</b>	<b>Calculated Total Price</b>	<b>Bid Total</b>
Vance Brothers	Type II Slurry Seal	\$2.18	30,217	\$ 65,873.06	\$ 65,873.06
Donelson Construction (1)	Type 1 Micro-surfacing	\$3.18	30,217	\$ 96,090.06	\$ 96,090.06
Ballou Pavement	Micro-surfacing @ 20# per SY	\$3.51	30,217	\$ 106,061.67	\$ 106,061.67
Donelson Construction (2)	Type 2 Micro-surfacing	\$3.70	30,217	\$ 111,802.90	\$ 111,802.90

CITY OF OTTAWA, KANSAS  
MEMORANDUM

TO: Richard U. Nienstedt, City Manager  
 FROM: Andy Haney  
 COPY TO: Scott Bird, Larry Matile  
 SUBJECT: 2012 Street Rehabilitation Recommendation  
 DATE: March 15, 2012



Attached is a summary of information related to street improvements for this year. Our intent is to present this for City Commission review and direction relative to how much of the attached list of projects (and which specific projects) meets with their approval.

Following the Commission's action, we request authority to proceed as necessary to solicit proposals and retain a contractor to complete the SLURRY SEAL and/or OVERLAY projects.

Attached are:

- a list of 2012 (Potential) Slurry Seal projects; and
- a list of 2012 (Potential) Street Overlay projects; and

We have yet to receive information from KDOT concerning the Request to Exchange Federal Funds. We anticipate submitting the entire list of potential projects to be included, as we did last year.

The slurry and overlay lists were initially developed using the Pavement Condition Index (PCI) that was an element of the Transportation Master Plan. Streets personnel reviewed those evaluations in the field, modifying the list as they determined appropriate to most effectively allocate available funds.

**Slurry Seal Projects:** The attached list is prioritized using a "worst-first" approach. We believe it would be best to work the list from top to bottom, but any project on the list merits completion. We recommend completing this entire list during 2012, as that will make the application somewhat cost-effective.

Aside from this proposal, we have been in contact with the contractor who completed slurry seal last year, and their stated intent is to complete a "repair" to the rough surface on 17<sup>th</sup> Street on a trip through Ottawa to another job location (tentatively this spring). We do not anticipate any expense associated with that repair.

An estimate for each project is attached. The last column represents the cumulative estimated cost should the priority list be used to schedule projects.

**Overlay Projects:** This list is also prioritized using a "worst-first" approach, to be worked from top to bottom, and also includes estimates. Those streets on the north side of the river are highlighted in yellow.

**Crack Sealing:** Street crews continue to work through the crack sealing program, generally working on streets that were evaluated to be in better condition than the ones on these lists. Using a competitive quote process, we have already purchased a truckload of crack sealing materials for this year.

### 2012 (POTENTIAL) SLURRY SEAL PROJECTS LIST

CITY COMMISSION PRIORITY	PW STAFF PRIORITY	STREET	From	To	ESTIMATED PROJECT COST	ESTIMATED CUMULATIVE COST
	1	10th St.	Main St.	Cedar St.	\$ 4,200	\$ 4,200
	2	Locust St.	1st St.	N to dead end	\$ 2,553	\$ 6,753
	3	6th St.	Willow St.	Ash St.	\$ 2,507	\$ 9,260
	4	6th St.	Pine St.	Beech St.	\$ 1,840	\$ 11,100
	5	Locust St.	7th St.	8th St.	\$ 4,427	\$ 15,527
	6	Poplar St.	4th St.	5th St.	\$ 3,553	\$ 19,080
	7	4th St.	Elm St.	Maple St.	\$ 2,147	\$ 21,227
	8	4th St.	Walnut St.	Elm St.	\$ 4,107	\$ 25,333
	9	Locust St.	7th St.	9th St.	\$ 7,040	\$ 32,373
	10	3rd St.	Locust St.	Elm St.	\$ 2,100	\$ 34,473
	11	5th St.	Cherry St.	Sycamore St.	\$ 3,000	\$ 37,473
	12	Walton St.	Lincoln St.	Burrough St.	\$ 2,898	\$ 40,371
	13	5th St.	Ash St.	Pine St.	\$ 4,779	\$ 45,150
	14	Mulberry St.	3rd St.	4th St.	\$ 2,601	\$ 47,751
	15	8th St.	Burrough St.	Cherry St.	\$ 2,951	\$ 50,702
	16	8th St.	Lincoln St.	Burrough St.	\$ 2,778	\$ 53,480
	17	5th St.	Sycamore St.	Mulberry St.	\$ 3,400	\$ 56,880
	18	Willow Street	2nd St.	3rd St.	\$ 3,553	\$ 60,434

## 2012 (POTENTIAL) STREET OVERLAY PROJECTS LIST

CITY COMMISSION PRIORITY	PW STAFF PRIORITY	STREET	From	To	ACTION	ESTIMATED PROJECT COST	ESTIMATED CUMULATIVE COST
	1	9th St.	Mulberry St.	Poplar St.	Mill & 1.5" OL	\$ 26,088	\$ 26,088
	2	Locust St.	1st St.	7th St.	Mill & 1.5" OL	\$ 98,721	\$ 124,809
	3	Hickory St.	9th St.	12th St.	Mill & 1.5" OL	\$ 52,671	\$ 177,480
	4	14th St.	Main St.	Cedar St.	Mill & 1.5" OL	\$ 24,013	\$ 201,493
	5	13th St.	Main St.	Cedar St.	Mill & 1.5" OL	\$ 24,310	\$ 225,802
	6	11th St.	Willow St.	Pine St.	Edge Mill & 1.5" OL	\$ 43,590	\$ 269,392
	7	Ash St.	10th St.	15th St.	Edge Mill & 2" OL	\$ 103,730	\$ 373,122
	8	4th St.	Cedar St.	Hickory St.	Mill & 1.5" OL	\$ 12,748	\$ 385,870
	9	6th St.	Maple St.	Willow St.	Mill & 1.5" OL	\$ 9,487	\$ 395,356
	10	Logan St.	Main St.	Oak St.	Edge Mill & 1.5" OL	\$ 21,646	\$ 417,002
	11	Sycamore St.	Wilson St.	Blackhawk St.	Edge Mill & 1.5" OL	\$ 23,810	\$ 718,739
	12	Powhattan St.	Main St.	Oak St.	Mill & 1.5" OL	\$ 26,958	\$ 443,960
	13	Poplar St.	4th St.	3rd St.	Level Course & 1.5" OL	\$ 9,679	\$ 453,639
	14	Spruce St.	K-68 (Logan)	Fairway Dr.	Edge Mill & 1.5" OL	\$ 29,985	\$ 483,624
	15	Sycamore St.	3rd St.	4th St.	Level Course & 1.5" OL	\$ 9,751	\$ 493,375
	16	Powhattan St.	Hemlock St.	Spruce St.	Edge Mill & 1.5" OL	\$ 3,823	\$ 497,198
	17	5th St.	Hickory St.	Main St.	Edge Mill & 1.5" OL	\$ 15,117	\$ 512,315
	18	Blackhawk St.	Main St.	King St.	Mill & 1.5" OL	\$ 6,087	\$ 518,402
	19a	3rd St.	Elm St.	Maple St.	Edge Mill & 1.5" OL	\$ 7,036	\$ 525,438
	19b	3rd St.	Walnut St.	Locust St.	Mill & 1.5" OL	\$ 8,342	\$ 533,781
	20	7th St.	Burrough St.	Linwood St.	Edge Mill & 1.5" OL	\$ 7,170	\$ 540,950
	21	Elm St.	11th St.	15th St.	Edge Mill & 1.5" OL	\$ 37,968	\$ 578,918
	22	19th St.	Ash St.	Eisenhower	Level Course & 1.5" OL	\$ 54,375	\$ 633,293
	23	5th St.	Poplar St.	Oak St.	Edge Mill & 1.5" OL	\$ 9,741	\$ 643,034
	24	5th St.	Mulberry St.	Poplar St.	Edge Mill & 1.5" OL	\$ 10,282	\$ 653,316
	25	5th St.	Walnut St.	Locust St.	Edge Mill & 1.5" OL	\$ 7,646	\$ 660,961
	26	Cypress St.	8th St.	9th St.	Level Course & 1.5" OL	\$ 14,953	\$ 675,914
	27	Sycamore St.	Grant St.	Garfield St.	Edge Mill & 1.5" OL	\$ 19,014	\$ 694,928

**STAFF MEMORANDUM**

**Target Meeting Date: April 18, 2012**

**TO:** Richard Nienstedt, City Manager  
**FROM:** Wynndee S. Lee, AICP, Director of Planning & Codes Administration  
**DATE:** April 10, 2012  
**SUBJECT:** Appointment to the Board of Zoning Appeals

One member of the Board of Zoning Appeals is to be a member of the Planning Commission. At their last study session the Planning Commission nominated Ruthanne Wasko to server in this role for the 2012 - 2013 term.

Please appoint Ruthanne Wasko as the Planning Commission member to the Board of Zoning Appeals at your earliest convenience.

**Application to Serve on a City of Ottawa Board or Commission**

Name: Claudia T. Gibson

Home Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone \_\_\_\_\_

Email Address: \_\_\_\_\_

Place of Employment Gibson Electric LLC

How long have you been a resident of Ottawa? 39 1/2 years

How long have you been a resident of Fr. Co.? 39 1/2 year

Name of Board(s) you are interested in serving on: Board of Zoning Appeals

How much time could you devote per month? 2 hrs.

Are you related to a Board/Commission member or a City employee? No

Briefly describe why you are interested in serving on a Board for the City of Ottawa? \_\_\_\_\_

I have been a resident in the Ottawa/Franklin  
county area for almost 40 years, and I  
feel I can make a contribution to the  
community in this way. I'd appreciate  
your consideration when making the appointment.

Please list any groups or activities which you participate in and which might demonstrate your involvement in your community.

First United Methodist Church  
Ransom Memorial Hospital Auxiliary Volunteer  
Meals on wheels - deliver each week.

SIGNATURE: Claudia T. Gibson DATE: 4-26-2012

**Thank you for your interest in serving on a City Board/Commission!  
Please complete this form and return to the City Manager's Office, City Hall 101 S. Hickory**

4:30

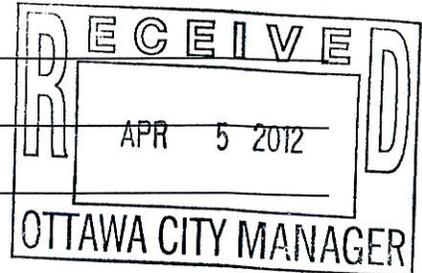


**City of Ottawa, Kansas  
Application to Serve on a Board or Commission**

Name of Board(s) you wish to serve on Tree Board

Name Garry A Niehoff

Address \_\_\_\_\_



Do you live within the City limits?  yes  no

If no, do you live within 3 miles of the city limits?

yes  no

Home phone number \_\_\_\_\_ Cell phone number \_\_\_\_\_

Email address \_\_\_\_\_

Place of employment retired

How long have you been a resident of Ottawa? 1 year

How long have you been a resident of Franklin County? 1 year

How much time can you devote to serving each month? Several hours

Are you related to a Board/Commission member or a City employee?  yes  no

Briefly describe why you are interested in serving on a Board for the City of Ottawa.

my home backs up to Kanzo Park -  
I feel we need to have a plan to  
replace trees in Kanzo Park and other Parks in  
town

List any groups or activities to which you belong and which may demonstrate your involvement in the community.

I help deliver beds, chairs etc for cancer  
Foundation. Work part time at Country Club.  
involved at Faith Lutheran church

Signature Garry A Niehoff Date 4-5-12

**Thank you for your interest in serving on a City Board/Commission. Please complete this form and return it to the City Manager's Office, City Hall, PO Box 60, Ottawa, KS 66067; or bring to the Second Floor of City Hall at 101 S. Hickory. Receipt of applications will be acknowledged. If you have questions, please contact Leslie Quillen at 785-229-3637, or by email at: [lquillen@ottawaks.gov](mailto:lquillen@ottawaks.gov).**

4045

**Application to Serve on a City of Ottawa Board or Commission**

Name: Amanda Beth Bird

Home Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Place of Employment Ottawa University

How long have you been a resident of Ottawa? Since Jan. 2001

How long have you been a resident of Fr. Co.? Since Jan. 2001

Name of Board(s) you are interested in serving on: Tree Board

How much time could you devote per month? 5-10 hours as needed

Are you related to a Board/Commission member or a City employee? Scott Bird (father-in-law)

Briefly describe why you are interested in serving on a Board for the City of Ottawa? \_\_\_\_\_

I am looking for a way to contribute to the local community and be more involved. I am interested in serving on the tree board. I currently work at Ottawa University but have previously worked in landscaping and design. I have always admired the trees in Ottawa and believe I would enjoy serving on this board.

Please list any groups or activities which you participate in and which might demonstrate your involvement in your community.

I assist with the AWANA group (youth) at my church and help my daughter with her 4-H group projects, particularly community service (like Numana).

SIGNATURE: [Signature] DATE: 3-29-2012

**Thank you for your interest in serving on a City Board/Commission!  
Please complete this form and return to the City Manager's Office, City Hall 101 S. Hickory**

5:00

**Application to Serve on a City of Ottawa Board or Commission**

Name: DAVID DRUMPKETT

Home Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone \_\_\_\_\_

Email Address: \_\_\_\_\_

Place of Employment SELF

How long have you been a resident of Ottawa? life

How long have you been a resident of Fr. Co.? life

Name of Board(s) you are interested in serving on:  
OTTAWA TREE ADVISORY BOARD

How much time could you devote per month? SEVERAL HOURS - MORE AS NECESSARY

Are you related to a Board/Commission member or a City employee? NO

Briefly describe why you are interested in serving on a Board for the City of Ottawa?  
longtime friend of ROBERT BELL  
interest in trees  
CARE ABOUT OTTAWA

Please list any groups or activities which you participate in and which might demonstrate your involvement in your community.  
FARMER RMH board member  
support local organizations with work and \$

SIGNATURE: David Drumkett DATE: 04/17/12

**Thank you for your interest in serving on a City Board/Commission!**  
**Please complete this form and return to the City Manager's Office, City Hall 101 S. Hickory**

5:15

**Leslie Quillen**

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**Subject:** FW: Response to Tree Board appointment

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**From:** Sean Powell

**Sent:** Friday, April 06, 2012 8:59 PM

**To:** Lisa Borjas

**Subject:**

I am interested in renewing my appointment to the Ottawa Tree Board. I would appreciate another term serving with this group of people. This is my way of being a benefit to my community. Thank you for the consideration.

Sean Powell

**Application to Serve on a City of Ottawa Board or Commission**

Name: Jay Warren

Home Address: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Evening Phone \_\_\_\_\_

Email Address: \_\_\_\_\_

Place of Employment Loma Vista Nursery

How long have you been a resident of Ottawa? 1 year + 3 months

How long have you been a resident of Fr. Co.? 1 year + 3 months

Name of Board(s) you are interested in serving on: Tree Board or Ottawa Recreation Commission

How much time could you devote per month? 20-40 hours

Are you related to a Board/Commission member or a City employee? No

Briefly describe why you are interested in serving on a Board for the City of Ottawa?

I have a passion for trees as well as a good knowledge of the growth, mature size, and proper placement and care of trees. In addition, I have the desire to help the city and become more involved with helping the City Commission.

Please list any groups or activities which you participate in and which might demonstrate your involvement in your community.

I am not currently involved in any groups or activities. I am hoping this will help get my foot in the door and get me involved.

SIGNATURE: Jay M. Warren

DATE: 4/12/12

**Thank you for your interest in serving on a City Board/Commission!  
Please complete this form and return to the City Manager's Office, City Hall 101 S. Hickory**

5:45