



If you need this information in another format or require a reasonable accommodation to attend this meeting, please contact the City Clerk's office at 785-229-3600. Please provide advance notice of at least two (2) working days. TTY users please call 711.

**101 S. Hickory**  
**PO Box 60**  
**Ottawa, KS 66067-0060**  
Phone: 785-229-3600  
Fax: 785-229-3639  
www.ottawaks.gov  
www.facebook.com/ottawaks

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

A Study Session is scheduled for **May 14, 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 May 2, 2012 Regular Meeting; the May 7, 2012 Special Call Meeting; and the May 7, 2012 Study Session. *pp. 3 - 15*
- b. A proclamation recognizing May 13 – 19, 2012 as Police Week. *p. 16*
- c. Recognition of Ken Hennessey upon his retirement after 19 years of service to the City of Ottawa.
- d. A notification from Josh Walker, Loyd Builders, to improve existing Ottawa University parking for Atkinson Hall which falls in the right-of-way on Ninth Street. *pp. 17 - 19*
- e. A request for a hearing at the May 16, 2012 Regular Meeting on the impact of a proposed Tauy Jones Hall parking lot on the historical environs of Tauy Jones Hall. *pp. 20 - 27*
- f. A resolution to establish a public hearing on July 2, 2012 at 7:00 pm for the consideration of the condemnation of the property located at 936 Hamblin. *pp. 28 - 39*
- g. A resolution to establish a public hearing on July 2, 2012 at 7:00 pm for the consideration of the condemnation of the property located at 830 S. Cherry. *pp. 40 - 52*
- h. A resolution to establish a public hearing on July 2, 2012 at 7:00 pm for the consideration of the condemnation of the property located at 804 S. Cherry. *pp. 53 - 65*

**III. Items for Presentation and Discussion**

- a. Bob Poehling, General Manager of KMEA will present an update on the Power Supply Committee progress and the Southwest Power Pool (SPP) marketplace.
- b. Blaine Finch and David Lee, Ottawa Franklin County Economic Development, will provide an update on OFCED.

**2012 Priorities**

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

- c. A request from Steve Geiss, Post Adjutant, American Legion Warren C. Black Post 60, to distribute “Buckle Up for Safety” flyers on Friday, May 25 to vehicles at the intersection at Fourth and Main. *p. 66*
- d. City Manager’s Report
- e. Commissioners’ Reports
- f. Mayor’s Report

**IV. Announcements**

May 16, 2012	<b>NEXT REGULAR MEETING, rescheduled to 7:00 pm</b>
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 4, 2012	Study Session, 4:00 pm
June 6, 2012	Regular Meeting, 7:00 pm
June 11, 2012	Study Session, 4:00 pm – Parks Facilities Tour
June 18, 2012	Study Session, 4:00 pm
June 20, 2012	Regular Meeting, 9:30 am
June 25, 2012	Study Session, 4:00 pm
July 23, 2012	Study Session, 4:00 pm – Streets Facilities Tour

**V. Adjourn**

**CITY COMMISSION  
Regular Meeting Minutes  
Commission Chambers  
101 S. Hickory, Ottawa, Kansas  
Minutes of May 2, 2012**

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jorgensen, Commissioner Richards, Commissioner Caylor, and Commissioner Ramsey. Commissioner Reed was absent. 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 Finance Scott Bird.

**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 9 and 18, 2012 Special Call meetings; April 16, 2012 Study Session, and April 18, 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 – 2011-2012 Ottawa High School Girls Basketball Team**

Mayor Jorgensen read a proclamation recognizing the 2011-2012 Ottawa High School Girls Basketball Team. The 2011-2012 Ottawa High School Girls Basketball Team ended an impressive season with a sub-state championship and third-place finish in state competition. Coach Cliff McCullough accepted the proclamation and thanked the Governing Body and the City for recognizing the team's hard work.

**Proclamation – 2011-2012 Ottawa High School Boys Basketball Team**

Mayor Jorgensen read a proclamation recognizing the 2011-2012 Ottawa High School Boys Basketball Team. The 2011-2012 Ottawa High School Boys Basketball Team had a record-shattering season which included several team and individual records, and a record most wins in a season in school history. Coach Jon McKowen accepted the proclamation and thanked the Governing Body for the recognition.

May 2, 2012

Unofficial Until Approved

**Proclamation – Community Action Month**

Commissioner Caylor read a proclamation recognizing May 2012 as Community Action Month. Community Action Agencies help low-income families achieve economic security. East Central Kansas Economic Opportunity Corporation (ECKAN) CEO Richard Jackson accepted the proclamation and thanked the Governing Body for the recognition and their support. Mr. Jackson announced upcoming ECKAN events:

- May 15, 2012: ECKAN Board Meeting at United Methodist Church
- Ground breaking at duplex site on North Side
- Project “Poverty A-Z” display

**Proclamation – Building Safety Month**

Commissioner Richards read a proclamation recognizing May 2012 as Building Safety Month. The International Code Council Foundation created Building Safety Month to expand awareness of the importance of a safe and sustainable built environment and critical role of building and fire codes and code officials. Director of Planning/Codes/Inspections Wynndee Lee accepted the proclamation and thanked the Governing Body for the recognition. Ms. Lee announced the following upcoming events:

- May 18, 2012: Planning and Codes staff will be available to answer questions at CMI from 8:30-11am
- May 25, 2012: Planning and Codes staff will be available to answer questions at Trendel Lumber Company from 8:30-11am

**Public Meeting – Eastside Interceptor Sanitary Sewer Project**

The Mayor explained a public meeting is needed for the purpose of presenting the Eastside Interceptor Sanitary Sewer Project.

Mayor Jorgensen opened the Public Meeting at 7:20 pm.

The Governing Body heard from Professional Engineering Consultants (PEC) representative Rod Hofer who provided an overview of the project and distributed a handout to the public (see next page).

This section intentionally left blank.

**PUBLIC MEETING FACT SHEET**  
**Ottawa Eastside Interceptor Sewer Project**  
**KDHE Project No. C20-1928-01**  
**May 2, 2012**

- **General Comments:**
  - ✓ Public meeting and hearing intended to provide public participation per KAR 28-16-136
  - ✓ Please sign-in on the attendee list
  - ✓ If you desire to have written comments entered into the records of the Public Hearing, please complete a Public Hearing Comment form.
  
- **Eastside Interceptor Sewer Assessment Report**
  - ✓ The ESIS appears to be hydraulically overloaded along its entire length
  - ✓ City has experienced sewer overflows and backups along the ESIS during wet-weather events
  - ✓ Television inspection of the existing VCP interceptor sewer revealed significant portions in poor to very poor condition with significant structural damage and the existing DIP interceptor sewer with moderate internal tuberculation.
  - ✓ The recently completed Rock Creek PS is designed at 850 gpm with future expansion to 1,200 gpm. The calculated capacity of the existing receiving sewer is approximately 650 gpm.
  - ✓ Installation of multiple, permanent flow monitoring locations along the ESIS will provide long-term data to evaluate any remaining deficiencies and assist in future planning.
  - ✓ Three alternatives were evaluated:
    - Alternative A: New 36" interceptor from 3<sup>rd</sup> Street to 9<sup>th</sup> and Lincoln. Combination of new and existing interceptor sewer upstream of 9<sup>th</sup> & Lincoln to convey flows with relief line in OU sports field area. Replacement of west branch of existing interceptor by new 24" sewer.
    - Alternative B: Similar to Alternative A except for different OU relief line and sizing.
    - Alternative C: New 36" interceptor from 3<sup>rd</sup> Street to 9<sup>th</sup> and Lincoln. Construct new 30" interceptor upstream to discharge manhole for Rock Creek PS and Rockwood PS force mains. Rehabilitate existing sewers that remain in service.
  - ✓ Alternative C was recommended as the most cost-effective in meeting current and future objectives. Alternative C would be able to convey 100% of the projected wastewater flow from the 2040 10-Year storm event as estimated in previous studies.

The Governing Body heard from David and Jeanna Ribeau, 901 Estabrook, who discussed the following concerns regarding their property during the project:

- Replacement of trees and 49 saplings that currently exist on the property
- Replacement of existing fence in tree line
- Will blasting be used to reach the existing sewer line underground?

The Governing Body heard from Mr. Hofer who explained tree and sapling replacement was included in the current contract.

The Governing Body heard from Director of Utilities Jim Bradley who explained City staff plans to meet property owners at the site and address any concerns.

There being no one else to speak to this issue Mayor Jorgensen closed the Public Meeting at 7:42 pm.

#### **Public Hearing – Eastside Interceptor Sanitary Sewer Project Loan Application**

The Mayor explained a public hearing is needed for the purpose of considering a loan application for the Eastside Interceptor Sanitary Sewer Project.

Mayor Jorgensen opened the Public Hearing at 7:42 pm.

The Governing Body heard from Professional Engineering Consultants (PEC) representative James Martin who provided an overview of the project alternatives and plan and distributed handouts to the public (see next pages).

This section intentionally left blank.

**PUBLIC HEARING FACT SHEET**  
**Ottawa Eastside Interceptor Sewer Project**  
**KDHE Project No. C20-1928-01**  
**May 2, 2012**

- **Proposed Improvements – 3<sup>rd</sup> Street & Levee to 14<sup>th</sup> Street & Mulberry:**
  - ✓ 4,837 lf 36” Interceptor Sewer
  - ✓ 4,289 lf 30” Interceptor Sewer
  - ✓ 2 Flow Monitoring Stations with two sewer flow measuring devices each
  - ✓ 3,319 lf Sewer Rehabilitation with Cured-in-Place Liner
  - ✓ 977 lf of 15” Sewer Replacement by No-Dig Technology
  
- **Reasons for Project**
  - ✓ Existing Interceptor Sewer is inadequate to convey existing wet-weather flows and has a history of overflows
  - ✓ City continues to expand to the south
  - ✓ KDHE required that the City identify improvements to the Eastside Interceptor Sewer as part of their approval of the Rock Creek PS project
  - ✓ Rehabilitation of existing sewers and manholes to restore structural support and limit infiltration / inflow
  
- **Project Cost Estimates**

✓ Probable Construction Costs	\$4,095,038
✓ <u>Probable Project Costs</u>	<u>\$712,181 - \$819,008</u>
✓ Total Project Costs	\$4,807,219 - \$4,914,046
  
- **Project Schedule (Tentative)**

✓ Estimated Bid Date	July 19, 2012
✓ Project Completion	November 18, 2013
  
- **Kansas Water Pollution Control Revolving Loan Fund**
  - ✓ Administered by the Kansas Department of Health & Environment
  - ✓ Interest rates vary, Currently 2.31%
  - ✓ Repayment period of 20 years
  - ✓ Repayment of loan is through user charges
  
- **User Rate Structure**
  - ✓ Funding for the repayment of the loan is included within the current user rate structure previously approved

**PUBLIC HEARING FACT SHEET SUPPLEMENT**  
**City of Ottawa Eastside Interceptor Sewer Project**  
**KDHE Project No. C20 1928 01**  
**May 2, 2012**

**Ongoing efforts and requirements prior to bid include:**

- **KDHE final approval of design plans and specifications**
- **Sign off by State Clearing House agencies including:**
  - **Kansas State Historical Society**
  - **Kansas Department of Wildlife and Parks**
  - **Division of Water Resources**
  - **Numerous Others**
- **US Army Corps of Engineers approval of design plans and specifications**
- **KDHE approval of City of Ottawa Loan application**
- **Assurance that City has adequate user charges in place to provide a dedicated repayment revenue source**
- **Concurrence with Ottawa University with respect to impact on their facilities**
- **Conduct of Public Meeting and Public Hearing by City Commission**
- **Procurement of all easements and any right of way required for construction**
- **KDHE review and approval of engineer's contract for construction services and inspection**
- **KDHE authorization to Bid**

The Governing Body heard from Director of Finance Scott Bird who gave an overview of the dedicated source of revenue to repay the loan.

There being no one else to speak to this issue Mayor Jorgensen closed the Public Hearing at 8:03 pm.

### **Ordinance – KDHE Loan Agreement**

The Governing Body reviewed an ordinance authorizing the execution of a loan agreement between the City of Ottawa, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment (KDHE) for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a Wastewater Treatment Project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement. Commissioner Ramsey made a motion, seconded by Commissioner Caylor, to adopt the ordinance.

During discussion it was explained after consideration of the information presented in the hearing, this ordinance approves the execution of a loan agreement with KDHE for the purpose of financing sanitary sewer improvements known as the Eastside Interceptor Project. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3820-12.

### **Ordinance – Rezone**

The Governing Body reviewed an ordinance rezoning an area within the City of Ottawa, Kansas and repealing the corresponding section of the zoning map which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Commissioner Caylor made a motion, seconded by Commissioner Richards, to adopt the ordinance.

During discussion it was explained this request is to rezone the property located at 109 W. Ninth Street from C-1, Office and Service Business District, to MU/RC Mixed Use Residential/Commercial District. The Planning Commission recommended approval of this rezone with a 6-0 vote.

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an overview of the proposed rezoning classification. The motion was considered and upon being put, all present voted aye. The Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3821-12.

### **Slurry Seal Bid – Vance Brothers**

The Governing Body reviewed a request to approve a bid for the 2012 Slurry Seal Street Surface Rehabilitation Program. Commissioner Richards made a motion, seconded by Commissioner Ramsey, to approve the bid.

May 2, 2012

Unofficial Until Approved

During discussion it was explained City staff solicited and received bids for the 2012 Slurry Seal Street Surface Rehabilitation Program. Staff requests approval of the bid submitted by Vance Brothers for an estimated \$65,873.06 to treat an estimated 30,217 square yards of street surface. The actual cost will be determined by the actual number of square yards completed. The motion was considered and upon being put, all present voted aye. The Mayor declared the bid duly approved.

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

City Manager reported on the following:

- Tree Board appointment: Garry A Niehoff
- Thanked citizens for applying for City Commissions and Boards
- He attended a recent KMEA presentation regarding the future power generation
- KMEA/KMGA General Manager Bob Poehling will attend the May 14, 2012 Study Session
- He appreciated the opportunity to attend the recent Kansas Leadership meeting in Wichita
- Ottawa, Kansas will be featured in a Playful City video on the KCTV 5 evening news on May 3, 2012
- Provided an update on the Davis Rd, K-68 intersection improvement project

### **Commissioners' Reports**

Commissioner Richards reported on the following:

- Thanked Director of Planning/Codes/Inspections Wynndee Lee for the article in the Kansas Government Journal regarding the park built by the community at Kanza Park
- It is severe weather season; be prepared and have a safety plan with your family
- May 3, 2012 is National Day of Prayer. Events will be held at noon at the Franklin County Courthouse and at 7 pm at Cornerstone Church.

Commissioner Caylor reported on the following:

- Thanked the Planning and Codes City staff for putting on the patio and deck building educational workshop that she recently attended.
- Thanked the ladies and gentlemen of the Ottawa High School Boys and Girls Basketball teams for being good athletes and fine citizens.
- Ottawa, Kansas is one of five cities in Kansas designated as a Playful City
- Encouraged everyone to watch for children in the warmer weather.

### **Mayor's Report**

Mayor Jorgensen reported on the following:

- Reviewed priorities: Streets & Sidewalk Improvements, Economic Development, and Parks
- City Manager Richard Nienstedt announced the May 16, 2012 Regular Meeting is rescheduled for 7 pm

### **Announcements**

The Mayor announced the following:

- May 7, 2012: Special Call Meeting—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: Special Call Meeting—County Summit, Franklin County Annex, 7:30 am
- May 16, 2012: Special Call Meeting—Next Regular Meeting, rescheduled to 7 pm

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Richards, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 8:33 pm.

---

Carolyn S. Snethen, City Clerk

**City Commission**  
**Special Call Minutes**  
**May 7, 2012**  
**Faith Lutheran Church sidewalk**  
**1320 W 15th Street, Ottawa, Kansas**

The Governing Body met at 2:30 pm this date with the following members present and participating to wit: Mayor Jorgensen, Commissioner Caylor, Commissioner Richards, Commissioner Ramsey, and Commissioner Reed. A quorum was present.

The Governing Body was in attendance at this Special Call meeting in order to attend the 15th Street "sidewalk project" ribbon cutting at the Faith Lutheran Church sidewalk, 1320 W 15th Street, Ottawa, Kansas.

---

Carolyn S. Snethen, City Clerk

**STUDY SESSION MINUTES  
OTTAWA, KANSAS  
Minutes of  
May 7, 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**

The Governing Body heard from Copeland Fireworks CEO Charlie Copeland who requested approval to hold a firework sales dinner at Celebration Hall and a firework display at Orvis Cox ballpark on Saturday, May 12, 2012.

The Governing Body heard from Fire Chief Jeff Carner who provided an overview of the ordinance regulating fireworks inside City limits.

The Governing Body heard from City Attorney Bob Bezek who provided his opinion on whether the firework display could be considered a public display.

The Governing Body agreed by consensus that the request is denied at this time.

**Review of Minutes**

The Governing Body reviewed minutes from the April 23 and April 30, 2012 Study Sessions and agreed to place these items on the next Regular Meeting agenda on May 16, 2012 at 7 pm.

**2012 Street Rehabilitation Recommendation**

The Governing Body reviewed a potential 2012 street overlay project list.

The Governing Body heard from Director of Public Works Andy Haney who provided an overview of the proposed project list and suggested bidding out projects 1-7 from the original list with the direction that the Governing Body will determine what final projects are approved. The Governing Body agreed to put projects 1-7 from the original project list out for bid and bring back the results at a later time for further discussion.

**Monthly Financial and Activity Report-March**

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

May 7, 2012

Unofficial Until Approved

### **Youth in Government Report**

The Governing Body heard from Youth Delegate Jordan Gray who reported on the following:

- Youth delegates recently visited Eugene Field, Lincoln, Garfield, and Ottawa Middle Schools to survey each classroom about sidewalk use. A report will be provided at a later date.
- May 31, 2012: Youth delegates will put on a children's skit for the Ottawa Recreation Commission about safety while walking.

### **Open Agenda**

The Governing Body heard from Director of Planning/Codes/Inspections Wynndee Lee who provided an update on the demolition of 124 S Main.

### **Commissioners' Reports**

Commissioner Ramsey reported on the following:

- Inquired on status of Chamber of Commerce and OFCED contract
- Mayor Jorgensen provided a report on OFCED's interim Director Blaine Finch and the terms of the proposed contracts.

Commissioner Richards reported on the following:

- Attended today's DARE graduation at Lincoln Elementary where 69 5<sup>th</sup> graders graduated from the program.
- Recently spoke with Gun Guys owner Tim Van Leiden whose new business is set to open in late June or early July. Mr. Van Leiden was complimentary of City staff and Director of Planning/Codes/Inspections Wynndee Lee.
- Requested review of the City's residency requirements. City Manager Richard Nienstedt will direct staff to prepare a proposal for the Governing Body to review at a later study session.

Commissioner Reed reported on the following:

- Recently attended a Kansas Municipal Utilities (KMU) conference

### **Mayor's Report**

The Mayor reported on the following:

- Attended today's 15<sup>th</sup> Street "sidewalk project" ribbon cutting at Faith Lutheran Church sidewalk, 1320 W 15th Street, with many local preschoolers in attendance.
- Reviewed priorities: Streets, Economic Development, and Parks

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

The City Manager reported on the following:

- May 14, 2012: Recognition of fallen officers at First Baptist Church, 410 S Hickory, at 6:30 pm
- Ottawa was designated as a Playful City for the third year. Other Kansas Playful Cities include: Derby, Lawrence, Parsons, and Troy

### **Adjournment**

There being no further business to come before the Governing Body, Commissioner Richards made a motion, seconded by Commissioner Caylor, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Mayor Jorgensen declared the meeting duly adjourned at 5:24 pm.

---

Carolyn S. Snethen, City Clerk



# PROCLAMATION



WHEREAS, there are approximately 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Ottawa Police Department; and

WHEREAS, nearly 60,000 assaults against law enforcement officers are reported each year, resulting in approximately 16,000 injuries; and

WHEREAS, since the first recorded death in 1791, almost 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty, including one member of the Ottawa Police Department; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; 362 new names of fallen heroes are being added to the Memorial this spring, including 163 officers killed in 2011 and 199 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 24<sup>th</sup> Annual Candlelight Vigil, on the evening of Sunday, May 13, 2012; and

WHEREAS, the Candlelight Vigil is part of National Police Week, which takes place this year May 13-19; and

WHEREAS, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families; and

THEREFORE, we, the Governing Body of the City of Ottawa, Kansas do hereby proclaim the week of May 13-19, 2012 to be

## POLICE WEEK

and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

SIGNED this 16<sup>th</sup> day of May 2012.

---

Blake Jorgensen, Mayor

# Memorandum

**To:** Richard U. Nienstedt, City Manager  
**From:** Wynndee Lee, Director of Planning & Codes  
**Date:** May 9, 2012  
**Re:** Governing Body Determination

---

See attached documents for proposed reconstruction of the parking lot at Ottawa University adjacent to 9th Street.





May 12, 2012

Ms. Wynndee Lee  
Director of Planning & Codes Administration  
City of Ottawa  
101 S. Hickory  
Ottawa, KS 66067

Re: Ottawa University - Tauy Jones Parking Lot  
Existing parking in Right-of-Way  
Loyd Builders Job No. 404

Dear Ms. Lee:

I am writing to bring to your attention the current parking conditions north of Atkinson Hall on Ottawa University's campus. The current parking along 9th Street is within the road right-of-way. This concrete is deteriorating and needs to be replaced. We intend to replace this parking as part of the Tauy Jones Hall parking lot project. The new parking will be within the same extents as the current parking lot, but will continue to encroach on the right-of-way.

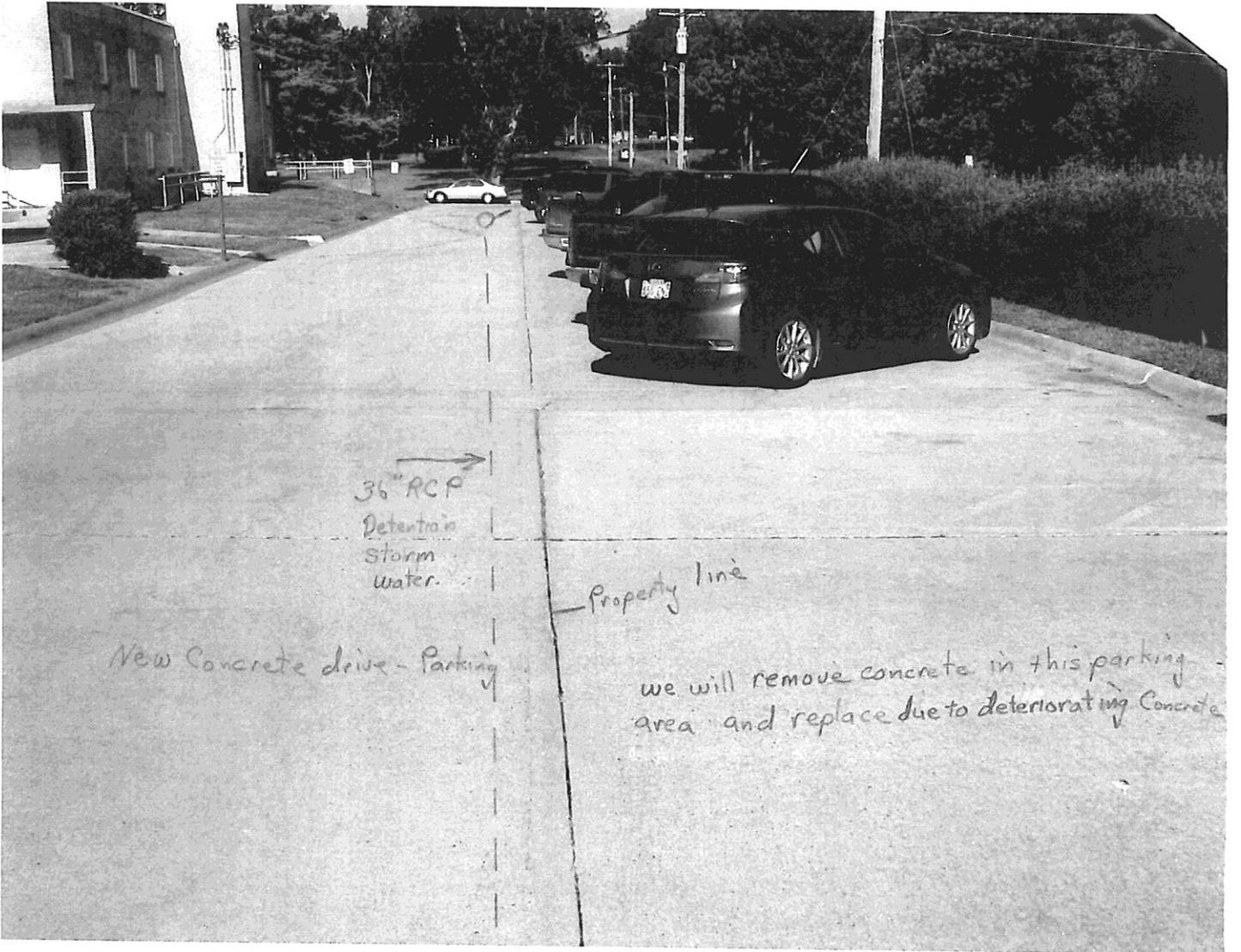
Feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Josh Walker".

Josh Walker  
President  
Loyd Builders, Inc.

Cc: Sonny Burch, Loyd Builders  
Clark Ribordy, Ottawa University  
Herb Orr, Ottawa University  
File



# Memorandum

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

**From:** Wynndee Lee, Director of Planning & Codes

**Date:** May 9, 2012

**Re:** Governing Body Determination

---

Lloyd Builders has requested help from the City Commission with the State Historical Preservation Office's ruling that the parking lot proposed by Ottawa University would damage or destroy the Historic District around Taub Jones. Ottawa University is proposing a 40-space parking lot construction immediately north of Taub Jones.

As this is within the environs of the Taub Jones, the permit application for construction of parking was reviewed by the State Historic Preservation Office, who determined: Construction of the parking in the green space around Taub Jones environs should be avoided, and it will "encroach upon, damage, or destroy" the environs. Attached is the letter.

Lloyd Builders, Bartlett & West, along with Andy Haney and Tom Yahl of city staff, have been working with the design and layout for some months. The university has expressed a desire to reduce the number of vehicles parking north of the campus in the residential neighborhoods as well as provide visitor parking to the administration offices in Taub Jones. The University has remodeled the building and more individuals work there. The repair and investment in Taub Jones is laudable and is further indication of the University's commitment to the historical structure itself.

In the past, there was a drive that actually went from 9<sup>th</sup>, through campus and next to Taub Jones, to Mulberry. With the demolition of Price Building, the through drive and associated parking adjacent to Taub Jones was removed when the green space was installed in early 2000's. As far as alternatives, the only other vacant space is significantly west of Taub Jones, and in an area planned for buildings in the future. Attached is the letter from Lloyd Builders, the Parking Lot layout, and two aerial photos, one from 1986 and one current.

Based upon all of the above statements staff concurs that it is reasonable to establish parking at this location and strongly support the need to reduce the impacts of day-long parking to the residents north of this part of the campus. "Reasonable and prudent" is a difficult test to determine, as it is possible to construct anywhere. However in order to reduce parking off-campus, this solution is prudent. Moving to another location will not likely reduce the lawful parking on streets north of 9<sup>th</sup> that are closer to the work site.

A hearing has been called for Wednesday, May 16, at 7 p.m. for public discussion. At the conclusion of the hearing, if it is deemed that no other reasonable solution exists, please adopt the attached resolution.

**RESOLUTION NO. \_\_\_\_\_**

A Resolution providing for the construction of a parking lot at 403 E. 9<sup>th</sup> related to SHPO ruling.

**WHEREAS**, the City Commission for the City of Ottawa, Kansas does hereby find and conclude as follows:

1. That at a duly constituted and lawful meeting of the City Commission held a hearing in conformance with Kansas law in which the City Commission heard evidence concerning the construction of the parking lot at 403 E. 9th Street, Ottawa, Kansas.
2. That the City Commission has jurisdiction to hear such request.
3. That the public at large and the parties to this action have received notice of such hearing and have had the opportunity to present such evidence as the parties and the City Commission deem relevant and appropriate for such hearing.
4. That, after considering all relevant factors, the City Commission by roll call vote has determined the following:

That there are no feasible and prudent alternatives to a new parking lot in order to provide proximate parking for workers in the Tauy Jones area and the plan of the owner will include all possible planning to minimize harm to the historic district. Thus, the request for a permit is approved.

By this City Commission of the City of Ottawa it is so ordered.

**Section 1:** The City Commission will provide notice to the Kansas State Historic Preservation Officer of this decision by Certified Mail, and no permit will be issued within five days of such notice.

**Section 2:** This resolution shall be in full force and effect from and after its adoption.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Attest:

\_\_\_\_\_  
Mayor

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

Approved as to form:

\_\_\_\_\_  
Bob Bezek, Jr., City Attorney



May 12, 2012

Ms. Wynndee Lee  
Director of Planning & Codes Administration  
City of Ottawa  
101 S. Hickory  
Ottawa, KS 66067

Re: Ottawa University - Tauy Jones Parking Lot  
Kansas Historical Society Letter  
Loyd Builders Job No. 404

Dear Ms. Lee:

I am writing in response to the letter received from the Kansas Historical Society regarding the proposed Tauy Jones Hall parking lot on Ottawa University's campus. In the letter, the office asserts by eliminating the green space adjacent to Tauy Jones Hall's North façade, the project will "encroach upon, damage or destroy the environs of Tauy Jones Hall." They go on to suggest installing parking in a different location. We respectfully disagree this project will diminish the environs of Tauy Jones Hall and feel there is no prudent alternative.

Alternate locations will not be close enough to the building to be utilized effectively. Further, any potential alternatives to the proposed location conflict with the University's master plan and future development.

We also believe the new parking lot will further the use of Tauy Jones Hall and lengthen it's life. By making the building more accessible, the University will continue to use it and maintain it. In general, as facilities become more difficult to use, they aren't maintained as well and deteriorate over time.

Please consider overturning the State Historical Society's recommendation and allow Ottawa University to move forward with this project. Feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in black ink that reads "Josh Walker". The signature is written in a cursive, flowing style.

Josh Walker  
President  
Loyd Builders, Inc.

Cc: Sonny Burch, Loyd Builders  
Clark Ribordy, Ottawa University  
Herb Orr, Ottawa University  
File

6425 SW 6<sup>th</sup> Avenue  
Topeka, KS 66615



KSR&C No. 12-05-040

phone: 785-272-8681  
fax: 785-272-8682  
cultural\_resources@kshs.org

Kansas Historical Society

Sam Brownback, Governor  
Jennie Chinn, Executive Director

May 4, 2012

Brenda Denton  
Permit Technician  
City of Ottawa  
Planning & Codes Department  
PO Box 60  
Ottawa, KS 66067

RECEIVED  
MAY 08 2012  
CITY OF OTTAWA

Re: Parking Lot Construction at Tauy Jones Hall, Ottawa University – Franklin County  
Listed in the National Register of Historic Places

Dear Ms. Denton:

We have reviewed the materials received on May 2, 2012 regarding the above-referenced project in accordance with the state preservation statute K.S.A. 75-2724. The law requires the State Historic Preservation Officer (SHPO) be given the opportunity to comment on proposed projects affecting historic properties or districts. Properties listed in the National Register of Historic Places and/or the Register of Kansas Places, or those properties that are located within 500 feet of the boundaries of historic properties or districts located within the corporate limits of a city are subject to review.

The SHPO is charged with determining whether or not projects will “encroach upon, damage or destroy” historic buildings or their environs. According to the SHPO’s *Standards and Guidelines for Evaluating the Effect of Projects on Environs*:

The character of a historic property’s environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.

When new parking areas are required, design them to be consistent with the character of the environs and to intrude as little as possible.

Parking at the Ottawa University appears to be generally located around the perimeter of the campus, leaving green space around the most prominent buildings, including the only National Register listed property and the oldest building on campus, Tauy Jones Hall. Even as the campus grew up around it, it appears that the green space to the north has remained open, which provides an uninterrupted view of the prominent north façade. Installing parking in this location will diminish this view and encroach upon the integrity of the setting of Tauy Jones Hall. Therefore, the SHPO has determined that the proposed project will encroach upon, damage or destroy the environs of Tauy Jones Hall. In order to retain the integrity of the setting, we recommend installing parking in an alternate location.

The statute states that the project cannot proceed until the local governing body has determined, based on a consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the project includes all possible planning to minimize harm to the historic property and its environs. The local governing body is required to give five days’ notice of such determination, by certified mail, to the SHPO. The statute allows for anyone aggrieved by the governing body’s determination to file suit and have the issue decided in the courts.

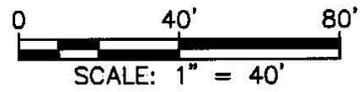
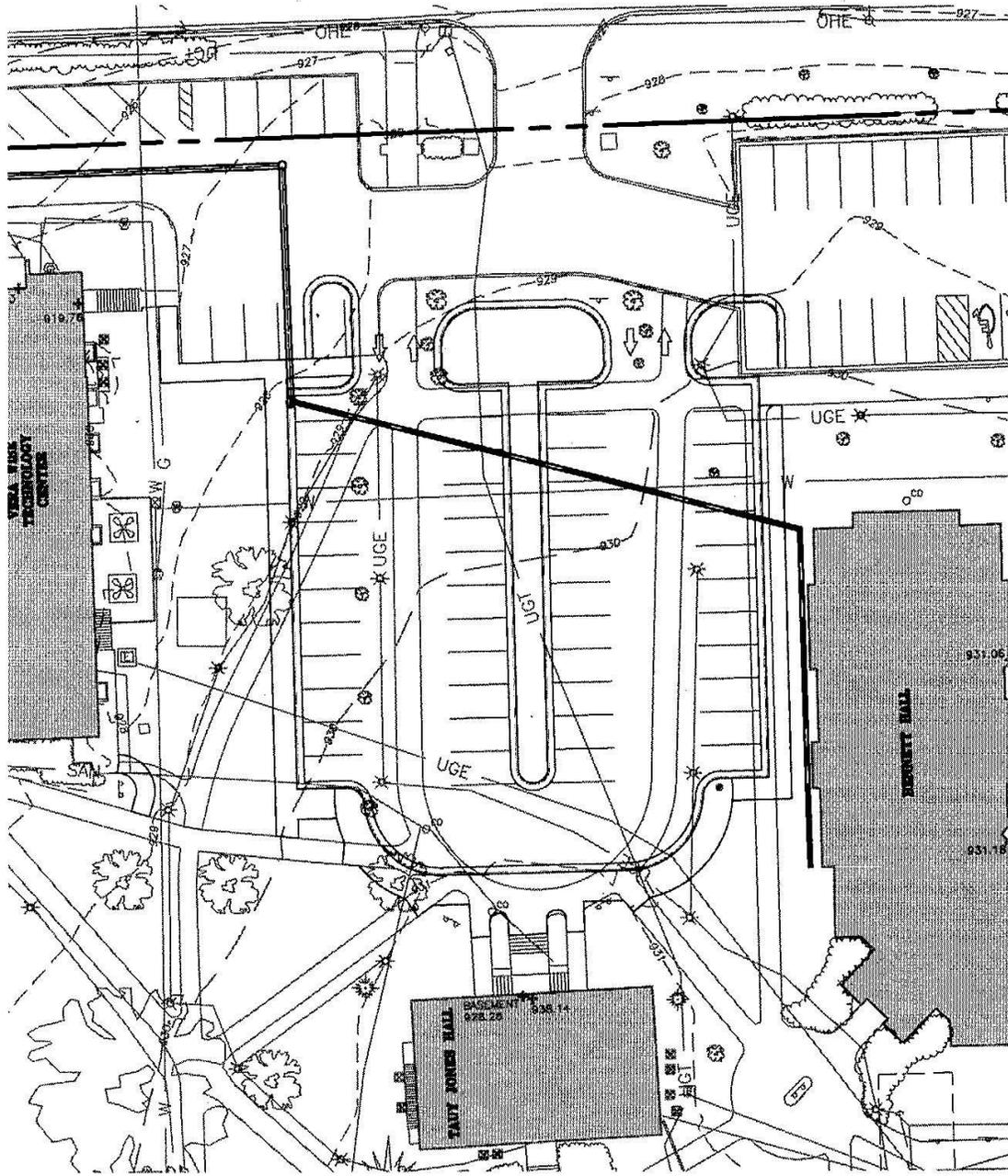
Thank you for giving us the opportunity to comment on this proposal. Please submit any comments or questions regarding this review to Kim Gant at 785-272-8681, ext 225 or [kgant@kshs.org](mailto:kgant@kshs.org).

Sincerely,

Jennie Chinn  
State Historic Preservation Officer

  
Patrick Zollner  
Director, Cultural Resources Division  
Deputy State Historic Preservation Officer

Drawing Name: W:\Proj\17000\17221\17221.002\AutoCad\Xrefs\17221.002C\_Design Base\_Sonny\_Comments.dwg Layout Name: Layout1 Plotted By: CBC00998 Plotted on: Tuesday, May 20



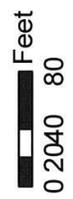
**BARTLETT & WEST**  
 544 COLUMBIA DR.  
 LAWRENCE, KANSAS 66049  
 PHONE 785-749-9452

**TAUY JONES  
 PARKING LOT LAYOUT  
 OTTAWA UNIVERSITY**

PROJ NO:  
 17221.003  
 DATE:  
 MAY 2012

SHEET NUMBER  
**1**  
 OF 1

Aerial Photo





# Memorandum

To: City Commissioners  
From: Wynndee Lee, ACIP, Director of Planning & Codes Administration  
Date: April 30, 2012  
Re: Structure for condemnation – 936 Hamblin

## CONDEMNATION OVERVIEW:

The purpose of this resolution is to fix the date, time and place for a hearing concerning a single-family mobile home (double-wide) located at 936 Hamblin. The structure is vacant and it is the staff's opinion the structure should not be occupied at this time. The structure is in need of significant repairs and should be repaired or removed. This property constitutes a blighted condition that is in violation of the International Property Maintenance Code sections 302.1, 302.4, 302.7, 304.1, 304.2, 304.6, 304.9, 305.1, 601, & 605.

Attached with this staff advisory is a statement of findings on the condition of the residence. It is felt that the findings provide sufficient cause to have the building condemned, and ordered to be repaired or removed. The scheduled hearing is to give the property owner(s), their agents and any lien holders on record an opportunity to respond to the findings.

## HISTORY:

On October 15, 2010 a housing inspection was conducted and a letter sent to the owner, Angela Edwards concerning the dilapidated condition of the structure and the repairs needed to bring the structure into a livable condition. Staff did not receive any response from the owner. Letters were written to the owner on July 13, August 15, September 7, and October 24, 2011, and April 26, 2012. The April 26 letter stated that the property would be placed in the next round of condemnations. Pictures were taken October 19, 2010, and June 23, 2011, and April 16, 2012. On October 19, 2010 the structure was posted "Do Not Occupy" and on November 15, 2010 a hold was placed on the utilities. Staff has not had any response from the owner concerning this structure.



The city has received complaints of possible nuisance violations and about the condition of the structure. The structure has been vacant since 2011 and the taxes are delinquent for the years of 2007, 2008, 2009, & 2010.

## CONCLUSION:

City staff is requesting the attached resolution be adopted to set the hearing date of July 2, 2012 for the condemnation for the structure located at 936 Hamblin. Copies of photos are attached; color presentation will be made at the meeting.

## ATTACHMENTS:

Resolution  
Statement of Findings and Photos  
Inspection Report  
Property Information Form

RESOLUTION NO. \_\_\_\_\_

A resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on Lots 2, 4, 6, 8, 10 and 12, Block 8, Hamblin's Addition, to the City of Ottawa, Franklin County, Kansas, also known as 936 Hamblin, may appear and show cause why said structure(s) should not be condemned and order repaired or demolished.

**WHEREAS**, Ordinance No. 3202-96, of the City of Ottawa, Kansas, authorizes the Governing Body of said city, upon a finding to declare structure(s) as unsafe and dangerous, and to direct that such structure(s) be demolished or repaired and made safe and secure; and

**WHEREAS**, pursuant to K.S.A. 12-1750, et seq., the enforcing officer of the City of Ottawa, Kansas, did on the April 30, 2012, file with the Governing Body a statement in writing that certain structures, hereinafter described, are unsafe and dangerous.

**NOW, THEREFORE**, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, THAT:

Section 1. A hearing will be held on July 2, 2012, at 7:00 p.m., in the City Commission Meeting Room, first floor of City Hall, 101 S. Hickory, Ottawa, Kansas, at which time the owners, their agents, lien holders of record of the structure located at 936 Hamblin, Ottawa, Franklin County, Kansas, legally described as follows:

Lots 2, 4, 6, 8, 10, & 12, Block 8, Hamblin's Addition, in the City of Ottawa, Franklin County, Kansas.

May appear and show cause why said structures should not be condemned and ordered repaired or demolished.

Section 2. The Enforcing officer is hereby directed to have this resolution published twice in the official city newspaper and shall give notice to said person or persons in the manner provided by K.S.A. 12-1750, et seq.

Section 3. This resolution shall be in full force and effect from and after its adoption and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

Approved as to form:

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

\_\_\_\_\_  
City Attorney

## Memorandum

To: City Commission  
From: Gary Skiles, Codes Inspector

Date: April 30, 2012  
Re: Statement of Findings

**Property Address:** 936 Hamblin

**Property Description:** Lots 2, 4, 6, 8, 10 & 12, Block 8, Hamblin's Addition, in the City of Ottawa, Franklin County, Kansas.

**Owner:** Angela I. Edwards

**Structure Type:** Single-family mobile home (double-wide) and shed

## **Findings:**

**Residential Structure:** This structure presents the following conditions:

- A. Conditions exist which are dangerous or injurious to the health, safety or morals of the occupants of such structures. (see pages 1 & 2)
- B. Conditions have a blighting influence on properties in the area. (see pages 2 & 4)
- C. Defects therein increasing the hazards of fire, accidents or other calamities. (see pages 1 & 3)
- D. Lack of adequate ventilation, light or sanitary facilities. (see page 5 )
- E. Dilapidation. (see pages 1, 3, 4, & 5)
- F. Disrepair. (see pages 1, 3, 4, & 5)
- G. Structural Defects. (see page 3)
- H. Uncleanliness. (see page 2)
- I. Inadequate ingress and egress. (see page 1)
- J. Dead and dying trees, limbs or other unsightly natural growth. (see page 2 & 3)
- K. Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood. (see page 4)
- L. Violations of health, fire, building, housing or zoning regulations to wit. (see all pages)

In light of these findings, the structure and property are unsafe, dangerous and unfit for human use and habitation and present a hazard to the general public and an unattractive nuisance.

Respectfully submitted,



Gary Skiles  
Codes Inspector

June 23, 2011

936 Hamblin

Page 1



Front and back porches  
Both collapsing and in  
dilapidated condition

June 23, 2011



October 19, 2010

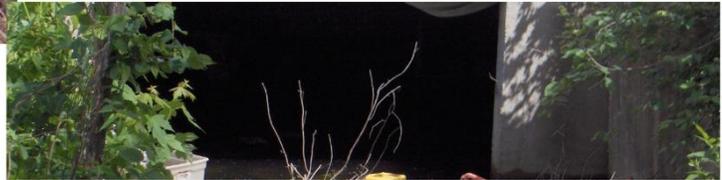
936 Hamblin

Page 2



Water underneath structure and items floating in the water

April 16, 2012



April 16, 2012

936 Hamblin

Page 3



Part of roof missing

Foundation cracking



June 23, 2011



June 23, 2011

October 19, 2010



936 Hamblin

Page 4

Mold growing on side of structure and siding buckling

April 16, 2012





Mold and the ceiling showing evidence of the roof leaking and seperating



Wall in bathroom rotten



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Dangerous Structures Inspection Checklist**

Date of Inspection: April 30, 2012 Address: 936 Hamblin

Type of Inspection: Initial [ ] Reinspection [X] Date of Last Inspection: October 15, 2010

Inspector: Gary Skiles

Type: MH [X] 1-Fam. [ ] 2-Fam. [ ] Multi-Family [ ] Commercial [ ] Other [ ]

Owner: Angela I. Edwards

Owners Address: 412 S. Sycamore, Ottawa, KS 66067

Owners Phone No.: \_\_\_\_\_

ROOM	CONDITION
<b>LIVING ROOM</b>	
Electricity/ Illumination	<u>Off, electrical switches and outlets loose</u>
Windows	<u>Some broken</u>
Ceiling	<u>Mold, leaks, and collapsing</u>
Walls	<u>Mold</u>
Floor	<u>Moldy with holes in allowing vermin access</u>

**KITCHEN AREA**

Electricity/ Illumination	<b>Off, electrical switches and outlets loose</b>
Windows	
Ceiling	<b>Collapsing</b>
Walls	<b>Mold</b>
Floor	<b>Rotten</b>
Stove/Range	<b>None</b>
Refrigerator	<b>None</b>
Sink	
Cabinets/Counters	<b>Rotten falling apart</b>

**NOTES: The information above is based on a tenant inspection done on October 15, 2010.**

**The structure does have mold throughout.**

---



---

**FEATURE / FIXTURE**

Foundation	<b>Starting to cave in at places</b>
Stairs and Porches	<b>Dilapidated</b>
Roof and Gutters	<b>No gutters</b>
Exterior Surfaces	<b>Exterior surface covered with mold and mildew</b>
Chimney	<b>None</b>
Heating Equipment Adequacy	<b>Unsafe</b>
Heating Equipment Safety	<b>Unsafe</b>
Ventilation / Cooling	
Water Heater	
Water Supply	
Plumbing	
Sewer Connection	
Access to Unit	
Fire Exits	
Evidence of Infestation	
Trash and Debris	

Refuse Disposal

---

Interior Stairs and  
Common Halls

---

Other Interior Hazards

Basement has been half full of water for several years

Interior Air Quality

---

Site and Neighborhood  
Conditions

Driveway full of potholes, which old water and become a mosquito  
problem

Diagram of building and location on lot (show all structures and paved areas):



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Property Information Form**

Date: April 30, 2012 Address: 936 Hamblin

Legal Description: Lots 2, 3, 6, 8, & 12, Block 8, Hamblin's Addition

Parcel #: 131-01-0-10-09-002-00

Tax ID #: OTC2485 Zoning District: \_\_\_\_\_

Use: MH  1-Fam.  2-Fam.  Multi-Family  Commercial  Other

Owner: Angela I. Edwards

Address: 412 S. Sycamore, Ottawa, KS 66067

Phone: \_\_\_\_\_

Agent: \_\_\_\_\_ Buyer: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Occupants (s) \_\_\_\_\_ Phone: \_\_\_\_\_

Taxes Paid Current: Yes  No  If not years taxes are behind for: 2007,2008,2009,2010

Utilities Available: Elec.  Gas  Water  Sewer

Utilities Connected: Elec. Yes  No  -- Gas Yes  No  -- Water Yes  No  Sewer Yes  No

Utilities on Hold: Yes  No  Date Utilities Placed on hold: November 15, 2010

Utilities Registered: Occupant \_\_\_\_\_ Owner \_\_\_\_\_ Other Rick Robinson

Structure Posted: Yes  No  Date Posted: October 19, 2010

Unsafe: Yes  No  Unfit for Occupancy: Yes  No

**Conditions and Defects**

( X ) Conditions exist which are dangerous or injurious to the health, safety, or morals of the occupants of such structures.

- ( X ) Conditions have a blighting influence on properties in the area.
- ( X ) Defects therein increasing the hazards of fire, accidents or other calamities.
- ( X ) Lack of adequate ventilation, light or sanitary facilities.
- ( ) Air pollution.
- ( X ) Dilapidation.
- ( X ) Disrepair.
- ( X ) Structural Defects.
- ( X ) Uncleanliness.
- ( ) Overcrowding.
- ( X ) Inadequate ingress and egress.
- ( X ) Dead and dying trees, limbs or other unsightly natural growth.
- ( X ) Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood.
- ( ) Unsightly stored or parked material, equipment, supplies, machinery, trucks or drainage.
- ( X ) Violations of health, fire, building, housing or zoning regulations to wit.

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Memorandum

To: City Commissioners  
From: Wynndee Lee, ACIP, Director of Planning & Codes Administration  
Date: April 30, 2012  
Re: Structure for condemnation – 830 S. Cherry

## CONDEMNATION OVERVIEW:

The purpose of this resolution is to fix the date, time and place for a hearing concerning a single-family mobile home located at 830 S. Cherry. The structure is vacant and it is the staff's opinion the structure should not be occupied at this time. The structure is in need of significant repairs and should be repaired or removed. This property constitutes a blighted condition that is in violation of the International Property Maintenance Code sections 302.1, 302.4, 302.7, 304.1, 304.2, 304.6, 304.9, 305.1, 601, & 605.

Attached with this staff advisory is a statement of findings on the condition of the residence. It is felt that the findings provide sufficient cause to have the building condemned, and ordered to be repaired or removed. The scheduled hearing is to give the property owner(s), their agents and any lien holders on record an opportunity to respond to the findings.

## HISTORY:

In December 2011 the inspector found the structure opened and notified the owner who stated the structure is uninhabitable. Letters were written to the owner on January 13, February 14, March 16, and April 26, 2012. The April 26 letter stated that the structure would be placed in the next round of condemnations. Pictures were taken December 29, 2011 and April 16, 2012. On January 12, 2012 a hold was placed on the utilities and the structure was posted "Do Not Occupy". Staff has not had any response from the owner concerning this structure.

The city has received complaints about the condition of the structure. The structure has been vacant since 2011 and the taxes are delinquent for the years of 2007, 2008, 2009, & 2010.



## CONCLUSION:

City staff is requesting the attached resolution be adopted to set the hearing date of July 2, 2012 for the condemnation for the structure located at 830 S. Cherry. Copies of photos are attached; color presentation will be made at the meeting.

## ATTACHMENTS:

Resolution  
Statement of Findings and Photos  
Inspection Report  
Property Information Form

RESOLUTION NO. \_\_\_\_\_

A resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on Lots 24, 26, 28, 30, and the North 10 feet of Lot 32, Block 2, Maywood Addition, to the City of Ottawa, Franklin County, Kansas, also known as 830 S. Cherry, may appear and show cause why said structure(s) should not be condemned and order repaired or demolished.

**WHEREAS**, Ordinance No. 3202-96, of the City of Ottawa, Kansas, authorizes the Governing Body of said city, upon a finding to declare structure(s) as unsafe and dangerous, and to direct that such structure(s) be demolished or repaired and made safe and secure; and

**WHEREAS**, pursuant to K.S.A. 12-1750, et seq., the enforcing officer of the City of Ottawa, Kansas, did on the April 30, 2012, file with the Governing Body a statement in writing that certain structures, hereinafter described, are unsafe and dangerous.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, THAT:**

Section 1. A hearing will be held on July 2, 2012, at 7:00 p.m., in the City Commission Meeting Room, first floor of City Hall, 101 S. Hickory, Ottawa, Kansas, at which time the owners, their agents, lien holders of record of the structure located at 830 S. Cherry, Ottawa, Franklin County, Kansas, legally described as follows:

Lots 24, 26, 28, 30, & the North 10 feet of Lot 32, Block 2, Maywood Addition, in the City of Ottawa, Franklin County, Kansas.

May appear and show cause why said structures should not be condemned and ordered repaired or demolished.

Section 2. The Enforcing officer is hereby directed to have this resolution published twice in the official city newspaper and shall give notice to said person or persons in the manner provided by K.S.A. 12-1750, et seq.

Section 3. This resolution shall be in full force and effect from and after its adoption and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

Approved as to form:

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

\_\_\_\_\_  
City Attorney

**Memorandum**

To: City Commission  
From: Gary Skiles, Codes Inspector  
Date: April 30, 2012  
Re: Statement of Findings

**Property Address:** 830 S. Cherry

**Property Description:** Lots 24, 26, 28, 30, & the North 10 feet of Lot 32, Block 2, Maywood Addition, in the City of Ottawa, Franklin County, Kansas.

**Owner:** Tom & Sharon Morrisey

**Structure Type:** Single-family mobile home

## Findings:

**Residential Structure:** This structure presents the following conditions:

- A. Conditions exist which are dangerous or injurious to the health, safety or morals of the occupants of such structures. (see pages 1, 2, & 3)
- B. Conditions have a blighting influence on properties in the area. (see page 5)
- C. Defects therein increasing the hazards of fire, accidents or other calamities. (see pages 1, 2, & 3)
- D. Lack of adequate ventilation, light or sanitary facilities. (see pages 1, 2, & 3)
- E. Dilapidation. (see pages 1, 2, & 3)
- F. Disrepair. (see pages 1, 2, & 3)
- G. Structural Defects. (see page 1)
- H. Uncleanliness. (see pages 1, 2, & 3)
- I. Inadequate ingress and egress. (see page 5)
- J. Dead and dying trees, limbs or other unsightly natural growth. (see page 5)
- K. Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood. (see page 5)
- L. Violations of health, fire, building, housing or zoning regulations to wit. (see pages 1, 2, 3, 4, & 5)

In light of these findings, the structure and property are unsafe, dangerous and unfit for human use and habitation and present a hazard to the general public and an unattractive nuisance.

Respectfully submitted,

Gary Skiles  
Codes Inspector

December 19, 2011

830 S. Cherry

Page 1

Mold on walls and  
dilapidated condition



April 17, 2012



December 19, 2011

830 S. Cherry

Page 2

Mold on ceiling in hallway



April 17, 2012



December 19, 2011

830 S. Cherry

Page 3

Total state of disrepair

April 17, 2012



830 S. Cherry

Skirting loose, Front and back decks deteriorating



April 17, 2012



April 17, 2012

830 S. Cherry

Page 5



Windows missing, roof deteriorating

April 17, 2012

December 19, 2011



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Dangerous Structures Inspection Checklist**

Date of Inspection: April 30, 2012 Address: 830 S. Cherry

Type of Inspection: Initial [ ] Reinspection [ X ] Date of Last Inspection: December 23, 2011

Inspector: Gary Skiles

Type: MH [ X ] 1-Fam. [ ] 2-Fam. [ ] Multi-Family [ ] Commercial [ ] Other [ ]

Owner: Tom & Sharon Morrisey

Owners Address: P.O. Box 489, Louisburg, KS 66053

Owners Phone No.: \_\_\_\_\_

ROOM	CONDITION
<b>LIVING ROOM</b>	
Electricity/ Illumination	<u>Utilities off</u>
Windows	_____
Ceiling	_____
Walls	<u>Holes in wall</u>
Floor	<u>Holes in floor</u>
<b>KITCHEN AREA</b>	
Electricity/ Illumination	<u>Utilities off</u>
Windows	_____
Ceiling	_____
Walls	<u>Mold</u>
Floor	<u>Holes in floor</u>
Stove/Range	<u>None</u>
Refrigerator	<u>None</u>
Sink	_____
Cabinets/Counters	<u>Falling apart</u>

**BATHROOM**

Electricity/  
Illumination

\_\_\_\_\_

Windows

\_\_\_\_\_

Ceiling

**Mold**

Walls

**Mold**

Floor

**Holes in floor**

Flush Toilet

\_\_\_\_\_

Wash Basin or Lavatory

\_\_\_\_\_

Tub or Shower

\_\_\_\_\_

Ventilation

\_\_\_\_\_

Room Codes:

- 1—Bedroom or any other room used for sleeping regardless of type
- 2—Dining Room Area
- 3—Family Room, Den, Playroom, TV Room
- 4—Entrances, Halls, Staircases
- 5—Additional Bathroom
- 6—Other

ROOM CODE:   1  

Electricity/  
Illumination

**Utilities off**

Windows

**Broken**

Ceiling

**Mold**

Walls

**Mold**

Floor

**Holes in floor**

Other potentially  
Hazardous Features  
in the room

\_\_\_\_\_

**FEATURE / FIXTURE**

Foundation

**Mobile home, skirting falling apart**

Stairs and Porches

**Starting to rot**

Roof and Gutters

\_\_\_\_\_

Exterior Surfaces

**Mold**

Chimney

**None**

Heating Equipment

\_\_\_\_\_

Adequacy	<u>Inadequate</u>
Heating Equipment Safety	<u>Unsafe, not maintained</u>
Ventilation / Cooling	<u></u>
Water Heater	<u>Broken, not working</u>
Water Supply	<u>Off</u>
Plumbing	<u>Broken and pulled apart water lines &amp; drains</u>
Sewer Connection	<u></u>
Access to Unit	<u>Doors will not lock, anyone can walk in</u>
Fire Exits	<u></u>
Evidence of Infestation	<u></u>
Trash and Debris	<u></u>
Refuse Disposal	<u></u>
Interior Stairs and Common Halls	<u></u>
Other Interior Hazards	<u></u>
Interior Air Quality	<u>Poor, unsafe due to mold</u>
Site and Neighborhood Conditions	<u></u>

Diagram of building and location on lot (show all structures and paved areas):



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Property Information Form**

Date: April 30, 2012 Address: 830 S. Cherry

Legal Description: Lots 24, 26, 28, 30, & the North 10 feet of Lot 32, Block 2, Maywood Addition

Parcel #: 131-01-0-20-14-016-01

Tax ID #: OTC2859A Zoning District: R-2

Use: MH  1-Fam.  2-Fam.  Multi-Family  Commercial  Other

Owner: Tom & Sharon Morrisey

Address: P.O. Box 489, Louisburg, KS 66053

Phone: \_\_\_\_\_

Agent: \_\_\_\_\_ Buyer: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Occupants (s) \_\_\_\_\_ Phone: \_\_\_\_\_

Taxes Paid Current: Yes  No  If not years taxes are behind for: 2007 to 2010

Utilities Available: Elec.  Gas  Water  Sewer

Utilities Connected: Elec. Yes  No  -- Gas Yes  No  -- Water Yes  No  Sewer Yes  No

Utilities on Hold: Yes  No  Date Utilities Placed on hold: January 12, 2012

Utilities Registered: Occupant \_\_\_\_\_ Owner  Other \_\_\_\_\_

Structure Posted: Yes  No  Date Posted: January 13, 2012

Unsafe: Yes  No  Unfit for Occupancy: Yes  No

**Conditions and Defects**

( X ) Conditions exist which are dangerous or injurious to the health, safety, or morals of the occupants of such structures.

- ( X ) Conditions have a blighting influence on properties in the area.
- ( X ) Defects therein increasing the hazards of fire, accidents or other calamities.
- ( X ) Lack of adequate ventilation, light or sanitary facilities.
- ( ) Air pollution.
- ( X ) Dilapidation.
- ( X ) Disrepair.
- ( X ) Structural Defects.
- ( X ) Uncleanliness.
- ( ) Overcrowding.
- ( X ) Inadequate ingress and egress.
- ( ) Dead and dying trees, limbs or other unsightly natural growth.
- ( X ) Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood.
- ( ) Unsightly stored or parked material, equipment, supplies, machinery, trucks or drainage.
- ( X ) Violations of health, fire, building, housing or zoning regulations to wit.

Notes: The mobile home is addressed 830 S. Cherry, the actual parcel where the  
mobile home sets is address 826 S. Cherry, and there are other mobile homes on this  
parcel.

---

---

---

---

---

---

---

---

# Memorandum

To: City Commissioners  
From: Wynndee Lee, ACIP, Director of Planning & Codes Administration  
Date: April 30, 2012  
Re: Structure for condemnation – 804 S. Cherry

## CONDEMNATION OVERVIEW:

The purpose of this resolution is to fix the date, time and place for a hearing concerning a single-family structure located at 804 S. Cherry. The structure is vacant and it is the staff's opinion the structure should not be occupied at this time. The structure is in need of significant repairs and should be repaired or removed. This property constitutes a blighted condition that is in violation of the International Property Maintenance Code sections 302.1, 302.4, 302.7, 304.1, 304.2, 304.6, 304.9, 305.1, 601, & 605.

Attached with this staff advisory is a statement of findings on the condition of the residence. It is felt that the findings provide sufficient cause to have the building condemned, and ordered to be repaired or removed. The scheduled hearing is to give the property owner(s), their agents and any lien holders on record an opportunity to respond to the findings.

## HISTORY:

Letters were written to the owner, Linda Ainsworth June 20, July 25, and November 3, 2011, and January 13, March 9, and April 26, 2012. The April letter stated that the structure would be placed in next round of condemnations. Pictures were taken June 2 and December 29, 2011 and April 16, 2012. December 7, 2004 a hold was placed on the utilities on June 20, 2011, the structure was posted "Do Not Occupy". The owner has indicated she does not have the funds to repair or remove the structure.

The city has received complaints about the condition of the structure. The structure has been vacant since 2011 and the taxes are delinquent for years of 2009, & 2010.



on  
26  
the  
On  
and  
the

## CONCLUSION:

City staff is requesting the attached resolution be adopted to set the hearing date of July 2, 2012 for the condemnation for the structure located at 804 S. Cherry. Copies of photos are attached; color presentation will be made at the meeting.

## ATTACHMENTS:

- Resolution
- Statement of Findings and Photos
- Inspection Report
- Property Information Form

RESOLUTION NO. \_\_\_\_\_

A resolution fixing the time and place and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on Lots 2, and 4, Block 2, Maywood Addition, to the City of Ottawa, Franklin County, Kansas, also known as 804 S. Cherry, may appear and show cause why said structure(s) should not be condemned and order repaired or demolished.

**WHEREAS**, Ordinance No. 3202-96, of the City of Ottawa, Kansas, authorizes the Governing Body of said city, upon a finding to declare structure(s) as unsafe and dangerous, and to direct that such structure(s) be demolished or repaired and made safe and secure; and

**WHEREAS**, pursuant to K.S.A. 12-1750, et seq., the enforcing officer of the City of Ottawa, Kansas, did on the April 30, 2012, file with the Governing Body a statement in writing that certain structures, hereinafter described, are unsafe and dangerous.

**NOW, THEREFORE**, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OTTAWA, KANSAS, THAT:

Section 1. A hearing will be held on July 2, 2012, at 7:00 p.m., in the City Commission Meeting Room, first floor of City Hall, 101 S. Hickory, Ottawa, Kansas, at which time the owners, their agents, lien holders of record of the structure located at 804 S. Cherry, Ottawa, Franklin County, Kansas, legally described as follows:

Lots 2, & 4, Block 2, Maywood Addition, in the City of Ottawa, Franklin County, Kansas.

May appear and show cause why said structures should not be condemned and ordered repaired or demolished.

Section 2. The Enforcing officer is hereby directed to have this resolution published twice in the official city newspaper and shall give notice to said person or persons in the manner provided by K.S.A. 12-1750, et seq.

Section 3. This resolution shall be in full force and effect from and after its adoption and publication.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Mayor

ATTEST:

Approved as to form:

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

\_\_\_\_\_  
City Attorney

## Memorandum

To: City Commission  
From: Gary Skiles, Codes Inspector  
Date: April 30, 2012  
Re: Statement of Findings

**Property Address:** 804 S. Cherry

**Property Description:** Lots 2, & 4, Block 2, Maywood Addition, in the City of Ottawa, Franklin County, Kansas.

**Owner:** Linda Ainsworth

**Structure Type:** Single-family structure and shed

## **Findings:**

**Residential Structure:** This structure presents the following conditions:

- A. Conditions exist which are dangerous or injurious to the health, safety or morals of the occupants of such structures. (see pages 1, 2, 3, & 4)
- B. Conditions have a blighting influence on properties in the area. (see pages 1, 3, & 4)
- C. Defects therein increasing the hazards of fire, accidents or other calamities. (see pages 1, 2, & 5)
- D. Lack of adequate ventilation, light or sanitary facilities. (see page 2 )
- E. Dilapidation. (see pages 1, 2, 3, & 4)
- F. Disrepair. (see pages 1, 2, 3, & 4)
- G. Structural Defects. (see pages 1, 2, 3, & 4)
- H. Uncleanliness. (see pages 2 & 5)
- I. Inadequate ingress and egress. (see page 5)
- J. Dead and dying trees, limbs or other unsightly natural growth. (see page 5)
- K. Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood. (see pages 1, 3, & 4)
- L. Violations of health, fire, building, housing or zoning regulations to wit. (see pages 1, 2, 3, 4, & 5)

In light of these findings, the structure and property are unsafe, dangerous and unfit for human use and habitation and present a hazard to the general public and an unattractive nuisance.

Respectfully submitted,

Gary Skiles  
Codes Inspector

December 29, 2011

804 S. Cherry

Page 1

Hole in wall of back porch



June 2, 2011



April 12, 2012





Ceiling shows signs of roof leaking, mold on walls and ceiling.  
 Bathroom not functional and has holes in the floor

April 12, 2012

December 29, 2011



December 29, 2011

804 S. Cherry

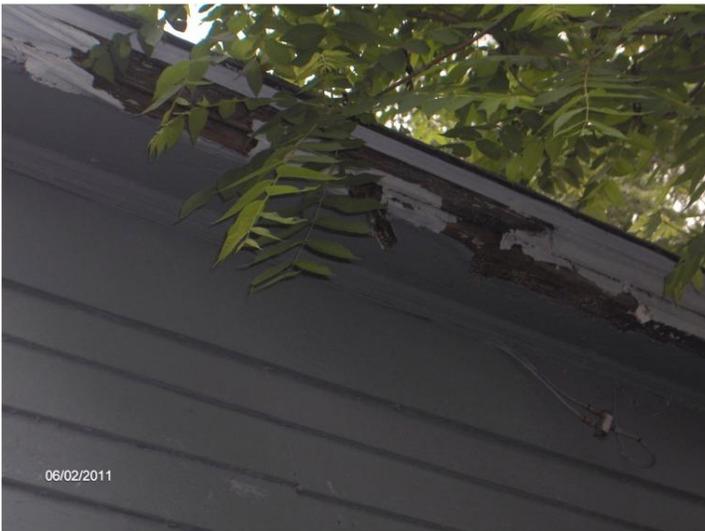
Page 3



Roof structure and porch roof  
in need of repair

June 2, 2011

April 12, 2012



December 29, 2011



June 2, 2011



804 S. Cherry

Page 4

Foundation cracking and missing in areas

April 12, 2012



December 29, 2011

804 S. Cherry

Page 5



Trash, tires, and holes  
in the deck of the porch

April 12, 2012

Grass is overgrown  
City Abated

April 24, 2012



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Dangerous Structures Inspection Checklist**

Date of Inspection: April 30, 2012 Address: 804 S. Cherry

Type of Inspection: Initial [ ] Reinspection [ X ] Date of Last Inspection: April 30, 2012

Inspector: Gary Skiles

Type: MH [ ] 1-Fam. [ X ] 2-Fam. [ ] Multi-Family [ ] Commercial [ ] Other [ ]

Owner: Linda Ainsworth

Owners Address: 930 Lincoln, Lot 21, Ottawa, KS 66067

Owners Phone No.: \_\_\_\_\_

ROOM	CONDITION
<b>LIVING ROOM</b>	
Electricity/ Illumination	<u>Utilities off</u>
Windows	_____
Ceiling	_____
Walls	<u>Rotten, holes in wall</u>
Floor	<u>Holes in floor</u>
<b>KITCHEN AREA</b>	
Electricity/ Illumination	<u>Utilities off</u>
Windows	_____
Ceiling	<u>Falling in</u>
Walls	<u>Rotten</u>
Floor	<u>Rotten, holes</u>
Stove/Range	<u>None</u>
Refrigerator	<u>None</u>
Sink	_____
Cabinets/Counters	<u>None</u>

FEATURE / FIXTURE

Foundation	<b>Falling apart in areas</b>
Stairs and Porches	<b>Rotten with holes in floor and walls</b>
Roof and Gutters	<b>Caving in on the north side</b>
Exterior Surfaces	<b>Rotten with holes in the siding some missing with insulation exposed</b>
Chimney	
Heating Equipment Adequacy	<b>None</b>
Heating Equipment Safety	<b>None</b>
Ventilation / Cooling	
Water Heater	<b>None</b>
Water Supply	
Plumbing	
Sewer Connection	
Access to Unit	<b>Hired contractor to board the structure up due to it being unsecured</b>
Fire Exits	
Evidence of Infestation	
Trash and Debris	
Refuse Disposal	
Interior Stairs and Common Halls	
Other Interior Hazards	<b>Ceilings and floors are rotten &amp; collapsing in several areas</b>
Interior Air Quality	
Site and Neighborhood Conditions	<b>Weeds, trash, &amp; debris</b>

Diagram of building and location on lot (show all structures and paved areas):



**City of Ottawa Department of Planning and Codes Administration**

101 S. Hickory, P. O. Box 60  
Ottawa, KS 66067  
(785) 229-3620 Fax (785) 229-3625  
[www.ottawaks.gov](http://www.ottawaks.gov)

**Property Information Form**

Date: April 30, 2012 Address: 804 S. Cherry

Legal Description: Lots 2, & 4, Block 2, Maywood Addition

Parcel #: 131-01-0-20-14-001-00

Tax ID #: OTC2855 Zoning District: R-2

Use: MH [ ] 1-Fam. [ X ] 2-Fam. [ ] Multi-Family [ ] Commercial [ ] Other [ ]

Owner: Linda Ainsworth

Address: 930 Lincoln, Lot 21, Ottawa, KS 66067

Phone: \_\_\_\_\_

Agent: \_\_\_\_\_ Buyer: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Occupants (s) \_\_\_\_\_ Phone: \_\_\_\_\_

Taxes Paid Current: Yes [ ] No [ X ] If not years taxes are behind for: 2009 & 2010

Utilities Available: Elec. X Gas X Water X Sewer X

Utilities Connected: Elec. Yes [ ] No [ X ] -- Gas Yes [ ] No [ X ] -- Water Yes [ ] No [ X ] Sewer Yes [ ] No [ X ]

Utilities on Hold: Yes [ X ] No [ ] Date Utilities Placed on hold: December 7, 2004

Utilities Registered: Occupant \_\_\_\_\_ Owner \_\_\_\_\_ Other \_\_\_\_\_

Structure Posted: Yes [ X ] No [ ] Date Posted: June 20, 2011

Unsafe: Yes [ X ] No [ ] Unfit for Occupancy: Yes [ X ] No [ ]

**Conditions and Defects**

( X ) Conditions exist which are dangerous or injurious to the health, safety, or morals of the occupants of such structures.

- ( X ) Conditions have a blighting influence on properties in the area.
- ( X ) Defects therein increasing the hazards of fire, accidents or other calamities.
- ( X ) Lack of adequate ventilation, light or sanitary facilities.
- ( ) Air pollution.
- ( X ) Dilapidation.
- ( X ) Disrepair.
- ( X ) Structural Defects.
- ( X ) Uncleanliness.
- ( ) Overcrowding.
- ( X ) Inadequate ingress and egress.
- ( X ) Dead and dying trees, limbs or other unsightly natural growth.
- ( X ) Walls, sidings or exteriors of a quality and appearance not commensurate with the character of the properties in the neighborhood.
- ( ) Unsightly stored or parked material, equipment, supplies, machinery, trucks or drainage.
- ( X ) Violations of health, fire, building, housing or zoning regulations to wit.

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AMERICAN LEGION  
WARREN C BLACK POST 60  
PO Box 356, Ottawa, Kansas 66067

8 May 2012

TO: OTTAWA CITY COMMISSIONERS, 101 S HICKORY, OTTAWA, KANSAS  
66067

SUBJECT: Distribution of Safety Flyers

1. The local American Legion Post 60 is requesting your approval to distribute "buckle up for safety" flyers once again this year.
2. The distribution of these safety flyers is an annual event for the American Legion which takes place on the Friday before Memorial Weekend reminding motorists to buckle up for safety. We are requesting approval to handout flyers at 4<sup>th</sup> and Main starting at 5:00 p.m. on May 25<sup>th</sup>. We will not be interfering with traffic during this time as we will only be handing out flyers while motorists are stopped for the red light. We will not be soliciting anything during this time.
3. Any questions you might have about the above can be addressed to myself at 785-248-9636.

  
STEVE GEISS  
Post Adjutant