

City Hall- Ottawa, Kansas - January 2, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis, absent none. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Calliham.

Approval of Minutes

In separate actions the minutes of the Special Meeting which was held December 17, 1990, the minutes of the Regular Meeting which was held December 19, 1990 and the minutes of the Special Meeting of December 27, 1990 were approved as written.

Memorandum of Understanding - Farmers Home Administration

The Governing Body proceeded to consider a Memorandum of Understanding between the City of Ottawa and the Farmers Home Administration by which the City would provide \$5,400.00 as rent subsidies for three (3) rental units in the Court House Square Apartment Project, when it is completed. The City Commission had approved the maximum of \$5,400.00 per year rent subsidy for the complex for a period not to exceed five (5) years sometime ago. However the Farmers Home Administration is in need of a document setting forth the arrangement to be executed by the City and the Farmers Home Administration.

Commissioner Lantis made a motion that the Memorandum of Understanding between the City of Ottawa and the Farmers Home Administration be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Review Schedule of Investments

Commissioner Heathman made a motion that the Schedule of Investment existing as of December 31, 1991, indicating a total of \$6,300,000 invested at an average annual interest rate of 6.93 % be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Governing Body Agenda

Commissioner Lantis commented that he had received several complaints of citizens concerning the state of repair of the old North American Hotel Bldg., in that it is dangerous in so far as windows falling from the building and possibly injuring someone walking by. Commissioner Lantis then asked Wayne Baylor, who was present at the meeting, how long it would be before a decision would be received from the Farmers Home Administration as to whether the project to refurbish the hotel would be funded, and at

this point what did Mr. Baylor feel the chances of getting the funding from the Farmers Home Administration were? Mr. Baylor responded that they should have an answer within about sixty (60) days and that he felt the project had about a seventy (70) percent chance of being funded.

Commissioner Lantis then suggested that the City begin investigating the possibility of condemnation of the building, should the project not be funded. If the condemnation procedure were successful the building would either have to be made safe or demolished. The City Attorney Bob Bezek stated, there were several statutes under which the City might proceed in condemnation of the structure and he would research those statutes and present the alternatives to the City Commission in the near future.

Commissioner Lantis then presented the City Commission with a resolution pledging support for the Ottawa Franklin County Economic Development Organization, in their attempt to secure a Strategic Planning Grant, as explained by Mr. Lantis, the grant would allow for the development of the sustained county wide capacity to create and implement Comprehensive Economic Development Strategic Plans.

Resolution of Support

Commissioner Lantis made a motion that the Governing Body by way of resolution pledge support for the efforts of the Ottawa/Franklin County Economic Development Organization in securing a Strategic Planning Grant. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Business from Guests

State Senator James Allen appeared before the City Commission stating that he felt the City should be cooperating with the Jefferson Bus Service for securing a bus station location in the City of Ottawa. Mr. Allen stated that many communities in northern Kansas are greatly alarmed when they are faced with the possibility of losing bus service and he thought the City of Ottawa should be doing more in assisting Jefferson Bus Lines. Senator Allen was informed by the City Commission that the City has been working with Jefferson Bus Lines in securing a location and that the City Manager had recently driven their representative through the central business district suggesting locations that he might contact to secure a bus station. It was reported that to date, the Jefferson Bus Lines has not secured a location for their bus station. Senator Allen also stated that in a few days he will be returning to Topeka for the 1991 Legislative Session and he would like to hear of the concerns and desires of the City Commission concerning legislation that the legislature might

consider during the 1991 session.

Lucille Barb appeared before the City Commission and apologized in that she was to be present earlier in the meeting to give the Invocation but had been unable to make the earlier time commitment.

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - January 16, 1991

The City Governing Body met in regular session at 9:35 AM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis, absent none. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Calliham.

Approval of Minutes

The minutes of the last regular meeting which was held January 2, 1991 were approved as written.

Resolution No. 521-91 - Desecration of the Flag of the United States

Commissioner Heathman made a motion that a resolution requesting the Kansas Legislature approve a resolution memorializing the Congress of the United States to propose an amendment of the United States Constitution, for ratification by the States, specifying that Congress and the States shall have the power to prohibit the physical desecration of the flag of the United States be passed. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Request to Apply for Community Development Block Grant by Ottawa University

Dr. Wilbur Wheaton, President of Ottawa University, appeared before the City Commission siting the ongoing cooperation between the University and the City of Ottawa, and requesting permission for the University to proceed with two (2) Community Development Block Grant Applications, in the amount of \$300,000 each. One Community Development Block Grant would be for the renovation of the Science Hall and the second would be for the improvement of the University Union. The request included the holding of Public Hearings at City Hall to inform the public about the applications and request comments.

Commissioner Lantis made a motion that the request of Ottawa University to proceed with applications for Community Development Block Grants, two such grants in the amount of \$300,000 each be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Request of the Over the Road Gang to use Forest Park

Mr. Ed Clark representing the Over the Road Gang appeared before the City Commission to request permission to hold their annual antique car show in Forest Park, September 21 & 22, 1991. It was pointed out that the Over The Road Gang had reserved the main shelter house in Forest Park for these two (2) dates.

Commissioner Calliham made a motion that the Over the Road Gang be

permitted to use Forest Park, for their annual antique car show on September 21 & 22, 1991. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Proclamation Martin Luther King, Jr. Week

Mr. Richard Jackson appeared before the City Commission requesting that a proclamation be issued proclaiming the week of January 21, 1991, as Martin Luther King Jr. Week. Mr. Jackson also made a statement as to the activities which will be held in Ottawa that week commemorating the life of Martin Luther King Jr.

Commissioner Heathman made a motion that the proclamation be approved, the motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Report of Planning Commission

The City Planning Commission met in regular session on Tuesday, January 8, 1990 at 7:00 P.M. in City Hall. Present: Members Reusch, Zabloudil, Todd, Carey, Reynolds, Lancaster and Chairman Woolman.

The minutes of the last meeting held were approved as written by a 7-0 vote.

The Planning Commission approved the final plat of Noel's First Addition by a 7-0 vote.

The Planning Commission held a public hearing to amend the Annexation requirements of the Subdivision Regulations of the City of Ottawa, this was approved by a vote of 7-0.

The Planning Commission reviewed the (C-2) General Commercial zoning district parking regulations and recommended this regulation be changed by adding a 10' green space along the front property line and a maximum curb cut of 36', this was approved by a 7-0 vote.

There being no further business, the meeting was adjourned.

Commissioner Lantis made a motion that the report of the Planning Commission Meeting be entered into the official record of the City. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Ordinance No. 2963-91 - Parking in C-2 Zoning Districts

The Governing Body proceeded to consider an ordinance which would allow parking in the front yard in the C-2 Zoning District, provided a ten (10) foot landscape buffer with curbs is included between the right of way line and the parking lot, and further that curb cuts are limited to thirty six (36) feet in width and access points shall be spaced at a minimum interval of seventy

five (75) feet center to center line. An earlier version of this ordinance had been considered by the City Commission, however it had been returned to the Planning Commission with the recommendation that a ten (10) foot landscape buffer be required between the front property line in the parking lot and that the size of the curb cut be specified.

Commissioner Fogle made a motion that an ordinance amending the text of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended, permitting parking in the front yard of the C-2 General Commercial District be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Acceptance of Dedications for Utility Easements and Streets in The Noel's First Addition

The Governing Body proceeded to consider the easements as set forth in The Noel's First Addition. Commissioner Fogle made a motion that the dedication for easements in The Noel's First Addition, be approved, the motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Governing Body Agenda

Mayor Gillette stated he had received a request for a Parade to be held at 11 AM, August 24, 1991, as submitted by the Abdallah Temple, Shawnee Mission, Kansas. Mayor Gillette directed that the request be reviewed by the Police Department in that they would be able to accommodate the parade.

City Manager's Agenda

Jack Davis Interim City Manager stated that he and the City Clerk would like to thank you Governing Body for the privilege of acting as Interim City Manager and Deputy City Manager during the period of time in which the Governing Body was seeking to fill the position of City Manager for the City of Ottawa. Mr. Davis then welcomed Mr. David Warren, Ottawa's new City Manager, aboard as he stepped down to allow Mr. Warren to be seated in the City Managers chair.

Mayor Gillette then proceeded to thank Mr. Davis and Mr. Smith for filling the vacancy of City Manager during the interim period.

There being no further business to come before the City Commission the meeting was adjourned.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - February 6, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis, absent none. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Henry Roberts of the Westminster Presbyterian Church.

Approval of Minutes

The minutes of the last regular meeting which was held January 16, 1991 were approved as written.

Request for a Parade

The Governing Body proceeded to consider a request for a parade as submitted by the Abdallah Shrine Temple. The parade is to be held August 24, 1991, starting at 11:00 AM from City Park. The parade would then proceed northward and terminate at Forest Park. The Police Dept. has approved the parade in so far as they can provide the necessary traffic control for the event.

Commissioner Fogle made a motion that the request for a parade as submitted by the Abdallah Shrine Temple to be held August 24, 1991, starting at 11:00 AM from City Park be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Request of Radio Station KOFO to Close a Portion of Hickory Street for the Purpose of a Home and Garden Show

The Governing Body proceeded to consider a request to close a portion of Hickory Street between Third and Fourth Streets on March 22 and 23, 1991 for the KOFO Home and Garden Show. The question was asked as to whether closing a portion of Hickory Street between Third and Fourth Streets would be a problem in so far as the construction going on in that area. The City Manager reported he had talked to Bradley Howard, General Manager of KOFO, and Mr. Howard had agreed to work with Fire Chief Richard Towe, in placing the items at the Home and Garden Show so they would not interfere with fire protection.

Commissioner Heathman made a motion that the request of radio station KOFO to close a portion of Hickory Street between Third and Fourth Streets on March 22 and 23, 1991 be approved. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Position Statement of the Governing Body Concerning Persian Gulf War

Mayor Gillette proceeded to read the Position Statement of the Governing Body, concerning the Persian Gulf War as follows: The Governing Body of the City of Ottawa, Kansas, asks that the community's residents show their support, through appropriate public ceremonies, for the members of the United States armed forces who are engaged in the Persian Gulf War.

The City Commission also asks that the residents of Ottawa exhibit their patriotism by flying the American Flag at each of their homes and businesses and that they display yellow ribbons on their property and wear yellow ribbons to express their desire to have the participants in Operation Desert Storm returned home safely, and as soon as possible.

We ask further that residents offer their support and encouragement to the families of armed forces members who are away from their homes on duty in the Persian Gulf area or at other military installations throughout the world. For all of these persons, both at home and abroad, we offer our prayers and extend our best wishes, and do urge others to do likewise.

Proclamation - Black History Month

Mr. Richard Jackson appeared before the City Commission requesting the proclamation and giving an outline of the events which will be held in conjunction with Black History Month.

Mayor Gillette then read and signed a proclamation, proclaiming the month of February as Black History Month.

Proclamation - PTA Week

Ms. Diane Yeamans appeared before the City Commission requesting a proclamation designating the week of February 17 - 23, 1991, as PTA Week and explained some of the activities the Ottawa PTA had been undertaking.

Mayor Gillette then read a proclamation, designating the week of February 17 - 23, 1991, as PTA Week.

Resolution 522-91 - Ottawa Community Arts Council, Inc.

Mayor Gillette then directed that a resolution recognizing the Ottawa Community Arts Council Inc. be entered into the record as follows: WHEREAS, the Ottawa Community Arts Council, Inc. was formed as a not-for-profit corporation in 1978,

WHEREAS, the mission of the Ottawa Community Arts Council, Inc. is to promote community development through the use of Franklin County artistic and cultural resources to explore and develop this area's sense of community, heritage, and vision, and

WHEREAS, the Ottawa Community Arts Council, Inc. desires to stimulate greater governmental and public awareness of the importance of the arts, and

WHEREAS, the Ottawa Community Arts Council, Inc. wants to support Ottawa and Franklin County's own artists, institutions, organizations and audiences, and

WHEREAS, the Ottawa Community Arts Council, Inc. is a service agency, with its primary emphasis on existing local arts organizations, and

WHEREAS, the Ottawa Community Arts Council, Inc. is recognized by the Kansas Commission and the National Endowment for the Arts as the appropriate body to disseminate information to Franklin County and its municipalities, as well as being a qualified sub-grantee of state and federal arts funds,

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the City of Ottawa, Kansas, that the Ottawa Community Arts Council, Inc. shall be recognized as the appropriate organization to advise the Governing Body of the City of Ottawa on development of the arts in Ottawa and Franklin County.

Commissioner Lantis made a motion that a resolution recognizing the Ottawa Community Arts Council, Inc. for all of the services and support they provide for our community be passed. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Hearing on a Structure Damaged by Fire

As set forth by Resolution No. 519-90 a hearing was called at this time on a structure located at 1116 South Hickory which had been damaged by fire. Mayor Gillette opened the hearing and announced the structure has been demolished and the site restoration approved by the City, whereby he asked if there were any further comments. There being no comments, Mayor Gillette declared the hearing closed.

Approval of Schedule of Investments

Commissioner Heathman made a motion that the schedule of investments existing as of January 31, 1991 indicating a total of \$7,200,000 invested at an average annual interest rate of 6.53%, be approved. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Resolution No. 523-91 - Authorizing the Mayor to Execute an Agreement For the Development of the Wollen's Addition

The Governing Body proceeded to consider a resolution authorizing

the execution of an agreement between the City of Ottawa and Olin Wollen and Maxine Wollen his wife for the development of the Wollen's Addition. The agreement sets forth that upon securing a building permit, Mr. & Mrs. Wollen may build on Lot 4 of the Wollen's Addition, without street improvements, for a period of three (3) years. The condition also sets forth that a valid petition for street improvements must be submitted prior to the issuance of a building permit to build on Lot 4. If at any time during the three (3) year period, Lot 4, or any other lot should be sold, or if a building permit is requested for any other lot on the development, the City may proceed to improve Fourth Street and Pine Street based upon the petition for improvements submitted.

Commissioner Lantis made a motion that a resolution authorizing the Mayor to execute an agreement with Olin Wollen and Maxine Wollen for the development of the Wollen's Addition be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Resolution No. 524-91 - Authorizing the Mayor to Execute an Agreement with Bucher, Willis & Ratliff Engineers, for Engineering Services

It was discussed that as a result of the airport improvements recently completed, the Federal Aviation Administration requires the City to submit an updated Airport Layout Plan. The Plan is to be financed with ninety (90) percent Federal Aviation Administration funds, and ten (10) percent City of Ottawa funds. Bucher, Willis & Ratliff Engineers, are the engineers engaged to prepare the Municipal Airport Layout Plan and it is set forth in the resolution that Bucher, Willis & Ratliff is not to proceed with the engineering until funding is approved by the Federal Aviation Administration.

Commissioner Calliham made a motion that a resolution authorizing the Mayor to execute an agreement with Bucher, Willis and Ratliff Engineers for Supplement No. 2 to the Airport Service Agreement for the Municipal Airport be approved. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Resolution No. 525-91 - Authorizing the Mayor to Execute an Agreement with Ottawa Truck Corp. for the Purchase of a Fire Truck

Commissioner Heathman made a motion that a resolution authorizing the Mayor to execute an agreement with the Ottawa Truck Corporation for the purchase of a fire truck be approved. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Report of Planning Commission

A report of the Planning Commission meeting of February 5, 1991 was submitted as follows:

The City Planning Commission met in regular session on Tuesday, February 5, 1991 at 7:00 P.M., City Hall. Present: Members Reusch, Zabloudil, Carey, Reynolds and Lancaster. Absent: Members Todd and Woolman.

The minutes of the January 8, meeting were approved as written by a 5-0 vote.

The Planning Commission called a Public Hearing to be held at their March meeting to amend the (C-S) Highway Service Zoning District uses. This passed by a 5-0 vote.

There being no further business, the meeting was adjourned.

Commissioner Fogle made a motion that the report of the Planning Commission meeting of February 5, 1991, be entered into the official record of the City. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Governing Body Agenda

Commissioner Fogle stated that he would like to speak to the issues of the Golf Course Study and the current proposal for the development of the Golf Course. Commissioner Fogle then stated that the tax base for the City of Ottawa has not increased for twelve (12) years, the City of Ottawa has had a declining population for the past twenty (20) years and the City of Ottawa is in dire need for jobs and industrial development. Commissioner Fogle did state however that in order to secure jobs and industrial development the proper environment must be created. On the issue of the construction of a golf course, Commissioner Fogle said he would like to see a private developer take the risks and not the City of Ottawa. The present proposal before the City Commission to construct the golf course could cost the City money in the future which should be used for other purposes. Commissioner Fogle also spoke of the possibility of a Holidome type facility locating near Ottawa, but with the present liquor laws in Franklin County, he did not think this would happen. No. 1: Commissioner Fogle said the liquor laws must be changed, that under the current laws anyone drinking beer on a municipal golf course could be cited and fined. No. 2: Commissioner Fogle stated Franklin County is surrounded by three (3) Counties that allow liquor by the drink, and he felt it would be necessary to have a facility where people could dine and have liquor type drinks with their meal. Commissioner Fogle then stated he did not want the City to operate a golf course even if it should become a municipal golf course.

Commissioner Lantis then spoke to the issue stating the possibility of constructing a civic center in place of a golf course would not expand the tax base by offering a magnet for new housing. Commissioner Lantis stated the three (3) steps for developing a golf course are: No. 1: A feasibility study which has been conducted in the City of Ottawa. No. 2: Selecting a financial group to put the financial package together and site selection. No. 3: Finding a housing developer to develop the land surrounding the golf course. Commissioner Lantis stated that it would be best if a developer could be found to do the entire project whereby the developer would provide the land for the golf course and develop the area around the golf course into housing sites. Another alternative being, the City lease purchase the land, develop the golf course and sell the housing developing land to developers.

Mayor Gillette then said he would like to speak to the issue, but most of the points he wanted to make had already been made, however Mayor Gillette said he is in favor of the golf course concept for securing housing for the City. Mayor Gillette stated he thought the City had selected two of the best consulting groups for the project that being the firm of, THK, who did the feasibility study and, First Golf, who is looking into the financing of the Golf Course.

Commissioner Heathman stated he was not in favor of the golf course type development, there were too many if's involved that could cause the City a problem and siting further that the City is considering spending three million dollars for a golf course along with three million dollars for sewers to serve the area. Commissioner Lantis stated the three million dollars for sewers for the area were to serve all of the northwest part of the town not just a golf course.

Public Agenda

Gary Meyer appeared before the City Commission stating he had built three new homes in the City of Ottawa, and he would admit that at the present time there were no more sites on which he would desire to build a new home. Mr. Meyers further stated that the proposed \$16.50 per round to pay golf on a municipal golf course was too high and he did not think it would attract the golfers necessary to support the project. Mr. Meyers said he had conducted a survey of the cost for golf in and around Johnson and Douglas County and the \$16.50 per round was the highest of any except for Alvamar of Lawrence. Mr. Meyer further requested that the golf course issue be put on a referendum before any decisions were made.

Mr. Tony De La Torre appeared before the City Commission stating that he thought the energies of the City Commission should be focused on unemployment. Earlier Mr. De La Torre suggested that

the new City Manager visit with each of plant managers in the area, to find out what the problems are so that we might find solutions to bring additional employment to the City of Ottawa. Mr. De La Torre further suggested that the business community meet and discuss the problem at length, that may be helpful in finding a solution to the problem. It was pointed out to Mr. De La Torre, the business community is having meetings on a regular basis to discuss the problem and hopefully find a solution.

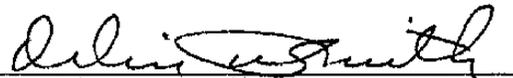
Mr. Dan Oglesby appeared before the City Commission, stating he thought possibly a lakefront property would be more of an enticement to housing and would not be so costly.

Ms. Kim Emery appeared before the City Commission stating she was aware the City needed housing but she did not want the City to cater to the elite such as building sites around a golf course. Ms. Emery further stated that she did not want the City of Ottawa to become a bedroom community.

Don Howell appeared before the City Commission stating he did not feel that City funds should be spent to promote a single sport. Mr. Howell also stated he thought a lake front situation would entice the construction of housing.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - February 20, 1991

The City Governing Body met in regular session at 9:35 AM this date: Present Mayor Gillette and Commissioners Heathman and Lantis, absent Commissioners Fogle and Calliham. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Henry Roberts of the Westminster Presbyterian Church.

Approval of Minutes

The minutes of the last regular meeting which was held February 6, 1991 were approved as written.

Request for Sidewalk Sale

The City Governing Body proceeded to consider a request from the Ottawa Area Chamber of Commerce Retail Committee, to hold a sidewalk sale in the central business district on Saturday, Feb. 23, 1991, from 9 AM to 5 PM.

Commissioner Heathman made a motion that the request of the Ottawa Area Chamber of Commerce Retail Committee to hold a sidewalk sale on Saturday, February 23, 1991, from 9 AM to 5 PM in the central business district be approved. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Public Hearing - Application for Community Development Block Grant Funds

Mayor Gillette explained the purpose of the hearing is for considering an application to the Kansas Department of Commerce for small cities Community Development Block Grant Funds, Mayor Gillette then declared the hearing open.

Elaine Needham representing Ottawa University, appeared before the City Commission asking for permission to submit an application for Community Development Block Grant Funds under the Economic Development portion of the program for Ottawa University, if they are successful in securing a grant it will create jobs for the community. There being no further comment Mayor Gillette declared the hearing closed.

Commissioner Lantis made a motion that the City Governing Body authorize Elaine Needham to prepare a Community Development Block Grant Application for Ottawa University under the authority of the City of Ottawa. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Report of the Administrative Review Committee Concerning a Request for Tax Exemption as submitted by Mid American Aerospace - Call a Public Hearing for that Purpose

Mayor Gillette called on, City Manager David Warren, to report on the findings of the Administrative Review Committee. Mr. Warren reported that the Administrative Review Committee consisting of the City Manager, the City Clerk and the President of the Ottawa Chamber of Commerce met at 1:30 PM February 19, 1991, to consider the application of Mid America Aerospace for a ten (10) year tax abatement for their new manufacturing facility in the City of Ottawa. Mr. Warren further reported, it is the findings of the committee that Mid American Aerospace meets or exceeds all conditions set forth in the Statement of Policy for tax exemptions and incentives for economic development as adopted by the City of Ottawa Resolution No. 409-89. The Committee discussed each item set forth in Section 10 of the policy as it would pertain to Mid American Aerospace. The findings and the determination of each item as set forth in Section 10 were of a positive nature. It is the recommendation of the Administrative Review Committee that Mid American Aerospace be given a ten (10) year tax abatement on their building and land with an annual payment in lieu of taxes equal to the last tax assessment on the land prior to the construction of their new building.

Mayor Gillette then commented, the reason for the payment in lieu of taxes equal to the amount last assessed against the land prior to the construction of the bldg., is so the taxing entities of the City will continue to receive the same amount of tax from the land as they have received in the past for the next ten years.

Commissioner Heathman made a motion that a public hearing be held by the Governing Body of the City of Ottawa at 4:45 PM, February 28, 1991, to consider a request for tax exemptions as submitted by Mid American Aerospace. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Report on Electric Rate Study

Mr. B. J. Kirkwood of Covenant Engineering, appeared before the City Commission to give a progress report on the study of the rates of the Electric Utility, which is presently in progress. Mr. Kirkwood reported he has completed what he calls, Phase One, of the study and the City does not appear to have any immediate cash flow problems in the electric fund, but according to his projections there could be a cash shortage within the next five (5) years. Mr. Kirkwood requested to meet with the City Commission in an informal study session following the meeting, so that he could deliver a more detailed report and seek the direction of the City Commission. The City Governing Body agreed to meet with Mr. Kirkwood following this meeting.

Commissioner Calliham is now in attendance at the meeting as he came in during Mr. Kirkwood's presentation.

Ordinance No. 2964-91 - Dealing with Excavation or Construction Within Public Rights of Way of the City of Ottawa, Kansas

Mayor Gillette introduced the Ordinance by stating there is a need for an ordinance dealing with excavation or construction within the public rights of way within the City of Ottawa, Kansas, in as much as there is a salvage crew currently working toward the City of Ottawa removing railroad track. In a course of removing the track through the City of Ottawa, the railroad tracks intersect several streets as well as going down the center of another street for several blocks. Mayor Gillette then stated that he would entertain a motion concerning passage of the motion. Commissioner Calliham made a motion that an ordinance dealing with excavation or construction within the public rights of way within the city limits of the City of Ottawa, Kansas be passed. The motion was seconded by Commissioner Heathman.

Upon opening the subject for discussion, Commissioner Lantis stated he had a problem with the ordinance as written, he was concerned for local plumbers and contractors as he felt it would just be another step they would have to take in going about their daily business when they would have to open a street for plumbing or other repairs. Mayor Gillette then called upon Bob Bezek City Attorney, to comment on the ordinance. Mr. Bezek stated that there is a need for an ordinance setting forth bond and permit requirements to work in the streets in the City of Ottawa, as the salvage crew removing railroad tracks is working toward the City of Ottawa, and the City needs such an ordinance in force prior to the crew working in and through the City. Mr. Bezek further stated that the ordinance is written as such that the Director of Public Works may waive the bond requirements for local plumbers and contractors. It was then discussed among the City Commission that more research should be done on the subject prior to submitting the ordinance for passage.

The City Manager then commented that there is an urgency for passage of the ordinance, he suggested the City Commission enact the ordinance and the staff would do further research on the subject matter so that a better version of the ordinance might be submitted to the City Commission in the near future.

Mayor Gillette then commented that the ordinance is written as such that the Director of Public Works may waive the bond requirements and possibly it should be written so the Director of Public Works could waive the bond requirement and the permit requirement. Upon suggestion of the City Attorney, Mayor Gillette made a motion that the motion on the floor be amended whereby the Director of Public Works may waive the requirement of the bond or the permit or both, if the director believes the City's best interest are adequately protected. Mayor Gillette's amendment to the motion was seconded by Commissioner Heathman. Upon call for

the question on the amendment, Mayor Gillette and Commissioners Calliham and Heathman voted in favor of the motion and Commissioner Lantis voted opposing the motion. The amendment to the motion having been passed, the question was called on the motion as amended. Mayor Gillette and Commissioners Calliham and Heathman voted in favor of the motion as amended, and Commissioner Lantis voted opposing the motion as amended.

Resolution No. 526-91 - Setting the Time for City Commission Meetings

Mayor Gillette opened the discussion of the resolution by stating that the meeting time for the second meeting of the month had originally been established at 9:35 AM to accommodate the broadcast schedules of Radio Station KOFO, however in as much as it is no longer necessary to have the meetings at 9:35 AM to accommodate Radio Station KOFO, there had been some concern expressed that the meeting time be changed to 9:30 AM.

Commissioner Heathman made a motion that a resolution establishing the meeting time of the City Governing body as 7:00 PM on the first Wednesday of each month and 9:30 AM on the third Wednesday of each month be passed. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Release of Easement

Mayor Gillette called upon the City Clerk to explain the need for the release of the easement in question. The City Clerk explained, several years ago when the City acquired the electrical distribution service area in south Ottawa, in the area now known as County Clerks Subdivision No. 1, the City also acquired a blanket utility easement over many of the properties in the area. Bank IV of Ottawa is now processing a loan for Lot 24 in County Clerks Subdivision No. 1 and has requested a release of the blanket easement across Lot 24 for the purpose of properly securing their loan. The City Clerk stated that, Director of Utilities Jack Davis had indicated the City has no need for the blanket easement as the City has adequate easements otherwise for city utility purposes.

Commissioner Lantis made a motion that the Mayor be authorized to sign a partial release of a blanket easement on Lot 24, County Clerks Subdivision No. 1 of the City of Ottawa, Kansas. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

City Managers Agenda

The City Manager introduced the subject of keeping cattle in zoned R-S Residential Suburban. The City Manager stated, a subject of discussion at the last study session centered around a gentleman

wishing to keep cattle on a piece of property, zoned R-S Residential Suburban. The City Manager stated, the Inspection Dept. was only doing its job on an interpretation of an existing zoning ordinance when they informed the gentleman he could not keep cattle on this particular piece of property in the residential zoned area. The City Inspectors may only interpret and enforce zoning as it is written, they do not have the latitude or the authority to make exceptions to the ordinance. Mayor Gillette and Commissioner Lantis questioned why the gentleman could not keep cattle on this piece of property in as much as his neighbors surrounding him were keeping cattle on property which was zoned R-S Residential Suburban. The City Manager answered, the properties surrounding the property in question were keeping cattle on the property as a non conforming use as permitted by the zoning ordinance, if they were keeping cattle legally on the property prior to the adoption of the ordinance they could continue to do so. Mayor Gillette then asked if there were some way by special use permit or other means that the gentleman could be allowed to keep cattle on his property. The City Manager answered by stating he would have to research the zoning ordinance to see if provisions were made by way of special use permit or other means which might allow the practice of keeping cattle on land zoned R-S Residential Suburban. The City Manager was then requested to have himself and/or his staff research the zoning ordinance to see if there were a means by which the gentlemen could be permitted to keep cattle on his property. It was requested that this information be compiled for discussion at a future study session.

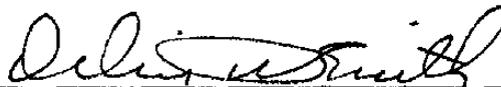
Public Agenda

Mr. Dan Oglesby appeared before the City Commission inquiring as to the status of the revision of the ordinance relating to the private security business. Mr. Oglesby stated he had visited with Chief Herrman in November and was told at that time the City was revising the ordinance, but to date Mr. Oglesby was unaware of any changes coming about. The City Manager reported to Mr. Oglesby that the ordinance is currently being worked on and he is hopeful to have the revised draft for the City Commission by the first meeting in March. Mr. Warren said the ordinance had come to him in a more or less emergency nature for passage but he had put a damper on quick passage as he felt the subject needed to be researched thoroughly. More recently he had asked John Cole, Asst. City Attorney, to research the possibility of putting a liability insurance requirement on the provider, this is being investigated at the present time. Mr. Oglesby stated that he was wishing to start a business in the private security area but he understood he could not advertise unless he was licensed as a private security business, and until this point is clarified he was reluctant to advertise his services. Mr. Oglesby further stated, it was unclear to him as to whether the City was currently under the old ordinance or whether the City is operating under the

new revised ordinance. Bob Bezek, City Attorney, assured Mr. Oglesby that until the old ordinance is rescinded and a new one adopted, the City is operating under the old Private Security Guard Ordinance.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - February 28, 1991

The City Governing Body met in special session at 4:45 PM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis, absent none. The purpose of the meeting is to conduct a public hearing on a request for a tax exemption as submitted by Mid America Aerospace and to consider a resolution and ordinance pertaining to the request of a tax exemption by Mid America Aerospace and to conduct any other business to come before the City Commission.

Mayor Gillette opened the public hearing on a request for tax exemption as submitted by Mid America Aerospace and ask if there were any comments pertaining to the subject. There being no comments either from the City Commission or those in attendance the public hearing was declared closed.

Resolution No. 527-91 - Need and Necessity to Exempt Certain Land and Building from Ad Valorem Taxation

Mayor Gillette stated that the City Commission would now consider a resolution declaring the need and necessity to exempt from Ad valorem Taxation all of the appraised valuation of buildings together with land upon which the buildings are located and all tangible personal property associated therewith of certain property located in the City of Ottawa, Franklin County, Kansas and allowing a payment in lieu of tax. Mayor Gillette reported that the amount set forth in the resolution to be paid annually in lieu of ad valorem tax shall be one thousand one hundred fifty dollars per year and that the exemption from ad valorem taxation will be effective on the first day of January 1991, and to expire on December 31, 2000.

Commissioner Fogle made a motion that a resolution declaring the need and necessity to exempt from ad valorem taxation all of the appraised valuation of buildings together with the land upon which the buildings are located and all tangible personal property associated therewith of certain property located in the City of Ottawa, Franklin County, Kansas, and allowing for a payment in lieu of tax in the amount of \$1,150.00 per year and making the effective date of the exemption from taxation on the first day of January 1991, and to expire on the thirty first day of December, 2000 to be passed. The motion was seconded by Commissioner Lantis and upon call for the question all present voted in favor of the motion.

Ordinance No. 2965-91 - Exempting Certain Property from Ad valorem Taxation

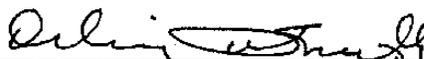
An ordinance exempting from ad valorem taxation all of the appraised valuation of buildings together with the land upon which the buildings are located and all tangible personal property associated therewith of certain property located in the City of

Ottawa, Franklin County, Kansas, and allowing for a payment in lieu of tax was introduced.

Commissioner Lantis made a motion that an ordinance exempting from ad valorem taxation all of the appraised valuation of buildings together with the land upon which such buildings are located and all tangible personal property associated therewith of certain property located in the City of Ottawa, Franklin County, Kansas and allowing for a payment in lieu of tax in the amount of \$1,150.00 per year and making the effective date of the ad valorem tax exemption the first day of January 1991 to expire on the thirty first day December 2000 be passed. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Commissioner Fogle went on record as thanking Mr. Farrell for moving his manufacturing facility to the City of Ottawa as he said he felt the facility would be a great asset to the City of Ottawa. Mr. Jim Farrell of Mid America Aerospace stated he was most happy with the move of his facility to the City of Ottawa and further stated the jobs he was bringing to the City would pay in excess of four to five dollars per hour.

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - March 6, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis, absent none. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman of the Faith Lutheran Church.

Approval of Minutes

The minutes of the last regular meeting of the City Commission which was held February 20, 1991 were approved as written.

Public Hearing to Consider an Application for Community Development Block Grant Funds as Presented by Ottawa University

Mayor Gillette declared a public hearing open to consider an application for Community Development Block Grant Funds, Economic Development category, as submitted by Ottawa University in the amount of \$300,000.00 and any other proposals for Community Development Block Grant funds. Mayor Gillette then asked if there was anyone to speak to the issue.

Dr. Wilbur Wheaton appeared before the City Commission and stated he would give a summary of the request of Ottawa University. Dr. Wheaton then stated, Ottawa University's request for \$300,000.00 in Community Development Block Grant funds is to help underwrite remodeling and upgrade projects for Ward Science Hall which will be in the total amount of \$2,100,000.00. The first phase of the project is for \$913,000.00 for which Ottawa University is requesting the \$300,000.00 from Community Development Block Grant funds to help in this phase. Dr. Wheaton stated the project should be completed in about 18 months. The \$300,000.00 request for Community Development Block Grant funds will address necessary roof repairs along with making the building accessible to the handicapped by means of an elevator. The project will support 49 jobs, including 16 new jobs and 33 jobs to be retained, 28 of the total of 33 jobs will be low to moderate income. At the conclusion of Dr. Wheaton's remarks Mayor Gillette asked if there was anyone else who would like to address the issue. There being no one to address the issue, Mayor Gillette declared the hearing closed.

Upon question from Mayor Gillette the City Manager stated that the next action on the request for Community Development Block Grant funds would be on March 20, 1991, at which time the City Commission should consider action on a resolution authorizing the Mayor to sign certain documents necessary for the submission of the grant request.

Report of Planning Commission Meeting

The City Governing Body proceeded to consider a report of the Planning Commission Meeting of March 5, 1991.

The City Planning Commission met in regular session on Tuesday, March 5, 1991 at 7:00 P.M. in City Hall. Present: Members Reusch, Zabloudil, Todd, Carey, Reynolds, Lancaster and Chairman Woolman.

The minutes of the last meeting held February 5, 1991 were approved as written by a 7-0 vote.

The Planning Commission voted 7-0 to call a public hearing for the 1991 update to the Capital Improvement Program to be held at the April meeting.

The Planning Commission voted 7-0 to call a public hearing to amend the Subdivision Annexation regulations for the City of Ottawa, Kansas.

The Planning Commission voted 7-0 to call a public hearing to allow "Barber and Beauty services" as a Permitted use to (O-I) Office and Institutional Zoning.

The Planning Commission held a public hearing and voted 7-0 to amend the (C-S) Highway Service Zoning District uses.

There being no other business the meeting was adjourned.

Commissioner Fogle made a motion the report of the Planning Commission Meeting of March 5, 1991, be accepted and entered into the official record. The motion was seconded by Commissioner Heathman, upon call for the question all present voted in favor of the motion.

Ordinance No. 2966-91 - Registration Requirement for Persons Providing Private Security Services

Mayor Gillette explained the purpose of this ordinance is to simplify the procedure to become a private security officer in the City of Ottawa, whereby the City of Ottawa would no longer license private security officers but would require that persons wishing to become private security officers obtain a permit from the City.

Commissioner Calliham made a motion that an ordinance providing for the deletions and amending new sections in Article 7 of Chapter 11 of the Municipal Code of the City of Ottawa, Kansas, 1982, relating to regulation of private security services and repealing Ordinance No. 2523, be passed. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Request for use of Forest Park

The City Governing Body proceeded to consider a request of the Over the Road Gang, E. L. Clark, President, to use Forest Park on September 14 and 15, 1991, for their Over the Road Car Show. The Over the Road Gang, had previously submitted a request to use Forest Park on September 21 and 22 1991, which had been granted, however it was discovered there is a conflict for them on this weekend and they are requesting to use Forest Park on September 14 and 15, 1991, in place of the prior date. The request also asks that the main shelter house in Forest Park be reserved on the same dates for that purpose.

Commissioner Fogle made a motion that the request of the Over the Road Gang to hold their annual car show in Forest Park, September 14 and 15, 1991, in place of their original request of September 21 and 22, 1991, be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Governing Body Agenda

Commissioner Lantis stated, he had had a call from a local plant manager in the City of Ottawa, who is looking to enlarging his plant facility and hiring additional employees. The telephone conversation was in relation to the need for rental housing units in the City of Ottawa. The plant manager told Mr. Lantis that being unable to secure the qualified people to staff his new addition in the City of Ottawa, he had been contacting local area Vo Tec schools and that he did have some prospective employees coming to the City to interview for the jobs and possibly to locate housing. The plant manager had told Mr. Lantis he was unable to find the rental housing in the City of Ottawa that his new employees would need.

Commissioner Lantis then asked persons who might have rental housing available in the City of Ottawa to contact the City Manager's office, leave their names and addresses and those would be passed to appropriate persons that it might assist in the search for rental housing.

City Manager Agenda

City Manager David Warren reported that the City had started receiving complaints of a fishy smell in the city water supply starting this past Saturday, March 2. The City Manager reported that when the reports reached the water plant, additional chemical treatment equipment was put into operation and that even though there is not an immediate response to the fishy smell in the water the problem should be alleviated by this time. The City Manager further reported that this is not an uncommon occurrence and it is brought about by water turnover in the area reservoirs which is

caused by temperature and climatic conditions. It was also reported that the water was safe for consumption.

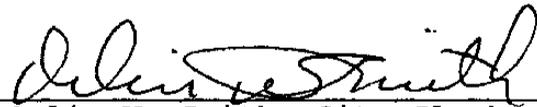
The City Manager also reported that Neosho County Community College has been interviewing prospective employees for their new facility in the City of Ottawa, and that at 1:00 PM tomorrow March 8, 1991, there will be a small reception in the City Commission Room at City Hall for one of their employees.

Public Agenda

Kelly Young, 116 1/2 W. 3rd, appeared before the City Commission, and stated she had just moved to the City of Ottawa and had been informed that she could not park in front of her residence. Her residence is an apartment over a commercial building. Ms. Young was inquiring as to whether she could be issued a parking permit for this purpose as to park in a city parking lot would be about a block from her residence and if she had packages to carry it could create a difficult situation for her. It was reported to Ms. Young that the City has no provision for issuing parking permits. However Mayor Gillette requested that this item be discussed at a future study session of the Governing Body.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - March 20, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman of the Faith Lutheran Church.

Approval of Minutes

The minutes of the special City Commission meeting which was held February 28, 1991, and the regular City Commission meeting which was held March 6, 1991, were approved as written.

Request of Ottawa University

The City Governing Body proceeded to consider a request of Ottawa University to hold a "Run" over the streets of Ottawa, Saturday, May 18, 1991, at 8:00 AM as part of their reunion activities. The run has been approved by Chief of Police, Jeff Herrman, in that the Police Dept. will provide traffic control for a limited time for the runners as they cross Main Street.

Commissioner Heathman made a motion that the request of Ottawa University to hold a run over the streets of Ottawa, May 18, 1991, at 8:00 AM, be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Resolution No. 528-91 - Authorizing the Mayor to Sign Documents Pertaining to an Application for Community Development Block Grant Funds.

The Governing Body proceeded to consider a resolution authorizing and directing the Mayor of the City of Ottawa, Kansas, to execute certain documents pertaining to an application for Kansas small cities community block grant funds. The block grant funds for which the City is applying is in the amount of \$300,000.00 and will be used by Ottawa University to supplement other available funds to upgrade Ward Science Hall. The documents which the resolution authorize and directs the Mayor to sign, is the Application Summary, the Statement of Assurances and Certifications and the Affirmation of Necessary or Appropriate.

Commissioner Lantis made a motion that a resolution authorizing and directing the Mayor of the City of Ottawa, Kansas, to execute certain documents pertaining to an application for Kansas Small Cities Community Block Grant Funds, be approved. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Elaine Needham who is assisting Ottawa University in their

application for funds was present at the meeting to answer any questions concerning the application, however no questions were forthcoming.

Ordinance No. 2967-91 - Permitted and Conditional Uses for the "C-S" Highway Service Zoning District.

The City Governing Body proceeded to consider an ordinance amending both the permitted and conditionally permitted use list for the "C-S" Highway Service Zoning District, Appendix A, of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended. The new ordinance sets forth that auto wash services, service stations, with limited or light repair service only, convenient stores, automobile parts and supply stores, hotel and motels, parks, restaurants, drive in restaurants, taxi dispatch and maintenance and bus terminals are the only uses permitted in the "C-S" Highway Service Zoning District, however conditional permitted uses in the "C-S" Highway Service District are limited to substations, pipelines, control stations and sewerage control stations.

Commissioner Fogle made a motion that an ordinance amending both the permitted and the conditionally permitted uses of the "C-S" Highway Service Zoning District, Appendix A of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended be passed. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Governing Body Agenda

Mayor Gillette announced there will be a Mayor's Prayer Breakfast, Saturday, April 13, at 8:00 AM, at the Student Union, Ottawa University. The invocation is to be given by Rev. Ed Baxter of the First Baptist Church and the address will be given by Dr. Wilbur Wheaton of Ottawa University. Tickets for the Mayor's Prayer Breakfast are \$4.00.

City Manager's Agenda

The City Manager reported that a request had been received from the Ottawa Jaycees for the use of Forest Park for two (2) events. The Ottawa Jaycees would like to use Forest Park, Saturday, March 23, 1991, from 9:00 AM to 1:00 PM for the annual Jaycees Easter Egg Hunt and, for an alternate rain date, March 30, 1991, from 9:00 AM to 1:00 PM. The other request from the Jaycees is to hold their annual Jaycees St. Jude's Bike-A-Thon, April 13, 1991 from 11:00 AM to 6:00 PM and, as an alternate rain date, April 20, 1991, from 11:00 AM to 6:00 PM. It was reported that the Chief of Police is aware of the dates set for the two (2) events and in as much as the St. Jude's Bike-A-Thon is contained in the park, there would be no need for police assistance.

Commissioner Heathman made a motion that the Ottawa Jaycees be permitted to hold their annual Easter Egg Hunt, in Forest Park, March 23, 1991, from 9:00 AM to 1:00 PM and, as an alternate rain date, March 30, 1991, from 9:00 AM to 1:00 PM. The motion was seconded by Commissioner Lantis, and all present voted in favor of the motion.

Commissioner Calliham made a motion that the Ottawa Jaycees be permitted to use Forest Park for their annual Jaycees St. Jude's Bike-A-Thon, April 13, 1991 from 11:00 AM to 6:00 PM and, as an alternate rain date, April 20, 1991, from 11:00 AM to 6:00 PM. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - April 3, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Paul Turner, of the Wesleyan Church.

Approval of Minutes

The minutes of the last regular meeting of the City Commission which was held March 20, 1991 were approved as written.

Presentation of Plaque

Mayor Gillette presented a plaque to Jack Davis commemorating 12 years of service with the City of Ottawa as Director of Utilities. Jack retired March 15, 1991.

Proclamation - National Telecommunicators Week

Mayor Gillette read a proclamation designating April 14 - 20 as National Telecommunicators week in honor of the people who answer the emergency calls for Police, Fire and Ambulance.

Proclamation - Kansas Homemakers Week

Mayor Gillette read a proclamation designating the week of May 6 - 11, 1991, as Kansas Homemakers Week, honoring the Extension Homemaker Council and all homemakers whose work enriches the lives of Kansas families and communities.

Review Schedule of Investments

Commissioner Fogle made a motion that the Schedule of Investments existing as of March 21, 1991, indicating a total of \$7,200,000, invested at an average annual interest rate of 5.86 percent be approved. The motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Report of Planning Commission Meeting

The City Governing Body proceeded to consider a report of the Planning Commission Meeting of April 2, 1991.

The City Planning Commission met in regular session on Tuesday, April 2, 1991 at 7:00 P.M. in City Hall. Present: Members Reusch, Zabloudil, Todd, Carey, Reynolds, Lancaster and Chairman Woolman.

The minutes of the last meeting held March 6, were approved as written by a 7-0 vote.

The Planning Commission opened the public hearing for the 1991 update to the Capital Improvement Program.

The Planning Commission held a public hearing to amend the Subdivision Annexation regulations for the City of Ottawa, Kansas. This was approved by a vote of 7-0.

The Planning Commission voted 7-0 to call a public hearing for the May meeting to allow "Rooming and Boarding houses" as a permitted use to (C-2) General Commercial Zoning District.

The Planning Commission called a public hearing to re-zone the area included in the new industrial park from (R-S) Residential Suburban to (I-2) Heavy Industrial. This was approved by a 7-0 vote.

The Planning Commission voted 7-0 to call a Public Hearing to allow "Farm Livestock" as a Special Use to "R-S" Residential Suburban Zoning uses. This public hearing will be held at the May meeting.

The Planning Commission voted 7-0 to call a Public Hearing to allow Telemarketing as a conforming use to (C-3) Retail Business and (C-2) General Commercial Zoning Districts.

There being no further business, the meeting was adjourned.

Commissioner Heathman made a motion the report of the Planning Commission Meeting of April 3, 1991, be entered into the official record of the City. The motion was seconded by Commissioner Lantis, upon call for the question all present voted in favor of the motion.

Ordinance No. 2968-91 - Authorizing the Furnishing and Equipping of a Fire Station Building by Purchasing and Equipping a Fire Fighting Apparatus

The City Governing Body proceeded to consider an ordinance authorizing the furnishing and equipping of a Fire Station Bldg. by purchasing and equipping a fire fighting apparatus.

Commissioner Heathman opened the discussion by stating, he has a problem with issuing temporary notes for this purpose. Commissioner Heathman further stated, if there is money in the Equipment Reserve Fund it should be used to pay for the fire truck.

Commissioner Fogle stated, in his opinion there were too many transfers from the utilities fund to run City Government. The fire truck is a part of City Government but there is also utility money in the reserve fund and this should be kept separate,

because the money may not be available for utility use when needed.

Mayor Gillette stated, if the fire truck were paid for all at once the reserve fund will be depleted. This fund is a reserve fund to be used by all departments and should not be depleted by one department.

Commissioner Fogle commented, that if the City itself does a part of the sewer work that needs to be accomplished, we would need to use the Equipment Reserve Fund to purchase equipment for that purpose.

Commissioner Lantis made a motion that an ordinance authorizing the furnishing and equipping of a fire station building by purchasing and equipping a fire fighting apparatus in the City of Ottawa, Kansas, under the authority of K.S.A. 12-1736 et seq, be passed. The motion was seconded by Commissioner Fogle, and Mayor Gillette, Commissioners Fogle, Lantis, and Calliham, voted in favor of the motion, Commissioner Heathman voted no.

Governing Body Agenda

Commissioner Fogle stated he would like to give some comments concerning his recent trip to Washington DC to attend the National League of Cities Annual Meeting. Commissioner stated that he has been on the National League of Cities Energy and Environment Policy making committee, for the past 5 years and that he has been successful in getting the combined sewer overflow problem moved to the top of the agenda of the Energy and Environment Policy making committee. The combined sewer overflow partnership known as "CSO" has proposed legislation trying to get one half billion dollars per year for cities that are stressed by the combined sewer overflow problem. The EPA is now enforcing its regulations concerning the combined sewer overflow problem and in some cities the EPA stopped the issuance of building permits until the combined sewer overflow problem is corrected. In as much as the City of Ottawa has a serious problem with combine sewer overflow, Commissioner Fogle is suggesting that the City of Ottawa join the Combined Sewer Overflow Partnership with the membership costing the City of Ottawa between \$300.00 and \$500.00 per year. If the CSO Partnership is successful in getting congress to appropriate the money as requested it is possible the City of Ottawa could get 4 to 5 million dollars for a new disposal plant or to use in other areas to correct the existing problem. The CSO Partnership also has a staff that has experience in solving sewer problems. It was indicated by the City Governing Body that they would discuss the CSO Partnership further at a study session in the near future.

City Managers Agenda

The City Manager reported that the City had received a request by the Lake Region Recycling Center to hold their Earth Fair 91 in Forest Park, April 27, 1991. It was further reported that the use of these facilities and a 5K Run over the streets of Ottawa had been approved.

Commissioner Calliham made a motion that the request of the Lake Region Recycling Center for, Earth Fair 91, in Forest Park, April 27, 1991, be approved. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

At the conclusion of the City Manager's Agenda, Mayor Gillette proceeded to recognize two new City Commissioner who will be sworn into office at the next regular meeting, Mr. Richard Jackson and Mrs. Joan Tyson.

Public Agenda

Mr. Wilfred Bugner, 839 Estabrook, appeared before the Commission stating, he had a letter he would like to read which would clarify a point in a letter which he gave each candidate for City Commission at the last Candidate Forum. The point of clarification that Mr. Bugner spoke to was that after all of the City sewer mains and laterals are repaired at a cost of many million dollars, the City will still have rain water run off problems because of the many roof drains and surface water drains around the homes and buildings in the City which now run into the City sanitary sewers. Mr. Bugner stated he had been a plumber for many years and he is aware that this is a violation of state law to allow storm water in the sanitary sewer and that it should be corrected. Mr. Bugner further stated that if the people of Ottawa were appraised of this situation that he felt very strongly that they would work with the City of Ottawa in correcting the problem.

Adjournment

There being no further business to come before the Governing Body the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - April 17, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Gillette and Commissioners Calliham, Heathman, Fogle and Lantis. Mayor Gillette led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Paul Turner of the Wesleyan Church.

Approval of Minutes

The minutes of the last regular meeting which was held April 3, 1991, were approved as written.

Subdivision Regulations

An ordinance amending subparagraph (2) of paragraph (a) of Section 2 of Article V, of the subdivision regulations of the City of Ottawa, Kansas, Ordinance No. 2932-90, as amended, relating to requirements for annexation of subdivisions was considered by the City Governing Body.

The ordinance provides that land being subdivided that does not abut the present city limits but is within one half mile of the city limits shall be accompanied by a petition to the City agreeing to annexation at such time as the land so subdivided does abut the city limits. This provision will prevent the City from being in a position of annexing land not abutting the City and thus becoming an annexed island.

Commissioner Fogle made a motion that an ordinance amending subparagraph (2) of paragraph (a) of Section 2 of Article V, of the subdivision regulations of the City of Ottawa, Kansas, Ordinance No. 2932-90, as amended, relating to requirements for annexation of subdivisions, be passed. The motion was seconded by Commissioner Lantis and all present voted in favor of the motion.

Resolution No. 529-91 - Relating to Residential Antidisplacement

A resolution pledging residential antidisplacement and a relocation assistance plan as required pursuant to Section 104 (d) of the Housing and Community Development Act of 1974 as amended was considered.

Passage of this resolution is required for the City to receive Community Development Block Grant Funds, as the City now has an application for such funds.

Commissioner Heathman made a motion that a resolution pledging residential antidisplacement and a relocation assistance plan as required pursuant to Section 104 (d) of the Housing and Community Development Act of 1974 as amended be passed. The motion was

seconded by Commissioner Lantis and all present voted in favor of the motion.

CSO Partnership Application

The City Governing Body proceeded to consider a CSO Partnership application. The CSO Partnership consists of a group of Cities and professional organizations joining together to work for funding and resolve problems concerning the combined sewer overflow situation which exists in towns and cities across the United States. The CSO Partnership with headquarters in Richmond, Virginia, has a staff that can work with membership cities in resolving combined sewer overflow problems and also to work with the United States Congress in an effort to secure federal funding to assist. The annual membership fee for the City of Ottawa would be \$500.00.

Commissioner Calliham made a motion that the City of Ottawa proceed to submit an application membership in the CSO Partnership. The motion was seconded by Commissioner Heathman and all present voted in favor of the motion.

Reappointments for the Kansas Municipal Energy Agency Board of Directors

Commissioner Lantis made a motion that Jack Davis be reappointed to a two year term ending in 1993, for the resident member and to reappoint Charles Gillette for a one year term ending in 1992, as the Governing Body representative on the Kansas Municipal Energy Agency Board of Directors, the motion was seconded by Commissioner Calliham. It was reported by Commissioner Calliham that the minutes of the meeting at which the appointment to the Kansas Municipal Agency Board of Directors was made last year indicated that Mr. Gillette was appointed for a one year term at that time and the minutes should have reflected a two year term. Upon call for the question all present voted in favor of the motion.

City Manager Report of Proposed Action Concerning Sanitary Sewer System Rehabilitation Study

The City Governing Body proceeding to consider a report from the City Manager on proposed action plan for sanitary sewer system rehabilitation study, Phase 2 as follows:

Action # 1. Accelerate Survey of Inflow and Infiltration Sources

To implement this action, the City Commission would authorize a contract with George Butler & Associates to provide the technical assistance to preform the survey in conjunction with City personnel with a target of completion by November 1, 1992.

Action # 2. Increase Sewer Crew Size by Three Additional Workers

To implement this action, the City Commission may authorize the City Manager to transfer three (3) city employees from the Department of Public Works to the Department of Utilities, Restarted Maintenance Division and to continue funding these salaries from the General Fund for the time being.

Action # 3. Inflow Infiltration Survey and Removal Coordinator

To implement this action the City Commission may authorize the City Manager to add position to the classification and pay plan to fill vacancy as soon as possible with payment of salary from the Water Fund.

Action # 4. Acquire Necessary Equipment

To implement this proposal, the City Commission may authorize the City Manager to solicit bids for the motorized equipment, negotiate the purchase of the electronic equipment and obtain proposals for lease-purchase financing of equipment to be authorized by the City Commission.

Action # 5. Community Awareness and Education Program

To implement an educational program, the City Commission may authorize preparation and dissemination of written material to inform public of impact on sanitary sewer system of the existence of inflow infiltration sources and the benefits of their removal.

Action # 6. Wastewater Plant Components Evaluation

To implement this action, the Commission may authorize engineering contract with George Butler & Associates, Inc. to evaluate 1) extraneous flow basin operation and improvement, 2) wastewater facility hydraulics amenable to modification to improve capacity during high flow.

Action # 7. Restart System Revenue Requirement Study

To implement this action, the Commission may authorize a contract with George Butler & Associates to determine the revenue requirements for the increased costs of this action plan. Items to be financed include: 1) sanitary sewer system evaluation survey, 2) additional labor required for survey and repair costs, including I/I Coordinator, 3) current wastewater treatment and sewer system collection system operation and maintenance costs, 4) capital outlay for equipment, 5) engineering costs, and 6) administrative costs.

Action # 8. Develop Private Inflow/Infiltration Source Removal Program

To implement policy consideration, the City Commission may direct the City Manager to investigate and report on alternatives.

Action # 9. Develop Program for Extension of Sewers to New Areas

To implement this action, the City commission may direct the City Manager to prepare an annexation plan for growth areas. This plan and subsequent construction programs would be reviewed by the Planning Commission and City Commission.

Action # 10. To Work with George Butler & Assoc., Consulting Engineers.

To develop the City's sanitary sewer system so that it might be able to accept new subdivisions as they might be available for annexations to the City. It is hopeful that this could be developed within a four (4) year period. Following the report of the City Manager there were many comments of a positive nature from the City Commission.

Commissioner Fogle made a motion that the report of the City Manager be accepted, the motion was seconded by Commissioner Calliham and all present voted in favor of the motion.

Final Statements of City Commissioners Who are Leaving the City Commission this Date

Commissioner Heathman: Commissioner Heathman stated, that he was very impressed with the new Fire Department, Police Department, separated operations and he was also pleased with the new City Manager, David Warren.

Commissioner Fogle: Commissioner Fogle, spoke of numerous items which had taken place or been discussed during his tenure on the City Commission, those items include Economic Development, the purchase of an Industrial Park Area, of 90 acres, the City County Cooperation, which has established a Central Dispatch for emergency services, discussions in the area of fire protection, changes in zoning and building codes in making them easier to comply with, holding down taxes, controlling the transfers from the Utility Fund to the General Fund of the City, control of the City Budget, the split of the Department of Public Safety into separate Fire and Police Units, progress in finding a use for the North American Hotel, development of Kanza Park, development of Overlay Zones, giving more affordable housing, and the hiring of a new City Manager.

Commissioner Calliham: Commissioner Calliham spoke to the combined effort of the City of Ottawa and the County of Franklin working together initiated by Commissioner Fogle. Commissioner Calliham stated that he had met many new people in the City of

Ottawa and has built many friendships as a result of that.

Mayor Gillette, who will step down from the position of Mayor this date: Mayor Gillette spoke to the appreciation of the people who voted to elect him to office and to the appreciation of the City Commission for electing him Mayor for the past year. Mayor Gillette then spoke to the installation of new street signs in the City, progress on the development of a use for the North American Hotel, the first phase of a Sanitary Sewer Study, the Itinerant Merchants Ordinance, the separation of the Department of Public Safety into separate Police and Fire Units, the walk areas along 15th Street, the automatization of part of the operation at the Electric Generating Plant, the purchase of Industrial Park land, airport improvements, the land use policy for the Industrial Park, the construction of a satellite school for the Neosho County Community College and the acceptance of Haley Park by the City, the hiring of a new City Manager, and the new industrial facility of the Mid America Aerospace in the Industrial Park, and there were other items Mayor Gillette spoke to.

Presentation to Outgoing Commissioners

Mayor Gillette presented Commissioner Fogle, Commissioner Calliham and Commissioner Heathman with gold rings with the City Logo, commemorating their tenure on the City Commission. Mayor Gillette then bestowed the honorary titles on the outgoing Commissioners. Commissioner Fogle was given the honorary title of "Sir Dan" the Lord of East 15th Street, Commissioner Calliham was given the title of "Sir Marvin" Lord of Orchard drive, and Commissioner Heathman was given the title of "Sir Fred" Lord of North Cherry St.

Terms of Office of New City Commissioners

Mayor Gillette announced that the certificate of Franklin County Clerk, Laura Sutton, indicates that Joan S. Tyson, received 1835 votes, Richard Jackson, received 1533 votes, and Anthony L. Keim received 1439 votes, which elects them to a term on the Ottawa City Commission. Joan S. Tyson receiving 1835 votes and Richard Jackson receiving 1533 votes are elected to four (4) year terms on the City Commission and Anthony L. "Tony" Keim receiving 1439 votes is elected to a two (2) year term on the City Commission.

Commissioner Heathman made a motion that Joan S. Tyson and Richard Jackson receiving the most votes by virtue of Kansas Law receive four (4) year terms on the City Commission, and that Anthony L. "Tony" Keim, receiving a two (2) term on the City Commission. The motion was seconded by Commissioner Fogle and all present voted in favor of the motion.

Presentation to Mayor Gillette

Mayor Pro tem Lantis presented Mayor Gillette with a plaque commemorating his service for a year as Mayor of the City of Ottawa.

Nomination and Election of Mayor

Mayor Gillette nominated Commissioner Lantis for the position of Mayor and made a motion that he be elected to the position by acclamation. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion except Commissioner Lantis who abstained from voting.

Nomination and Election of Mayor Pro tem

Mayor Lantis placed the name of Joan S. Tyson in nomination and made a motion that she be elected to Mayor Pro tem by acclamation. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion, except Commissioner Tyson who abstained from voting.

Statement of Mayor Lantis

Mayor Lantis proceeded to thank the prior Commission for representing their constituents in a proper manner and stated it had been a real pleasure working with this group of people. Further Mayor Lantis gave thanks to the Chamber of Commerce and the Ottawa/Franklin County Economic Organization for proceeding with the housing study and assisting in promoting a golf course as a vehicle to promote a housing development. Mayor Lantis spoke of the tax abatement policy which had been developed through the cooperation of other organizations, the on going effort to secure development for the North American Hotel and the decision of Dollar General Stores to locate a retail outlet in the City of Ottawa. It was stated that the present City Commission may be unique in many ways in that there are two City Commission members which have young families, the present Commission is possibly the youngest average age of any Commission for a number of years, and that for a first time the City of Ottawa has a black City Commissioner. Challenges for the future were stated as improving the infrastructure of the City addressing the housing problem, with affordable quality and availability of housing units. The promotion of development of high quality jobs and maintaining a sound financial condition for the City. The most important, the Mayor stated, however was to establish a community unity identity and the establishment of positive attitudes within the City.

Comments of Commissioner Jackson

Commissioner Jackson stated that in addressing the housing issue, that on April 24, there will be a Fair Housing Meeting held at the Ottawa Recreation Center, further Commissioner Jackson stated that the first rental Housing Rehabilitation Grant had been approved

for a structure located at 711 South Oak.

City Manager's Agenda

The City Manager stated the only thing he had at this time was to distribute current copies of Roberts Rules of Order to the City Commission.

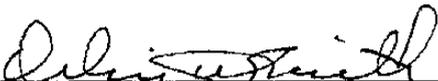
Public Agenda

Les Wheat representing the Task Force for welcome home activities for those returning from Desert Storm, stated there will be a parade and other festivities on June 15, 1991 and invited everyone to attend and participate.

Commissioner Gillette made a motion that the City Governing Body approve a parade to be held June 15, 1991, commemorating the return of those who have served in operation Desert Storm, subject to approval by the Police Dept. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - May 1, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led those in attendance in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman, of the Faith Lutheran Church.

Approval of Minutes

The minutes of the last regular meeting which was held April 17, 1991, were approved as written.

Presentations & Recognitions

Proclamation - Special Olympics Torch Run

Mayor Lantis read a proclamation proclaiming the week of May 26 through June 1, 1991, as Special Olympics Torch Run Week, at the conclusion of the reading of the proclamation Mayor Lantis affixed his signature.

Public Appearances

Barb Humm representing the Skunk Run Steering Committee appeared before the City Commission addressing the request of the Steering Committee for the use of City Park for Skunk Run festivities on June 9, 1991. Ms. Humm requested that the Governing Body act favorably in the request of the Steering Committee for the use of City Park.

Mr. Allen Cunningham from Hawthorn Elementary School appeared before the City Commission asking permission to close South Poplar Street from 5th to 6th from 11:30 am to 3:30 P.M., May 10, 1991 for the annual Hawthorn School playday. Mr. Cunningham stated that holding the playday activities in these specified hours should not cause a traffic problem. It was asked of Mr. Cunningham that one lane be left open on the street closure for Fire Dept. purposes.

Commissioner Gillette made a motion that Hawthorn School be permitted to close South Poplar St. from 5th to 6th from 11:30 am to 3:30 P.M., May 10, 1991 for their playday activities. Further Commissioner Gillette stipulated that the closing of the street be subject to approval of the Police Dept., Fire Dept. and Public Works Dept. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinances and Resolutions

Ordinance No. 2970-91 - Licensing of Plumbers and Electricians

The Governing Body proceeded to consider an ordinance establishing alternate licensing of plumbers and electricians. The ordinance sets forth that Master Electricians or Plumbers showing proof of having passed an examination for license in said trades and who hold current license from another state or a city in Kansas of the first or second class shall be issued an alternate license for a job permit, when plans for said job have been drawn by a license professional engineer or architect. The Master Electrician or Master Plumber must also show proof of insurance and bonding and pay appropriate fees in the City of Ottawa. This licensing procedure may be utilized only once by an electrician or plumber.

Commissioner Tyson made an motion that an ordinance providing for a certain addition to Chapter 11 of the Municipal Code of the City of Ottawa, Kansas 1982, relating to alternate licensing of plumbers and electricians and providing for incorporation of said addition into the Municipal Code of the City of Ottawa, Kansas 1992 be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No 530-91 - Lease of Baseball Facilities

The Governing Body proceeded to consider a resolution authorizing a lease between the City of Ottawa, Kansas and the Ottawa Recreation Commission for the softball and baseball fields located at Forest Park, Orlis Cox, and West 2nd St. The lease between the City of Ottawa and the Ottawa Recreation is essentially as it has been in past years with the exception, the required payment for utility services has been modified.

Commissioner Keim made a motion that a resolution authorizing the Mayor and the City Clerk to sign a lease agreement between the City of Ottawa and the Ottawa Recreation Commission for the use of Orlis Cox Field, Forest Park and West 2nd St. ball diamonds be passed. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution No. 531-91 - Authorizing A Lease For the Swimming Pool Facility

The Governing Body proceeded to consider a resolution authorizing a lease between the City of Ottawa, Kansas and the Ottawa Recreation Commission for the swimming pool facility in Forest Park. The lease is essentially the same as it has been in past years, except the requirement for payment of utility bills has been modified.

Commissioner Gillette made a motion that the Mayor and the City Clerk be authorized to sign a lease agreement with the Ottawa Recreation Commission, for the Forest Park Swimming Pool. The motion was seconded by Commissioner Keim and all present voted in favor

of the motion.

Resolution No. 532-91 - Swimming Pool Fees

The Governing Body proceeded to consider a resolution approving various fees and charges for the use of the Ottawa Municipal Pool. The fees set forth in the resolution have been negotiated with the Ottawa Recreation Commission and reflect increases from prior years fees. Commissioner Tyson made a motion that a resolution approving various fees and charges for the use of the Ottawa Municipal Swimming Pool be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 533-91 - Airport Services Agreement

The Governing Body proceeded to consider a resolution authorizing the execution of the Airport Services Agreement between the City of Ottawa and LeMaster Aerial Spraying Inc. The agreement sets forth that the City of Ottawa will pay LeMaster Aerial Spraying Inc. \$33,500.00 per year for the performance of services at the Municipal Airport. It was explained however that in another agreement LeMaster Aerial Spraying Inc., will pay the City of Ottawa \$10,000.00 per year to act as a Fixed Base Operator at the Municipal Airport.

Commissioner Gillette made a motion that a resolution authorizing the Mayor to execute the Airport Services Master Agreement between the City of Ottawa and LeMaster Aerial Spraying, Inc., be passed, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 534-91 - Fixed Base Operator Lease

The Governing Body proceeded to consider a resolution authorizing the execution of a Fixed Base Operators Lease with LeMaster Aerial Spraying Inc., for a period of (3) three years and (7) seven months. The agreement sets forth that LeMaster Aerial Spraying Inc., must pay the City \$10,000.00 each year for a period of (3) three years to be a fixed base operator at the Municipal Airport. It was also explained that if other persons wished to establish fixed base operator operations at the Municipal Airport, they would also have to pay the City \$10,000.00 per year.

Commissioner Jackson made a motion that a resolution authorizing the Mayor to execute a Fixed Base Operators Lease with LeMaster Aerial Spraying Inc., for a period of (3) years and (7) seven months be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 535-91 - Extend Agreement on North American Hotel

The Governing Body proceeded to consider a resolution to affirm and ratify the execution of amendments to certain real estate contracts as amended with B & B Investments, Inc., and RPI Services, Inc. to extend the closing dates of said contracts to on or before August 15, 1991. The present contracts as amended were to expire April 30, 1991, the purpose of this resolution is to affirm and ratify action taken by the Mayor with permission of the Governing Body on signing a document extending the agreements to August 15, 1991.

Commissioner Tyson made a motion that a resolution to affirm and ratify the execution of amendments to certain real estate contracts as amended with B & B Investments Inc., and RPI Serivces Inc. to extend the closing dates of said contracts to on or before August 15, 1991 be passed. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Reports by City Manager

The City Manager reported the City had received a request from the Ottawa Jaycees to hold their Second Annual Jaycee Biathlon in Forest Park and on certain streets in the City on May 12, 1991. The City Manager reported that approvals had been given by the Police Department, the Department of Public Works and by the Sheriff's Department, also the Kansas Department of Transportation had given permission to close a south bound lane on US 59, for a short time for the biathlon. The City Manager then recommended that the request be approved. Commissioner Keim made a motion that the request of the Ottawa Jaycees to hold their second annual Jaycee Biathlon in Forest Park and on certain streets in the City of Ottawa on May 12, 1991 be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

The City Manager stated he had received another request as had been spoken to earlier by Barb Humm, for permission to use City Park and certain streets for the Skunk Run festivities held on June 9, 1991.

Commissioner Tyson made a motion that the request of the Skunk Run Day Committee for the use of Forest Park and certain city streets for the Skunk Run festivities to held on June 9, 1991, be approved. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

The City Manager stated that he had yet another request as submitted by the Veterans of Foreign Wars Post 5901 to establish an "Avenue of Flags" at the entrance to the municipal cemeteries. The request stated that the VFW can fund installation of 10 flags at each cemetery this year and propose to add to this project annually as funds are available.

Commissioner Jackson made a motion that the request of the Veter-

ans of Foreign Wars (VFW) be permitted to establish an "Avenue of Flags" at the entrance to the municipal cemeteries be approved. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Application for Cereal Malt Beverage License

The Governing Body proceeded to consider an application to sell cereal malt beverages (unopened containers only) as submitted by Russie J. Harris, for the operation of Quick Corner, 402 South Main.

Commissioner Gillette made a motion that an application to sell cereal malt beverage in (unopened containers only) as submitted by Russie J. Harris, for the operation of Quick Corner, 402 South Main, be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

The City Manager reported that he, Commissioner Tyson and Commissioner Jackson had attended a Water Meeting in Topeka this date, concerning the purchase of water storage capacity in Melvern and Pomona Lakes. The City Manager stated that it had been a very informative meeting with all participants down stream from Melvern Lake and Pomona Lake attending the meeting. There will be a meeting of the directors of the Water Assurance District, May 21, 1991 in Ottawa.

Governing Body Agenda

Commissioner Gillette reported that a Community Development Block Grant in the amount of \$350,000.00, sponsored by the City of Ottawa, for the upgrade of Ward Science Hall at Ottawa University has been approved.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - May 15, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Tyson, Gillette, Jackson, and Keim. Mayor Lantis led those in attendance in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman, of the Faith Lutheran Church.

Approval of Minutes

The minutes of the last regular meeting which was held May 1, 1991, were approved as written.

Presentations & Recognitions

Recognition of Bruce Hanson

Mayor Lantis stated that he, Commissioner Keim and City Manager David Warren attended a Kansas Joint Law Enforcement Conference Banquet in Wichita this past Friday, May 10, 1991, at which Officer Hanson was awarded the, Gold Award of Valor, by the Kansas Police Chiefs Association. The Award of Valor, was a result of Officer Hanson being wounded in the line of duty while apprehending a bank robber in the City of Ottawa. Officer Hanson was present at the meeting and was congratulated and thanked by Mayor Lantis and the City Commission.

Award for Recruiting Assistance

Mayor Lantis stated that this past Saturday May 11, he had been presented a Recruiting Assistance Award by Petty Officer Hubbard of the United States Navy, for assistance in the painting and maintenance of the Naval Artillery Gun in City Park.

Engineering Study for Paving Improvements

The City has received a letter from the owners of property fronting on Pine Street, between 5th & 6th Streets, requesting that the City authorize an engineering study to determine the cost to improve Pine Street from 5th to 6th Street. The letter is signed by all property owners fronting on this street.

Commissioner Gillette made a motion that the City Manager be authorized to procure the services of an engineering firm to make a study of the possibility of paving Pine Street between 5th & 6th Streets, inclusive of determining the estimated probable cost. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinances and Resolutions

Resolution No. 536-91 - Professional Services for

Administration of Economic Development Community Development
Block Grant

The City Manager reported the City had advertised for proposals for Professional Services for Program Administrator of an Economic Development Grant, which the City had secured for Ottawa University. The only proposal submitted was that of Elaine Needham, who proposed to administer the Economic Development Community Block Grant for a fee of \$6,000.00. Elaine Needham had written the original grant application which was approved and Ottawa University had intended to use Ms. Needham for the administration until it was found out the City must administer the grant. The City Manager recommended that the agreement for professional services for the administration of the Economic Development Grant be awarded to Elaine Needham.

Commissioner Gillette made a motion that the resolution authorizing an agreement with Elaine Needham for professional services for administration of Economic Development Grant, Community Development Block Grant No. 91-IN-004, for a total contract amount of \$6,000.00 be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 537-91 - Authorizing Issuance of Temporary
Notes

The Governing Body proceeded To consider a resolution authorizing the issuance and delivery of \$170,990.00, principal amount of Temporary Notes, Series 1991, of the City of Ottawa, Kansas, for the purpose of temporarily financing the cost of furnishing and equipping a fire station in the City and prescribing the terms and details and of said notes. It was reported that the City received bids for the sale of the temporary notes on May 9 1991, and The First National Bank of Ottawa had submitted a low bid of 5.34826 percent. The notes are for the purpose of purchasing and equipping a new fire fighting apparatus for the City of Ottawa.

Commissioner Tyson made a motion that a resolution authorizing the issuance and delivery of \$170,990.00 principal amount of temporary notes, Series 1991, of the City of Ottawa Kansas, for the purpose of temporarily financing the cost of furnishing and equipping a fire station in the City and prescribing the terms and details of said notes be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 538-91 - Designating the Official City
Newspaper

Mayor Lantis reported as it has been the policy of the City of Ottawa to alternate the official City newspaper from year to year between the Ottawa Herald and the Ottawa Times and it was now time to designate the Ottawa Herald as the official City

newspaper.

Commissioner Tyson made a motion that a resolution designating the Ottawa Herald as the official City newspaper effective June 1, 1991 be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

The Governing Body proceeded to acknowledge receipt of monthly reports and minutes of boards as follows: Ottawa Municipal Auditorium Authority Minutes of February 26, 1991, City of Ottawa, Kansas, Planning, Zoning and Inspection Monthly Report of April, 1991, City of Ottawa Planning Commission Minutes of April 2, 1991, City of Ottawa, Kansas, Schedule of Investments as of April 30, 1991, Ottawa Police Department, First Quarter Report 1991, Volunteers in Court Community Service Work Program Monthly Report, April, 1991.

Commissioner Jackson made a motion that the reports be accepted by the City Governing Body, the motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Governing Body Agenda

Appointments to Boards and Committees

Mayor Lantis announced the following appointments to boards and committees of the City: Library Board, Virginia Lancaster and Shernice Casteel, new appointments. City Planning Commission, Charles Reynolds, reappointment, with one vacancy left to be filled. Recreation Commission, Steve Anderson, appointed to fill an unexpired term. Building Code Board of Appeals, Forest Wayne Ledom, reappointment, Earl DeVore and Jerry Thompson new appointments. Franklin City/County Planning Commission, Jim Grogan reappointment. Band Committee, Stanley DeFries, George Kramer, Carl Lammers, Darrel McCune and Terry Schoenfeld, reappointments. United Way of Franklin County, Deanna Fox and Jeff Peabody reappointments. Correction Advisory Board, Richard Jackson appointed to fill an unexpired term. Auditorium Authority, Steve Warren and Ginger Millbern, new appointments. Board of Zoning Appeals, Roger Bell and Dorothy Nichols reappointments. Uniform Plumbing Code Board of Appeals, Charles Adamson, reappointment, Jerry Servatius and Pat Haas, new appointments, and the National Electric Code Board of Appeals, Mike Haggard, reappointment, Gary Hogelin and Jim Bass, new appointments.

Commissioner Keim made a motion that the appointments as announced by Mayor Lantis be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Mayor Lantis announced that there is an effort underway to hold a

corn husking contest in the City of Ottawa, on August 5, 1991. This will be a joint City/County effort and there is presently a group working on the plans for the contest. They are going to be in need of persons to assist in the contest and anyone wishing to help could contact Gary Underwood.

Richard Jackson stated that Jana Arnold, of the Department of Commerce will be in the City of Ottawa at 9 o'clock on Friday to look at the rental rehabilitation project which is now underway.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - May 20, 1991

The City Governing Body met in special session for the purpose of considering a resolution approving a project for Fashion Inc., a Kansas Corporation, and determining that the City of Ottawa, Kansas will issue its Industrial Revenue Bonds in an estimated amount of \$1,500,000.00 for the purpose of financing the cost of acquiring, rehabilitating, renovating and equipping a manufacturing facility and transacting such other business as may come before said meeting.

Mayor Lantis called the meeting to order at 3:00 P.M. this date and stated the City was in receipt of an application for the issuance of Industrial Revenue Bonds on behalf of Fashion Inc. The Mayor then called upon Mr. Lonnie King, President of Fashion Inc., to make any comments he might desire.

Mr. King gave a brief history of Fashion Inc., and described the product lines in which Fashion Inc. is involved. Fashion Inc. is interested in purchasing a building in the Ottawa northeast industrial park, which they would refurbish and use for their manufacturing facility. Fashion Inc., is requesting the City of Ottawa to issue Industrial Revenue Bonds in an approximate amount of \$1,500,000.00 and securing a tax abatement for a period of ten years.

Ms. Dottie Riley, attorney for Gilmore and Bell, spoke to the issue stating that in issuing Industrial Revenue Bonds the City of Ottawa is not obligated in any way for payment of the bond but that the City of Ottawa is responsible for proper background investigation to make sure the company is sound financially.

In the area of tax abatements it is a consensus of agreement that Fashion Inc., would secure a tax abatement for 10 years, with a payment in lieu of taxes of \$15,000.00 per year for years six (6) through ten (10). The amount of payment in lieu of taxes could vary however dependent upon the amount of bonds actually sold. The policy of the City of Ottawa states that recipients of Industrial Bonds will pay to the City each year in lieu of taxes and amount equal to one (1) percent of the amount of the bonds.

*Resolution
No 53791* Commissioner Gillette made a motion that a resolution approving a project for Fashion Inc., a Kansas Corporation, and determining that the City of Ottawa, Kansas will issue its Industrial Revenue Bonds in an amount not to exceed \$1,500,000.00, for the purpose of financing the cost of acquiring, constructing, rehabilitating, renovating and equipping a project for manufacturing purposes, including real estate, building improvements and equipment be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

City Manager Dave Warren stated that in a meeting he had attended

this morning, Mr. King had asked that the City of Ottawa also apply for Small Cities Community Development Block Grant Economic Development Funds. Mr. Warren stated he felt the company met the criteria necessary to receive Community Development Block Grant Funds and asked that the City staff might be authorized to pursue an application for Community Development Block Grant Funds for Fashion Inc., and also that the City be authorized to hire someone to assist in preparing an application. The City Manager explained the time is very short to meet a deadline necessary to apply for Community Development Block Grant Funds and he thought that assistance in this area would be necessary.

Commissioner Keim made a motion that the City Staff be authorized to pursue an application for Community Development Block Grant Funds for Fashions Inc. and that the City Manager be authorized to hire someone to assist in formulating an application. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - June 5, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Jerry Harnden of the United Methodist Church.

Approval of Minutes

The minutes of the meeting of May 15, 1991, page 48 were amended by correcting the name of Jana Arnold to Janet Arnold, the balance of the minutes were approved as written. The minutes of the special meeting of May 20, 1991 were approved as written.

Public Appearances

David Terry appeared before the City Governing Body and apologized for the damage he had caused to the fountain in Haley Park.

Receive Bids for the Sale of General Obligation Bonds

The City Clerk proceeded to read the bids received for the sale of General Obligation Bonds in the amount of \$156,973. The projects involved in the sale of bonds are improvements at the Ottawa Municipal Airport and improvements and repairs at the City of Ottawa Fire Station - Police Station facility. The bids are as follows: Capital City Bank of Topeka, Kansas, total interest cost \$61,466.95, net interest cost \$61,466.95, average annual interest rate 5.8967%. Zahner and Co. of Kansas City, Mo., total interest cost \$63,913.66, with a premium of \$59.05, with a net interest cost of \$63,854.61, average annual interest rate 6.12585%. First Securities of Wichita, Kansas, total interest cost \$64,148.36, net interest cost \$64,148.36, with the average annual interest rate of 6.154038%. Commerce Bank of Kansas City, Mo., total interest cost \$64,810.77, net interest cost \$64,810.77, with the average annual interest rate of 6.217585%. The Kansas State Bank of Ottawa, Kansas, a total interest cost \$64,994.84, net interest cost \$64,994.84, with the average annual interest rate of 6.235244%, this concluded the reading of the bids. The Governing Body then proceeded with other business while the interest calculation of the apparent low bidder, Capital City Bank of Topeka, Kansas was verified.

Request of the Ottawa Area Chamber of Commerce

The City Governing Body proceeded to consider a request of the Ottawa Area Chamber of Commerce, to hold their second annual Street Festival, July 13, 1991, and to close Main Street from First Street to Fifth Street from 7:00 a.m. until such time as the stores close and to close East Fourth Street between Main and Hickory Streets from 7:00 a.m. to 10:00 p.m., for the purpose of a

street dance. The City Manager stated, the City will have no problem in complying with their request but the closure of Main Street from First St. to Fifth St. had not as yet been approved by the Kansas Dept. of Transportation.

Commissioner Gillette made a motion that the Ottawa Area Chamber of Commerce, have permission to hold their annual Street Festival, July 13, 1991, and that Main Street be closed from Fifth Street to Fourth Street from 7:00 a.m. until such time as the merchants close and that East Fourth Street between Main St. and Hickory St. be closed from 7:00 a.m. to 10:00 p.m., subject to the approval of the Kansas Department of Transportation for the closure of Main Street. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Consider a Memorandum from The Kansas Municipal Gas Agency

The Governing Body proceeded to consider a memorandum from Robert Walker, President of the Kansas Municipal Gas Agency, concerning Natural Gas Supply and Management Program. The memorandum sets out, the Kansas Municipal Gas Agency is exploring the feasibility of organizing a long term Natural Gas Supply and Management Program for its member cities. The overall purpose of studying the gas supply is to secure natural gas at the lowest possible cost for those cities that generate electrical energy by using natural gas. The City of Ottawa at this time is invited to participate in the Natural Gas Acquisition and Management Program however the City is not obligated in any way to join the organization or obligate City funds.

Commissioner Tyson made a motion that the City indicate an interest in participating in the Natural Gas Acquisition and Management Program and that the City not be obligated to pay any costs associated with the Natural Gas Acquisition Management Program without the City giving further written authority. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Consider Claim of Robert L. Pickering

The Governing Body proceeded to consider a letter dated May 21, 1991, from Robert L. Pickering submitting a claim for \$2,423.06 for farm lease expense for land purchased by the City for industrial park purposes. Mr. Pickering claim states: Mr. Randy Wetmore, former City Manager of the City of Ottawa had agreed to resolve a farm lease issue, on the land we were purchasing from Mr. Pickering, with Mr. Kettler prior to the City purchasing the land. The contract of purchase for the land which Mr. Pickering signed, did set out however that the land would be delivered to the City free of any farm tenancy liens or encumbrances. At the closing of the transaction for the purchase of the land however, there was a farming encumbrance against the land for \$2,423.06 in

the form of a lien which Mr. Pickering had to pay. Mr. Pickering is now asking the City of Ottawa to pay him \$2,423.06 which is the amount of the farm lien which was against the real estate. It was discussed by the Governing Body however that the settlement of the farm lease on the land was discussed prior to the signing of the contract but in as much as Mr. Pickering signed the contract by which he would deliver the land free of farm leases and encumbrances and as a matter of contract law Mr. Pickering was obligated to settle the farm tenancy issue.

A motion by Commissioner Jackson stated: I move to deny the claim of Robert Pickering for reimbursement of farm tenant labor which was expended on the Robert Pickering real estate, prior to the purchase of the land by the City of Ottawa Kansas. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Award Sale of General Obligation Bonds

The City Clerk reported to the City Commission that the bid of Capital City Bank, Topeka, Kansas, to purchase General Obligation Bonds in the amount of \$156,973.00, for a net interest cost of \$61,466.95 with an average interest rate of 5.8967% have been checked and verified as accurate.

Commissioner Tyson made a motion that the bid of Capital City Bank, Topeka, Kansas, to purchase City of Ottawa General Obligation Bonds in the amount of \$156,973.00 for an average annual interest rate of 5.8967% be accepted by the City. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinances and Resolutions

Ordinance 2971-91 - Authorizing the Issuance of General Obligation Bonds

Commissioner Gillette made a motion that an ordinance authorizing the issuance and delivery of \$156,973.00, principle amount of General Obligation Bonds, Series A 1991, City of Ottawa, Kansas, for the purpose of paying the cost of airport improvements and police station/fire station improvements; and providing for the levy and collection of an annual tax for the purpose of paying the principal and interest on said bonds as they become due and that the bonds be issued and delivered to Capital City Bank, Topeka, Kansas, for an average interest rate of 5.8967%, be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 540-91 - Setting Forth Form and Details of General Obligation Bonds

Commissioner Tyson made a motion that a resolution prescribing the form and details and authorizing the delivery of \$156,973.00, principle amount of General Obligation Airport Improvement and Police/Fire Station Improvement Bonds, Series A 1991, City of Ottawa, Kansas, previously authorized by Ordinance No. 2971-91 of the City of Ottawa and making certain covenants with respect thereto be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 2972-91 - Zoning

The Governing Body proceeded to consider an ordinance changing the zoning of the newly acquired land which the city is going to use for industrial park purposes, from M-H, Mobile Home District, and R-S, Residential Suburban District, to I-2, Heavy Industrial Zoning District.

Commissioner Gillette made a motion that an ordinance amending the zoning map of the City of Ottawa, Kansas, changing the zoning district classification from, M-H, Mobile Home District and, R-S, Residential Suburban District, to I-2, Heavy Industrial Zoning District, for the property generally known as the newly acquired industrial area along the south side of North Cherry Street between Sycamore and Davis Street, in the City of Ottawa, Kansas, be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 2973-91 - Zoning

The Governing Body proceeded to consider an ordinance allowing beauty shops and barber services in the, O-I, Office and Institutional Zoning District.

Commissioner Jackson made a motion that an ordinance amending Appendix A, of the City Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended, allowing beauty and barber services in the, O-I, Office and Institutional Zoning District as permitted uses be passed. The motion was seconded by Commissioner Tyson, and all present voted in favor of the motion.

Ordinance No. 2974-91 - Zoning

The Governing Body proceeded to consider an ordinance which would allow rooming and boarding houses in the C-2, General Commercial Zoning District.

Commissioner Keim made a motion that an ordinance amending Appendix A, of the Zoning Ordinance, of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended, allowing rooming and boarding houses in the C-2, General Commercial Zoning District, be passed. The motion was seconded by Commissioner Gillette, and all present voted in favor of the motion.

Ordinance No. 2975-91 - Zoning

The Governing Body proceeded to consider an ordinance which would allow telemarketing in the C-3, Retail Business and C-2, General Commercial Zoning District.

Commissioner Jackson made a motion that an ordinance amending Appendix A, of the Zoning Ordinance, of the City of Ottawa, Kansas, Ordinance No 2933-90, as amended allowing telemarketing in the C-3, Retail Business and C-2, General Commercial Zoning District, as a permitted use in the City of Ottawa. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 541-91 - Authorizing Engineering Agreement

The engineering agreement which would be signed as a result of passage of this resolution would allow the engineers to proceed with the subdivision plat and lot arrangement when the Governing Body decides on the site plan they would like to use. Once the subdivision plat preliminary is approved by the Planning Commission, nothing would stand in the way of a final plat being approved. The engineers can then proceed with plans for grading, street improvements, water line placement and sewer line depths, once this is done the City would soon be in a position to offer the tracts of land within the new industrial park to industrial prospects which might choose to locate there.

Commissioner Gillette made a motion that a resolution authorizing an agreement with Cook, Flatt and Strobel, Engineers, P. A., for professional engineering services for planning and design phase of the City of Ottawa industrial park be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Phase 2 - Comprehensive Sanitary Sewer Study

The City Manager went on record as recommending that the City Governing Body authorize "Phase 2 - of the Comprehensive Sanitary Sewer Study Proposal for Ottawa, May 28, 1991" by George Butler Associates, Inc., Consulting Engineers. The City Manager stated, that by utilizing City personnel and purchases of certain pieces of equipment, the City could proceed with the Comprehensive Sewer Study in a timely manner. To proceed with the study, the City will have to transfer personnel into the Water Distribution Department and possibly transfer a person to the position of Environmental Coordinator. The transfers to the Water Distribution Dept. would entail transferring (4) four individuals. By proceeding in this manner, utilizing City personnel and equipment to a maximum, the sewer study cost can be lowered to approximately \$110,000 from the original estimate of \$240,000.

Commissioner Jackson made a motion that "Phase 2 - Comprehensive Sanitary Sewer Study Proposal Ottawa, May 28, 1991" by George Butler & Associates, Inc., Consulting Engineers, be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 542-91 - Authorizing Engineering Services Contract

Commissioner Keim made a motion that a resolution authorizing an engineering services contract with George Butler Associates, Inc., Consulting Engineers, for Phase 2 - Comprehensive Sanitary Sewer Study for the City in an amount not to exceed \$110,186 be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

The Governing Body received the minutes of the Ottawa Library Board Trustees regular meeting of April 8, 1991 and the monthly report of the City Clerk of April 30, 1991.

Commissioner Tyson made a motion that the minutes and reports as submitted be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Commissioner Jackson made a motion that the meeting be recessed until Monday, June 10, 1991, at 3:00 p.m. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Continuation of the meeting of June 5, 1991

Mayor reconvened the meeting at 3:00 p.m., June 10, 1991.

Public Hearing Community Development Block Grant Funds

Mayor Lantis reconvened the meeting and stated the purpose of the hearing was to consider an application to the Kansas Department of Commerce for Small Cities Community Development Block Grant funds, in the amount of \$300,000.00. At this hearing the Governing Body is to receive public comments as well as written comments. It was explained that the application to the Kansas Department of Commerce for a Small Cities Development Block Grant Fund, in the amount of \$300,000, is to assist Fashion Inc., in securing a manufacturing building in the Ottawa Industrial Park and to make changes and upgrade the building to accommodate Fashion Inc. A second hearing on the subject will be held June 19, 1991, at which time more details will be available for discussion and public comments. There was no comment on the application from the public at this time.

Commissioner Gillette made a motion that the hearing be closed, the motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Release of Easements

Commissioner Tyson made a motion that two resolutions concerning the release of an electric easement and a sewer easement be considered at this time.

The City Manager explained that a sewer easement which was filed in February 9, 1966, is no longer necessary as the land has since been platted as Noel's First Addition and the plat conveys the necessary sewer easement to the City of Ottawa. Further the City Manager reported that an electric transmission easement, which was placed on the land is no longer necessary as the land being platted as Noel's First Addition to the City of Ottawa conveys the necessary easement to the City of Ottawa.

Resolution No. 543-91 - Release of Sanitary Sewer Easement

Commissioner Gillette made a motion that a resolution authorizing partial release of easement for sanitary sewer purposes in Noel's Addition to the City of Ottawa the release being attached hereto and made a part of this resolution be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 544-91 - Authorizing Release of Electrical Easement

Commissioner Jackson made a motion that a resolution authorizing partial release of an easement for electrical transmission purposes in Noel's First Addition to the City of Ottawa, the release being attached hereto and made a part of this resolution be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

There being no further business to come before the City Commission Commissioner Keim made a motion the meeting be adjourned. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion, the meeting was thereby adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - June 19, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Mike Mullen, of the Sacred Heart Church.

Approval of Minutes

The minutes of the last regular meeting which was held June 5, 1991 were approved as written.

Resolution No. 545-91 - Appreciation of Operation Homecoming Desert Storm Task Force Events

Mayor Lantis read a Resolution expressing the appreciation of the community to the organizers and participants of the Operation Homecoming Desert Storm Task Force events.

A motion was made by Commissioner Gillette to pass the resolution expressing the appreciation of the community to the organizers and participants of the Operation Homecoming Desert Storm Task Force events. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Communications

The City of Ottawa received a letter from Rev. Larry Carrier, Ottawa Bible Church dated June 4, 1991, requesting permission to place a sign at 428 E. 15th to show the location of his church at 1623 S. Poplar.

No action was taken, this request was referred to the Board of Zoning Appeals.

Planning Commission Report

Commissioner Tyson made a motion to accept the June 4, 1991, Planning Commission Report. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Capital Improvement Program 1991 - 1996

Commissioner Jackson made a motion to accept the report from the Planning Commission on the Capital Improvement Program for 1991 - 1996. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Request from Ottawa Horseshoe Club

The City of Ottawa received a letter from the Ottawa Horseshoe

Club requesting the use of the horseshoe courts in Forest Park on July 4, 1991 for the Chautauqua Horseshoe Pitching Tournament, and for the use of the courts for the State Horseshoe Tournament, Labor Day weekend, August 31, Sept. 1 and 2, 1991.

Commissioner Keim made a motion to grant the request of the Ottawa Horseshoe Club for the use of the horseshoe courts in Forest Park on July 4, 1991 for the Chautauqua Horseshoe Pitching Tournament and for the use of the courts for the State Horseshoe Tournament, Labor Day weekend, August 31, Sept. 1 and 2, 1991. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Public Hearing - CDBG Grant, Fashion, Inc.

Mayor Lantis opened the Second Public Hearing for Community Development Block Grant for Economic Development purposes for Fashion, Inc.

The City Manager commented that Fashion Inc. was being assisted in preparing the application by Elaine Needham, of Needham Associates and the application will be submitted in an initial form to the Department of Commerce, Thursday, June 20, 1991. The Department of Commerce will review the application, it will then be returned for changes to conform to regulations. The application will be brought back before the Commission in resolution form possibly July 1, and the results of the application will be known sometime in August. There being no other comments Mayor Lantis declared the public hearing closed.

Public Hearing - Proposal to Grant Non-exclusive Franchise to Communications Services, Inc.

Mayor Lantis opened the Public Hearing, Sandy Staneart, 923 Willow, appeared before the City Commission stating: she was representing friends and neighbors who could not attend, and they were in agreement with the shorter term lease. They were concerned about the service, the channel selection and the rates. Mrs. Staneart stated she had talked with Rob Marshall, Kansas Cable TV Association of Lawrence, and asked what as consumers should they do to follow up, it was suggested they follow up with petitions and letters to the Commission. Mrs. Staneart also stated if other people have concerns to please contact her, and not let the issue die without having some voice as consumers.

Rick Comfort, local manager for Ottawa Cable TV, spoke to the Commission stating: He was confused, he did not know what form the ordinance was going to take, he had an Exhibit A and two ordinances and was not sure about what was going on. Mr. Comfort went on to say a (3) three year term was not sufficient for his company or any cable television company to provide a stable environment for the capital investment needed to provide the

expanded channel capacity, to update and upgrade the system, or to realize the investment in the community. Mr. Comfort also stated, Encore was not being launched as a negative choice option, people will have to communicate with the company to subscribe to Encore before they would be billed for it, and they would like the chance to expand the channel capacity for better programming and better service.

Harry Hendrix, Canterbury Court, stated: There was no option at Canterbury Court you either subscribed to cable television or you did not have television, he felt the company needed to upgrade their equipment, and the price was high for the channel availability. Mr. Hendrix also asked that someone check with the City of Salina to see what the channel availability was and what the rates are.

Rick Comfort again spoke to the Commission to reiterate that Encore is not replacing anything and people will not be billed for Encore if they do not subscribe to it.

There being no further discussion the public hearing was closed.

Ordinances and Resolutions

Ordinance - Amending Article VII, Section 3 of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90, Livestock as a Conditional Use in the "R-S" Residential Suburban Zoning District

Mayor Lantis stated: There was some discussion on this at the study session and the Commission felt additional work was needed on this item. Commissioner Tyson made a motion that the "R-S" Suburban Zoning District for inclusion of "Farm Livestock" proposed ordinance be referred back to the Planning Commission, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 546-91 - Authorizing Grant Agreement No. 91-IN-004

Commissioner Gillette made a motion to authorize the grant agreement No. 91-In-004 with the State of Kansas Department of Commerce for an economic development project under the Small Cities Community Development Block Grant Program. The motion was seconded by Commissioner Tyson. Commissioner Jackson questioned Ms. Needham about the 33 jobs to be retained and the 16 new jobs. Ms. Needham stated: The 33 jobs to be retained by Ottawa University will include some faculty, some hourly and some salaried. Fifty one percent fall into the moderate and low income guidelines as established by Franklin County. None of these jobs have anything to do with rehab., the 16 new positions are salaried, hourly, and part time student positions. These

positions meet the federal guidelines for low and moderate incomes. Upon call for the question all present voted in favor of the motion.

Resolution No. 547-91 - Authorizing a Loan Agreement with Ottawa University

Commissioner Gillette made a motion authorizing a loan agreement with Ottawa University for an economic development project under the Small Cities Community Development Block Grant program. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No 2976-91 - Adopting a Form - CATV Franchise

Commissioner Keim made a motion to adopt a form for the grant of a non-exclusive franchise to operate a cable television system in the City of Ottawa, Kansas. The motion was seconded by Commissioner Jackson, upon call for the question all present voted in favor of the motion.

Ordinance - CATV Franchise - First Reading

Commissioner Keim made a motion to pass the (first reading) of a non-exclusive franchise to Communication Services, Inc., to operate a cable television system in the City of Ottawa, Kansas, . The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Reports by City Manager

Application for Cereal Malt Beverage

The Governing Body proceeded to consider an application to sell cereal malt beverages (unopened containers only) as submitted by National Marketing, dba, Fina Mart, 1621 South Main.

Commissioner Tyson made a motion that an application to sell cereal malt beverage (unopened containers only) as submitted by National Marketing, dba, Fina Mart, 1621 South Main be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

Commissioner Jackson made a motion to accept the monthly reports and minutes of the boards as written. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Governing Body Agenda

Appointment to Planning Commission

Mayor Lantis announced the appointment of Sandra Howard to the City Planning Commission.

Commissioner Tyson made a motion that the appointment of Sandra Howard as announced be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Executive Study Session

Mayor Lantis stated, there would be an Executive Study Session, to discuss pending litigation. The Executive Study Session will be for 30 minutes, it will be held after the meeting is adjourned and there will be no action taken after the study session.

Reschedule Regular Meeting

Commissioner Jackson made a motion to reschedule the next regular meeting to July 1, 1991, at 3:00 p.m. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

North American Hotel

Commissioner Jackson stated that an application of \$52,000.00 for the North American Hotel (affordable housing) has been forwarded to Washington, this application is one of 12 in the four state area and Commissioner Jackson stated he felt sure they would be awarded the affordable housing funding of \$52,000.00.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - July 1, 1991

The City Governing Body met in regular session at 3:00 P.M. this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Gillette.

Approval of Minutes

The minutes of the last regular meeting which was held June 19, 1991, were approved as written.

Communications

Request of Ottawa Jaycees

The City Governing Body proceeded to consider a request of the Ottawa Jaycees to hold their annual Chautauqua Days Celebration in Forest Park, Thursday July 4, 1991. The request stated: The event will include childrens games, carnival attractions, pitch, hit and throw, arts and crafts fair and a fire works display at dusk. The request further stated that the Ottawa Jaycees will provide \$500,000 liability insurance.

Commissioner Keim made a motion that the request of the Ottawa Jaycees to hold their annual Chautauqua Days Celebration in Forest Park, July 4, 1991, be approved, and that the Ottawa Jaycees have the City of Ottawa included as additionally insured on the liability insurance they purchase. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinances and Resolutions

Ordinances - Cable Television Franchise, 2nd Reading

Commissioner Tyson made a motion that an ordinance granting a non-exclusive franchise to Communications Services, Inc., to operate a cable television system in the City of Ottawa, Kansas, be passed for second reading. The motion was seconded by Commissioner Jackson.

Commissioner Gillette commented that the (3) three year franchise for a cable television service in the City of Ottawa might be compared to one shooting oneself in the foot. The people of Ottawa are wanting a multi-tiered service, a total of 35 channels, and he felt that might not be accomplished with a (3) three year franchise. Commissioner Gillette further stated that with a (3) three year franchise, Communications Services Inc., would not conduct a proper survey to determine the type of programming the people of Ottawa want, and that Communications Services Inc., may not sign a (3) three year franchise, as the term is too short.

Commissioner Gillette then implored the City Governing Body to vote in opposition to the ordinance authorizing the franchise.

Mayor Lantis commented that the franchise or any franchise of this type merely gives the entity that receives the franchise the right to use the city's public right of ways and easements. Mayor Lantis further stated that he did not feel it was the responsibility of the Government to take the risk out of investment and capital items by granting a longer term franchise, that he had received no positive comment on CSI or TSI the parent company and that he had received no negative comment on the proposed (3) three year franchise. Commissioner Lantis felt that if CSI would take the (3) three year franchise, and make the improvements which had been discussed that it might reestablish the credibility of CSI in the community.

Commissioner Gillette stated he was in agreement with Mayor Lantis except that if he were considering a capital investment and could get a (15) year lease as opposed to a shorter lease he certainly would accept the (15) year lease.

Upon call for the question, Commissioners Tyson, Jackson, Keim and Mayor Lantis voted in favor of the motion, and Commissioner Gillette voted opposing the motion.

Resolution No. 548-91 - Designating Authorized Representative for Environmental Protection Agency Grant

Commissioner Tyson made a motion that a resolution designating David E. Warren, City Manager of the City of Ottawa, as the authorized representative for the City of Ottawa, Kansas, in regard to an Environmental Protection Agency Grant for Wastewater System Improvements be passed, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 549-91 - Designating First Street as a Through Street

Commissioner Keim made a motion that a resolution designating First Street as a through street between Oak and Main Streets and between Walnut and Willow Streets be passed. The motion was seconded by Commissioner Jackson, upon call for the question all present voted in favor of the motion.

Resolution No. 550-91 - Authorizing the Mayor and City Clerk to Execute Certain Documents for a Community Development Block Grant

The Governing Body proceeded to consider a resolution authorizing and directing the Mayor of the City of Ottawa Kansas to execute certain documents pertaining to an application for Kansas Small Cities Community Development Block Grant Funds for an Economic

Development Project for Fashion, Inc. The Grant application is for \$300,000 which will be used for a working capital loan by Fashion Inc.

The City Manager explained, a new requirement is that the City of Lenexa, in which Fashion Inc. is now located, make a statement that the loss of Fashion Inc. will have no significant economical affect on the community and that there were no facilities similar to those located in the City of Ottawa which were economically feasible for Fashion Inc. to use. Before signing such a statement the City of Lenexa requests that the City of Ottawa give assurance that no one from the City of Ottawa will make an initial contact to a business or manufacturing facility to relocate their business or manufacturing facility in the City of Ottawa. It was ascertained at this point that the City of Ottawa did not make a first contact with Fashion Inc., and that the contact came about by other means.

Mayor Lantis then made a motion that the City of Ottawa not make unsolicited contact with the business located within the City of Lenexa, for relocation in the City of Ottawa. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Commissioner Jackson made a motion that a resolution authorizing and directing the Mayor of the City of Ottawa, Kansas, to execute certain documents pertaining to an application for Kansas Small Cities Community Development Block Grant Funds for an Economic Development Project of Fashion, Inc., be passed. The motion was seconded by Commissioner by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 551-91 - Pledging Residential
Antidisplacement and Relocation Assistance

The Governing Body proceeded to consider a resolution pledging residential antidisplacement and a relocation assistance plan as required pursuant to section 104 (d) of the housing and community development act of 1974, as amended, in regard to a Small Cities Community Development Block Grant Application.

The City Manager explained the City had passed such a resolution for the Community Development Block Grant Application for Ottawa University, however that resolution specifically names the Block Grant for Ottawa University. The resolution before the City Commission at this time does not specify a specific block grant application and may be used in the future.

Commissioner Gillette made a motion that a resolution pledging residential antidisplacement and a relocation assistance plan as required pursuant to section 104 (d) of the housing and community

development act of 1974, as amended, in regard to a Small Cities Community Development Block Grant Application be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Charter Ordinance No. 11-91 - Exempting the City of Ottawa, Kansas from the provisions of K.S.A. 12-5040

The Charter Ordinance deals specifically with exempting the City of Ottawa from K.S.A. 12-5040 which deals with employees who are retired because of disability continuing on City health insurance.

Commissioner Tyson made a motion that a Charter Ordinance exempting the City of Ottawa, Kansas from the provisions of K.S.A. 12-5040, a legislative act which is not uniformly applicable to all Cities generally be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 552-91 - Ratifying Resolution No. 468-88

Resolution No. 468-88 was adopted to prescribe eligibility requirements for retirees in the City's group health insurance plan in accordance with K.S.A. 12-5040, by ratifying Resolution No. 468-88, following the adoption of Charter Ordinance No. 11-91, alternative provisions to K.S.A. 12-5040 are adopted and typographical/grammatical errors corrected.

Commissioner Gillette made a motion that a resolution ratifying Resolution No. 468-88 be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 553-91 - Authorizing agreement with George K. Baum & Company and Bank IV, Wichita, N.A. for Investment Banking Services

The agreement authorized by resolution No. 553-91, authorizes George K. Baum and Company and Bank IV, Wichita, to proceed with advance refunding of the City of Ottawa's current Water and Electric Revenue Bond Issue. A fee for their services is to be based on a negotiated spread created by the difference between the bond's coupon rate of interest and the re-offering yield to the bond purchaser.

Commissioner Tyson made a motion that a resolution authorizing an agreement with George K. Baum and Company and Bank IV, Wichita, N. A. for investment banking services be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Reports by City Manager

The City Manager presented the Governing Body and the News Media

with a press release concerning the designation of First Street as a through street. The City Manager also presented the Governing Body with a Budget Calendar for the formulation and adoption of the operating budget for 1992.

The City Manager reported that the Kansas State Board of Tax Appeals had denied a tax exemption for certain properties the City had purchased for industrial development purposes. The City Attorney is proceeding to file for a rehearing on the matter and if satisfaction is not received through the rehearing, the City will proceed for a judicial review of the ruling of the Board of Tax Appeals. The consensus of the Governing Body was to proceed in this matter as outlined by the City Manager.

Monthly Reports and Minutes of Boards

Commissioner Tyson made a motion that the minutes of the Ottawa Library Board Trustee Regular Meeting of May 16, 1991 be accepted. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Governing Body Agenda

Mayor Lantis reported that he had received the resignation of Mr. Ed Lammers from the Ottawa Band Committee. Commissioner Tyson made a motion that Mr. Lammers resignation be accepted, the motion was seconded by Commissioner Keim, and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - July 17, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Gillette.

Approval of Minutes

The minutes of the last regular meeting which was held July 1, 1991 were approved as written.

Proclamation - Kansas All-Star Football Shrine Bowl Day

Mayor Lantis read a proclamation proclaiming Saturday, August 3, 1991, as Kansas All-Star Football Shrine Bowl Day. The proclamation stated that Noah Mann a graduate of Ottawa High School will participate as a member of the Kansas All-Star Football team. The proclamation was approved by the Governing Body.

Letter Requesting Engineering Study for Sanitary Sewers

The City Manager stated he had received a letter from property owners in an area bounded on the east by Davis Road, south by Wilson Street, west by Cherry Street and on the north by City property, requesting an engineering study for sanitary sewers. It was discussed that the proposed sanitary sewers extension for the new Industrial Park area will make sanitary sewers available for extension to the described area. It was suggested by the City Manager that the contract with Cook, Flatt & Stroble for the Sewer Study for the Industrial Park area, be amended to include extending sewers to the property owners in the area requesting sewers.

Commissioner Tyson made a motion that the letter requesting sanitary sewers be accepted and that an amendment to the contract, with Cook, Flatt & Stroble, for the additional sewer study be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinances & Resolutions

Ordinance - Cable Television Franchise

The Governing Body proceeded to consider an ordinance granting a non exclusive franchise to Communication Services, Inc., to operate a cable television system in the City of Ottawa, Kansas, third reading.

Mayor Lantis opened discussion by stating he would entertain a

motion to postpone the third reading of the Cable Television Franchise until the next regular meeting which will be August 7, 1991. Mayor Lantis stated Communications Services Inc., is preparing to present a new proposal to the City and to show the City is negotiating in good faith, he would like to see the third reading postponed at this time.

Commissioner Gillette made a motion that the third reading of an ordinance granting a non-exclusive franchise to Communications Services Inc., to operate a cable television system in the City of Ottawa, Kansas be postponed until the next regular meeting of the City Commission, which is August 7, 1991. The motion was seconded by Commissioner Tyson.

Commissioner Keim spoke in opposition to delaying the third reading of the franchise ordinance, stating that the ordinance had been read on June 19 and July 1, and the contract expired July 1 of this year. Commissioner Keim stated that passage of the ordinance by placing it on third reading would not stop a tolling agreement and that negotiations could continue with Communications Services Inc. Commissioner Keim said that the City of Ottawa is not denying a franchise to Communications Services Inc., but he felt that if the City delayed the third reading at this time, Communications Inc., would ask for a delay in the third reading again in the future. Commissioner Keim stated that he did not feel that Communications Inc. had negotiated in good faith even though the City had. Commissioners Jackson, Tyson and Gillette spoke in favor of postponing the third reading of the ordinance stating they felt something positive could come out of negotiations at this point.

Mayor Lantis stated he did agree with Commissioner Keim but that he would be in favor of postponing the third reading of the ordinance and possibly avoid litigation cost in the future. In answer to a question by Commissioner Keim the City Manager stated that once the ordinance passed and published for the first time that due to the judicial review which will probably be sought by Communications Services Inc., for all practical purposes a tolling agreement would not be possible and negotiations could not move forward. Upon call for the question Mayor Lantis and Commissioners Tyson, Gillette and Jackson voted in favor of the motion and Commissioner Keim voted opposing the motion.

Consider Bids for Proposed \$200,000 in Certificates of Participation

The City Governing Body proceeded to consider bids for proposed \$200,000 in Certificates of Participation, Series 1991, for the financing of equipment for sanitary sewers.

It was reported by the City Manager that the City had solicited bids through the City's bond attorney of numerous banks, the City

received bids from three banks and George K. Baum Inc., Investment Bankers. The most favorable bid received by the City was by George K. Baum Inc., for Certificates of Participation in the amount of \$200,000 for (5) five years.

Commissioner Keim made a motion that the bid of George K. Baum and Co. for the Certificates of Participation, in the amount of \$200,000 be approved and that an agreement with George K. Baum & Co. for the purchase of the Certificates of Participation in the amount of \$200,000 be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 2977-91 - Authorizing a Base Lease for the Purchase of Equipment

Commissioner Gillette made a motion that an ordinance approving and authorizing the execution of a base lease from the City of Ottawa, Kansas, to Security Bank of Kansas City, Kansas, whereby the City leases to said bank, as trustee, certain equipment, approving and authorizing the execution of a trust agreement between the City and Security Bank of Kansas City, as trustee, providing for the issuance of certain certificates of participation upon terms and conditions and for the purpose set forth therein; approving and authorizing the execution of an equipment lease purchase agreement from the Security Bank, of Kansas as trustee, to the City whereby said bank leases back to the City such certain equipment to be acquired for City purposes be passed. The motion was seconded by Commissioner Jackson. Upon call for the question all present voted in favor of the motion.

Resolution No. 554-91 - Authorizing the City Manager to Execute a Cooperative Agreement with the Kansas Department of Administration, Office of Drug Abuse Programs

The Governing Body proceeded to consider a resolution authorizing the City Manager to execute a cooperative agreement with the Kansas Department of Administration, Office of Drug Abuse Programs, for Multi-Jurisdictional Drug Task Force Programs subject to the approval of an agreement for administrative and personnel matters within sixty (60) days after grant approval and ratifying the application for state assistance.

The City Manager stated that the application for monies for the drug program had been approved by the state and the passage of the resolution will give him authority to execute the proper documents. The City Manager did state however That prior to execution of the documents it would be necessary for interlocal cooperation agreements to be secured with other counties and cities involved within the project.

Commissioner Tyson made a motion that a resolution authorizing the City Manager to execute a cooperative agreement with the Kansas

Department of Administration Office of Drug Abuse Programs for Multi-Jurisdictional Drug Task Force Programs, subject to the approval of an agreement for administrative and personnel matters within sixty (60) days after grant approval and ratifying the application for state assistance be passed.

The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

Commissioner Tyson made a motion to accept the City of Ottawa, Planning and Zoning monthly report of June 19, 1991, City of Ottawa Planning Commission minutes of June 4, 1991, Ottawa Municipal Auditorium Board of Trustees, regular meeting minutes of May 28, 1991, Ottawa Police Dept. monthly activity report of June 19, 1991 and the Ottawa Fire Dept. monthly, second quarter and six month activity report of June 19, 1991. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting. The next regular meeting of the City Governing Body will be August 7, 1991 at 7:00 P.M.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - July 29, 1991

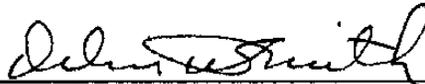
The City Governing Body met in special session at 3:00 PM this date: Present Mayor Lantis and Commissioners Gillette & Jackson. The purpose of the meeting was to consider a resolution relating to the proposed renovation of the North American Hotel into a Senior Citizens Housing Project to be known as Court House Square Apartments.

Resolution No. 555-91

Commissioner Gillette made a motion that a resolution relating to the proposed renovation of the North American Hotel into senior citizen housing to be known as Court House Square Apartments be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Adjournment

The business for which this meeting was called having been completed, the meeting was adjourned.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - August 7, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag.

Approval of Minutes

The minutes of the last regular meeting which was held July 17, 1991 and the special meeting held July 29, 1991 were approved as written.

Request of the East Central Kansas Regional Prevention Center for a 5K - 10K Run

The Governing Body proceeded to consider a request of the East Central Kansas Regional Prevention Center for a 5K Walk - Run and a 10K Run to be held on October 5, 1991 on the street of the City, and to use the band shell in City Park as a registration point.

Commissioner Jackson made a motion that the request of the East Central Kansas Regional Prevention Center to hold a 5K Walk-Run and a 10K Run, October 5, 1991 be approved subject to the condition set forth in the Staff Advisory dated August 7, 1991. The conditions set forth in the Staff Advisory were, that Mulberry Street be used in place of Cedar Street, that the band shell in City Park may be used but is occupied on a first come first serve basis and that the traffic control be coordinated with the Police Department. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 556-91 Authorizing the Preliminary Official Statement for the Sale of the Advance Refunding Water & Electric Revenue Bonds.

A resolution authorizing the Preliminary Official Statement Certification in connection with the proposed City of Ottawa, Kansas Water Works and Electric System Refunding Bonds Series 1991 was considered. Mr. Charles Bouilly of George K. Baum and Company made a presentation to the City Commission giving a summary of benefits to be derived from the sale of the advance refunding bonds. The benefits set forth in Mr. Bouilly's presentation were; the interest rate would be lowered from 9% to approximately 6.26% from the period of 1995 thorough 2003, lowers the annual payments by approximately \$38,240 for the year 1996 through 2002, eliminates the City obligation to make payment in 2003 entirely, there is a savings of \$322,347 over the life of the issue and that on December 1, 1995 the bond reserve can be reduced from \$1,050,000 to \$500,050. Mr. Bouilly asked the City Commission to approve the preliminary official statement, approve a commitment to issue financial guarantee policy, with Municipal Bond Investors

Assurance Corp. and to authorize George K. Baum & Co. to proceed with the sale of the advanced refunding bonds.

Commissioner Gillette made a motion that a resolution authorizing the preliminary official statement certification in connection with the proposed City of Ottawa, Kansas, Waterworks and Electric System Refunding Bonds, Series 1991, be adopted, approve a commitment to issue a financial guarantee insurance policy for Municipal Bond Investors and Assurance Corp. and to authorize George K. Baum and Company to proceed with the sale of the bonds. The motion was seconded by Commissioner Jackson.

Mr. Bouilly assured the Commission that in selling the bonds that they were looking for an interest rate of approximately 6.26 percent and that if the interest rate would rise materially above 6.26 percent that they would not proceed with the sale without getting an approval from the City. Upon call for the question all present voted in favor of the motion.

Resolution No. 557-91 Authorizing Supplemental Agreement with Cook, Flatt & Strobel, Engineers

The Governing Body proceeded to consider a resolution authorizing an agreement with Cook, Flatt & Strobel, Engineers, for a supplemental agreement to the professional engineering services agreement of June 5, 1991, for a sanitary sewer study. The supplemental agreement would authorize the firm of Cook, Flatt & Strobel to proceed with engineering services for a proposed sanitary sewer extension to the south of the new industrial park area.

Commissioner Keim made a motion that a resolution authorizing an agreement with Cook, Flatt and Strobel, Engineers, for a supplemental agreement to the professional engineering services agreement of June 5, 1991, for a sanitary sewer study be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 2978-91 Establishing a Legal Authority for a Separate Fire Department

The ordinance under consideration establishes the legal authority for a separate Fire Department.

Commissioner Jackson made a motion that an ordinance amending Chapter 9 of the Municipal Code of the City of Ottawa, Kansas, 1982, and providing substitute provisions concerning the Fire Department of the City of Ottawa, Kansas; adoption of the Uniform Fire Code and Fire Code Standards, 1991 Editions; adoption of the Life Safety Code NFPA 101 1988 edition; providing for fire prevention within the City of Ottawa, Kansas; and providing for penalties for the violation of such provisions be passed. The

motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 2979-91 - Bicycle, Skateboard and Roller Skating Regulations

The ordinance under consideration redefines the area in which bicycles, skateboards, roller skates and other such devices may not be ridden on the sidewalks except under certain conditions.

Commissioner Tyson made a motion that an ordinance amending Article 2, relating to local traffic rules and regulations of Chapter XIII of the Municipal Code of the City of Ottawa, Kansas, 1982 and providing for the incorporation of said amendment into the Municipal Code of the City of Ottawa, Kansas, 1982, as it pertains to the riding of skate boards, bicycles, tricycles and other such devices in the central business district. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Ordinance Granting Cable Television Franchise

An ordinance granting a non-exclusive franchise to Communication Services Inc., to operate a cable television system in the City of Ottawa, Kansas (third reading) was placed under consideration.

Commissioner Tyson made a motion that consideration of the ordinance for the (third reading) be postponed until the next regular meeting of the Governing Body which will be held August 21, 1991. The motion was seconded by Commissioner Jackson. Mayor Lantis and Commissioners Gillette, Tyson and Jackson voted in favor of the motion, Commissioner Keim voted opposing the motion.

Reports by City Manager

The City Manager in referring to staff advisory dated August 7, 1991, stated, that Killough Const. Inc. of Ottawa, was low bidder for 1991 Overlay & Chip & Seal of certain City streets.

Killough Const. Inc. bid was \$80,092. The streets to be overlaid are 23rd Street from Cedar east to the pavement end, Ash St. from 17th to 19th St., Elm St., from 12th to 13th, and 15th St., from the Rock Creek Bridge east through Lincoln Street. Franklin County is to give financial assistance for the overlay of 23rd Street from Cedar east to pavement end. Streets to receive chip and seal are Wilson St., Main to Davis, Lincoln St., 7th to 15th, Cedar, Logan to Powhattan, Hamblin, Cherry to Lincoln, Burrough, 7th to 9th, Walton, Cherry to Lincoln, 8th, Cherry to Lincoln, and Beech St., 7th through 5th.

Commissioner Tyson made a motion that the bid of Killough Const. Inc. in the amount of \$80,092 for the overlay and seal of certain

streets in the City of Ottawa, be accepted and that the Mayor be authorized to sign a contract with Killough Const. Inc. for the street project. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

The City Manager presented the Governing Body an engineering study for the proposed improvement of Pine Street to 5th to 6th St. It was recommended that the City Staff meet with the affected property owners to provide information concerning the engineering report method of assessment and benefit district financing procedures.

Commissioner Gillette made a motion that the report of the engineers be accepted, the motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

The Governing Body received the following monthly reports and minutes of boards. The Financial Report from the Franklin County Humane Society, July 16, 1991, City of Ottawa, Kansas, Existing Investments Report, June 30, and July 31, 199, City of Ottawa, Kansas, Monthly Report of Cash Balances by the City Clerk, June 30, 1991, Minutes of the United Way of Franklin County Board Meeting, June 25, 1991 and the minutes of the Ottawa Recreation Commission Board Meeting, June 19, 1991.

Commissioner Tyson made a motion that the reports and minutes of boards be accepted, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Financial Statements and Audit for the Year Ended December 31, 1990

The consideration and acceptance of Financial Statements and Report by Agler and Gaeddert, Independent Certified Public Accountants, for the fiscal year ended December 31, 1990 was postponed until the next regular meeting of the Governing Body, which will August 21, 1991.

Resignation of Dennis George

The City of Governing Body received and accepted the resignation of Dennis George from the Board of Trustees of the Ottawa Municipal Auditorium.

Commissioner Tyson made a motion that the resignation of Dennis George be accepted, the motion was seconded by Commissioner Jackson, and all present voted in favor of the motion.

The City Manager announced that the Public Hearing for the 1992 Budget of the City of Ottawa, is scheduled for 7:00 P.M. August

12, 1991. The City Manager also stated that RPI may need an extension of contract to the 10th of August for the purchase of the North American Hotel and if such that it could be handled at the August 12 meeting.

Adjournment

The meeting was adjourned until 7:00 P.M. August 12 1991.

City Hall - Ottawa, Kansas - August 12, 1991

The City Governing Body met in continuing session August 12, 1991, at 7:00 P.M. this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag.

Public Hearing - 1991 Budget

George Heckman, Douglas County Center for the Control of Alcohol (DCCCA), Cathy Sumner, Horizons Recovery Service, and Attorney Tom Gleason Jr., spoke, asking the Commission to continue the funding of their organizations. Kevin Shaver, Cedar House Health Center, spoke to the Commission asking to be included in the funding. The two organizations DCCCA and Horizons have been receiving 1/3 of the alcohol revenues. The City Commission has been discussing the possibility of eliminating the funding to these organizations in order to expand the DARE Program. It was accepted by all that the DARE Program is a very good program, but it was pointed out that all three programs are in need of funding. There being no further comment from the audience Commissioner Jackson made a motion to close the public hearing. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Mayor Lantis commented, the Commission did have the discretion as to the distribution of the alcohol tax money, and he felt a great impact was made here tonight. Commissioner Gillette stated the alcohol money has been written into a Contingency Reserve Fund for 1992, which leaves the disbursement to the discretion of the City.

Ordinance No. 2890-91 Adopting 1991 Budget

The amounts stated in the proposed ordinance represent the City Manager's proposed budget including revisions submitted to the City Commission.

Commissioner Gillette made a motion appropriating the amounts provided in each fund of the budget for the year 1992; providing for the payment of all claims and charges against the funds provided therein; and approving and ratifying the payment of all claims against the funds for the year 1992. The motion was seconded by Commissioner Jackson, upon call for the question all

present voted in favor of the motion.

Resolution No. 558-91 - Personnel Classification and Pay Plan

The pay plan was modified in January, 1991, by a cost of living adjustment authorized for the 1991 budget. The schedule of positions formally adopts those positions to which appointments are authorized. The Schedule of positions for 1992 is to be included.

Commissioner Tyson made a motion to ratify and affirm a personnel classification and pay plan, and adopt a schedule of authorized positions in the municipal service of the City of Ottawa, Kansas. The motion was seconded by Commissioner Keim, upon call for the question all present voted in favor of the motion.

Resolution No. 559-91 - Execution and Amending Real Estate Contracts

It is necessary to extend again the date for closing of the North American Hotel sale by B & B Investments to the City and from the City to RPI Services, Inc. The City's purchase is contingent upon FMHA loan commitment to RPI Services, Inc.

Commissioner Tyson made a motion to affirm and ratify the execution of amendments to certain real estate contracts as amended with B & B Investments, Inc., and RPI Services, Inc., to extend the closing dates of said contracts to on or before October 10, 1991. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Governing Body Agenda

Lou Atherton appeared before the City Commission stating he would be glad to answer any questions concerning the appropriation from the City to the OFCED. There being no questions Mr. Atherton thanked all persons involved in the commitment.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - August 21, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Gillette.

Approval of Minutes

The minutes of the last regular meeting which was held August 7, 1991 and continued to August 12, 1991 were approved as written.

Request for Level Payment Plan for Payment of Utility Bills

Mr. Lou Atherton President of the Ottawa Area Chamber of Commerce appeared before the City Commission, requesting that a level payment plan be established for the utility customers of the City of Ottawa, Mr. Atherton stated that he felt it would be beneficial for those persons wishing to use a level payment plan. Mr. Atherton was answered, that the City is presently looking into the possibility of offering a level payment plan for the payment of utility bills and it is hoped it will be forth coming in the future. Mr. Atherton stated that he would like to see a plan become effective in the fall of 1991.

Request for Special Olympics - Kanza Park Walk-athon

Mr. Shawn Kelsey, treasurer of the Ottawa Special Olympics appeared before the City Commission asking permission to hold a Walk-athon to benefit the Special Olympics in Kanza Park, October 5, 1991 and that October 12, 1991 be used as a rain date if necessary. Mr. Kelsey also gave some information as to the activities of the Special Olympics and the benefits derived from the Special Olympics.

Commissioner Keim made a motion that the Ottawa Special Olympics be permitted to use Kanza Park on October 5, 1991, to conduct their fund raising Walk-athon and that October 12, 1991 be set aside as a rain date. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 2891-91 - Repealing a Form of Non-exclusive Cable Television Franchise

It was explained that since the most favored nations clause has been removed in the CSI Franchise agreement and since CSI will be accepting the franchise that is offered there is no need to continue with a form of non-exclusive franchise ordinance.

Commissioner Tyson made a motion that an ordinance repealing a form of franchise for non-exclusive Cable Television Franchise

System be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion, except Commissioner Keim who voted opposing the motion.

Resolution No. 560-91 - Authorizing an agreement with Communication Services Inc.

The resolution being considered by the City Governing Body sets forth an agreement which provides for CSI to except a (3) three year franchise and gives them the opportunity upon satisfactory performance there under and completion of certain system upgrades to obtain an extension of the franchise term to (10) ten years.

Commissioner Gillette made a motion that a resolution authorizing an agreement with Communication Services Inc., in connection with the renewal of a cable television system franchise renewal and the terms of conditions for extension thereof be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion except Commissioner Keim who voted opposing the motion.

An Ordinance Granting A Non-exclusive Franchise to Communication Services, Inc.

The Governing Body proceeded to consider an ordinance granting a non-exclusive franchise to Communication Services, Inc., to operate a cable television system in the City of Ottawa, Kansas. To pass this ordinance it is required that the ordinance be read at three separate City Commission meetings, the reading and passage on the first reading will constitute the first reading of the ordinance.

Commissioner Jackson made a motion that an ordinance granting a non-exclusive franchise to Communication Services, Inc., to operate a cable television system in the City of Ottawa, Kansas, be passed for its first reading. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion, except Commissioner Keim who voted opposing the motion.

Ordinance Granting a Non-exclusive Franchise to Communication Services, Inc.

The Governing Body proceeded to consider an ordinance granting a non-exclusive franchise to Communications Services Inc., to operate a cable television system in the City of Ottawa, Kansas, third reading. This ordinance is being superseded by the preceding ordinance stated in these minutes and will no longer be considered for passage.

Ordinance No. 2892-91 - Permitting Agricultural Related Business Offices in the I-1, Light Industrial Zone

The ordinance before the City Governing Body at this time will permit agricultural related business offices and agricultural related personal credit services including agricultural credit unions as a permitted use in the I-1 Light Industrial Zone. It was discussed by the Governing Body that possibly the land should be re-zoned for office use as opposed to allowing business offices in I-1 Light Industrial Zoning.

Commissioner Tyson made a motion that an ordinance amending the text of Appendix A of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended be passed, by allowing agricultural related business offices to be located in the I-1 Light Industrial Zone. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 2893-91 - Zoning

It was discussed that passage of this ordinance will bring the City's Zoning Ordinance into compliance with state statutes.

Commissioner Jackson made a motion that an ordinance amending Article III, Definition, and Appendix A of the Zoning Ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90, as amended, to include definitions for group homes and disability, and allowing group homes as a permitted use in the R Single Family, R-S Residential Suburban Dwelling, R-1 Single Family, R-2 Two Family and Multiple Family, M-H Mobile Home, M-P Mobile Home Park, C-3 Retail Business and O-I Office and Institutional Zones and subjecting group homes to the regulations applicable only to those districts in which they are permitted be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance NO. 2894-91 - Relating to Offenses Against Property

It was explained by the City Manager that this ordinance will bring penalties such as fines and jail terms into conformance with those imposed by the District Courts in the State of Kansas.

Commissioner Tyson made a motion that an Ordinance amending Article 3, relating to offenses against property, of Chapter XII and amending Article 1, of penalties of Chapter XV of the Municipal Code of the City of Ottawa, Kansas, 1982, and providing for the incorporation of said amendments into the Municipal Code of the City of Ottawa, Kansas 1982, be passed. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution Approving a Schedule of Benefits for The City of Ottawa, Kansas Employees for Health Care Purposes

It was a decision of the City of Ottawa City Commission at this time not to consider the resolution before them as it was determined by the City Commission that the schedule of benefits should be an administrative matter and not a policy matter.

Ordinance No. 2895-91 - Authorizing the Issuance of Utility Advance Refunding Bonds

Commissioner Gillette made a motion that an Ordinance authorizing and providing for the issuance of \$5,495,000 principal amount of waterworks and electric system revenue refunding bonds, series 1991 of the City of Ottawa, Kansas, for the purpose of providing funds to pay the costs of refunding a portion of the City's outstanding waterworks and electric systems revenue refunding bonds, series 1985, dated October 1, 1985; and making certain covenants and agreements with respect thereto be passed. The motion was seconded by Commissioner Tyson.

Mr. Chuck Bouilly of George K. Baum & Co. appeared before the City Commission, stating the original estimated average interest rate for the bonds was to be 6.26 percent and the present savings was to be \$322,000. The average interest rate for the sale of the bonds has changed and will now be 6.09 percent and the present savings from the sale of the bonds will be \$355,000. Upon call for the question all present voted in favor of the motion.

Resolution No. 561-91 - Authorizing the Issuance of Waterworks and Electric System Revenue Refunding Bonds

Commissioner Gillette made a motion that a resolution authorizing the issuance of \$5,495,000 principal amount of waterworks and electric system revenue refunding bonds, Series 1991, of the City of Ottawa, Kansas, for the purpose of providing the funds to refund a portion of the City's outstanding bonds, Series 1985, and to pay the costs of issuance of said refunding bonds and a portion of the interest on said refunding bonds, all as previously authorized by Ordinance No. 2895-91 of the City; prescribing the form and details of said refunding bonds; providing for the collection, segregation and application of the revenues of the waterworks and electric systems for the purpose authorized by law, including paying the cost of operation and maintenance of the waterworks and electric systems, paying the principal of and interest on said refunding bonds, providing adequate reserve funds, making certain covenants and agreements with respect thereto, approving an escrow deposit agreement, and official statement and a bond purchase agreement be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Application for Cereal Malt Beverage License

The Governing Body proceeded to consider an application for

Dale L. Miller, Manager.

Commission Keim made a motion that the application for license to sell Cereal Malt Beverage in unopened containers as submitted by Tanana Oil Corp., 304 Logan, Ottawa, Kansas, be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Plans and Specifications for Street Improvements

The City Manager stated that the plans for the street improvements in the Wollen's Addition, had been submitted to City Staff for review and approval. The City Staff finds the plans in order with the exception that the plans call for a street width of 28 feet as opposed to a 32 or 36 feet width as set forth in the Comprehensive Plan of the City. It is recommended at this time that the plans be approved including the width variance.

Commissioner Tyson made a motion that the plans and specifications for street improvements in Wollen's Addition be approved, inclusive of the variance for the width of the street in the Wollen Addition to 28 feet. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Report on Street Overlay Program

The City Manager reported that all of the overlay of streets in the 1991 Program had been completed and to date the City is running under budget. The City Manager requested that consideration be given to the overlay of Willow Street, from 7th St. to 9th St. at an estimated cost of \$10,500 and that Ash Street from 7th St. to 10th St. could be considered for an estimated cost of \$18,700. The City Manager further reported that the overlay of Willow Street for an estimated cost of \$10,500 could be accomplished and still stay within the budget set forth for this purpose.

Commissioner Jackson made a motion that the overlay of Willow St. from 7th St. to 9th St. at an estimated cost of \$10,500 and the overlay of Ash St. from 7th to 10th St., at an estimated cost of \$18,700 be approved. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Monthly Reports of Minutes and Boards

Commissioner Tyson made a motion that the monthly report of the Ottawa Fire Dept. for July 1991, the City of Ottawa Planning Commission minutes of July 2, 1991, the monthly report of Cash Balance by the City Clerk of July 31, 1991 and the Ottawa Library Board Minutes of July 1991, be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the minutes are on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - September 4, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Tyson and Keim, absent Commissioner Jackson. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Don Albright of the Calvery Baptist Church.

Approval of Minutes

The minutes of the last regular meeting which was held August 21, 1991 were approved as written.

Resolution No. 562-91 - Recognizing the Green Acres Restaurant Softball Team

Commissioner Tyson made a motion that a resolution recognizing the Green Acres Restaurant Softball Team as the 1991 Ottawa Recreation Commission, Tuesday Night Women's League Champions and the 1991 Recreational State Tournament First Place Champions for the State of Kansas of the Women's United States Slow Pitch Softball Association be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 563-91 - Recognizing the First National Bank Softball Team

Commissioner Keim made a motion that a resolution recognizing the First National Bank Softball Team as the 1991 Recreational State Tournament, Women's United States Slow Pitch Softball Association Second Place winners for the State of Kansas be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Report of Economic Development Tax Exemption Administrative Review Committee, Concerning Application of MacFasteners, Inc.

The City Manager reported that the administrative review committee for economic development tax exemption applications had met at 10 AM, August 28, 1991, to review an application for tax exemption for economic development purposes as submitted by MacFasteners Inc. Based on the criteria set forth in the application and the conditions set forth in the City of Ottawa Economic Development policy, the administrative review committee recommends that MacFasteners be given an Advalorem Tax Abatement on the valuation of land, buildings and equipment of (50) fifty percent for (5) five years. The recommended exemption would be granted subject to an annual application for renewal beginning July 1, 1992, that includes evidence of continued employment of (10) ten persons on a full time basis. If the Governing Body wishes to continue consideration of the requested tax abatement of MacFasteners a

public hearing must be held.

Commissioner Tyson made a motion that a public hearing be held to consider the tax abatement request of MacFasteners, on September 18, 1991 at 9:00 AM. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Petition for Vacation of Alley

The City Manager reported that the City had received a petition dated August 6, 1991, for vacation of an alley in Block 2, McCulla's North Side Addition, City of Ottawa, signed by resident property owners. The vacation is being sought to eliminate an unopened, platted alley to permit the construction of a garage in a rear yard further from the main structure than would be possible with a platted alley. The City Manager recommended that the request for vacation of the alley be referred back to the City Manager so that it can be further studied by staff for a recommendation. The petition for the vacation of the alley was referred back to City Manager for further study and consideration by consensus of the Governing Body.

Resolution No. 564-91 - Authorizing an Agreement Between the City of Ottawa, Olin G. Wollen and Killough Construction, Inc.

The developer Olin G. Wollen has entered into a contract with Killough Const. to construct Phase I street improvements within Wollen's Addition. This agreement permits work within the public right of way and provides for its acceptance by the City upon its completion.

Commissioner Keim made a motion that a resolution authorizing an agreement between the City of Ottawa, Kansas, Olin G. Wollen and Killough Construction Inc., for street improvements in the Wollen Addition be passed, conditioned upon Section 14F of the agreement being stricken. The motion was seconded by Commissioner Gillette. Section 14F of the agreement alludes to a sales tax exemption for materials purchased for the project, an addendum which is following will accomplish this purpose. Upon call for the question, all present voted in favor of the motion .

Resolution No. 565-91 - Authorizing an Addendum to the Street Improvement Agreement with Olin G. Wollen

An addendum proposed by Dr. Wollen is held by the City Attorney to be a lawful means of obtaining a sales tax exemption for the public improvement, referred to in Resolution No. 564-91.

Commissioner Gillette made a motion that a resolution authorizing and addendum to the street improvement agreement with Olin G. Wollen and Killough Const. Inc., for street improvements in Wollen's Addition be passed. The motion was seconded by

Commissioner Keim and all present voted in favor of the motion.

Ordinance Granting a Non-exclusive Franchise to Operate a Cable Television System in the City of Ottawa, Kansas

Commissioner Tyson made a motion that an ordinance granting a non-exclusive franchise to Communications Services, Inc. to operate a cable television system in the City of Ottawa, Kansas be passed on a second reading. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution No. 566-91 - Intent of the City of Ottawa to Issue Industrial Development Revenue Refunding Bonds for the Our Own Hardware Company

Commissioner Gillette made a motion that a resolution determining the intent of the City of Ottawa, Kansas to issue it's industrial development revenue refunding bonds in the amount of approximately \$6,180,000 to redeem and refund the City's outstanding Industrial Revenue Bonds, Series A, dated as of May 1, 1980 (Our Own Company Hardware Project) and providing for a public hearing on the issuance of such bonds be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Sewer Service Rate Analysis

The City Manager submitted a sewer service rate analysis to the City Commission which sets forth prior years expenditures and revenues along with projections into the future. A memorandum submitted along with the sewer service rate analysis, recommends certain rate increases to be accomplished October 1, 1991, and January 1, 1993. The report furnished to the City Governing Body at the time is to allow time for study prior to September 9th study session.

Commissioner Gillette made a motion that the Sewer Rate Analysis Study be accepted and that it be referred to the study session of September 9, 1991, with possible action by the City Commission on September 18, 1991. The motion was accepted by Commissioner Tyson and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

Commissioner Tyson made a motion that the Ottawa Police Dept. monthly report of June 1991 the monthly report of balances by the City Clerk of July 31, 1991, the Ottawa Recreation Commission Minutes of August 21, 1991, the Fourth Judicial District Community Corrections Report of August 23, 1991 and the City of Ottawa Investment Schedule for the period ending August 31, 1991, indicating a total of \$7,200,000 invested at an average annual interest rate be accepted. The motion was seconded by Commissioner Gillette and all present voted in favor of the

motion.

Upon motion the meeting was adjourned until 3:00 P.M. September 9, 1991, at which time the Governing Body will consider applications for Kansas Department of Transportation street improvements within the City of Ottawa.

September 9, 1991

At 3:00 P.M. this date Mayor Lantis called the meeting to order: Present Mayor Lantis and Commissioners Tyson, Gillette, Jackson and Keim.

Resolution No. 567-91 - Application for Street Improvement Funds

Commissioner Gillette made a motion that a resolution authorizing application to the Kansas Department of Transportation City Connecting Links (KLINK) Resurfacing program for FY 1994 for funding of street resurfacing projects at two locations on Main Street be passed. The motion was seconded by Commissioner Keim.

The portions of Main Street to be resurfaced with these funds will complete the overlay of all portions of US 59 within the City. Upon call for the question all present voted in favor of the motion.

Resolution No. 568-91 - Application for Street Improvement Funds

Commissioner Tyson made a motion that a resolution authorizing application to the Kansas Department of Transportation Geometric Improvements program for FY 1995 for funding of a street improvement project along Main Street between 15th Street and 17th Street be passed, the motion was seconded by Commissioner Jackson. This application proposes the widening of Main Street between 15th Street and 17th Street to provide a center left turn lane within this two block long business area for smoother traffic flow and less likelihood of vehicular accidents. Upon call for the question all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - September 18, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Bill Weber of the Calvary Baptist Church.

Approval of Minutes

The minutes of the last regular meeting which was held September 4, 1991 and continued to September 9, 1991 were approved as written.

Presentations and Recognitions

Proclamation - Youth Temperance Education Week

Mayor Lantis read a proclamation proclaiming the week of October 2, 1991 as Youth Temperance Education Week. Commissioner Tyson made a motion that the proclamation be approved, the motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Proclamation - Constitution Week

Mayor Lantis read a proclamation proclaiming the week of September 17 through September 23, 1991 as constitution week. Commissioner Gillette made a motion that the proclamation be approved, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Request of Chamber of Commerce & Franklin Co. Fair Board

Mr. Lou Atherton representing the Chamber of Commerce and the Franklin County Fair Board appeared before the City Commission requesting that certain streets be closed and that the City Governing Body authorize the sale of crafts at various locations on the downtown sidewalks for the "Shuckin' Days Festivities" on October 5, 1991. The streets requested to be closed are Second St. from Main to a point immediately west of the alley between Hickory and Cedar Streets. Hickory Street from Third Street to a point immediately south of the Henke Chrysler Plymouth Agency and the alley between Main Street be closed between Parking Lot C, and Third Street. The request further stated that the Police Department and Fire Department have been consulted and indicated no conflict with the proposed closing of streets and alleys. The request also stated that the Chamber has been asked to maintain a minimum space of 16 feet for emergency traffic in streets, and to maintain a capability to remove trailers in an emergency situation.

Commissioner Keim made a motion that the request of the Chamber of Commerce and the Franklin County Fair Board be granted, the motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Parade Request

The Student Council of Ottawa High School requested the use of Main Street at 7:00 P.M., October 2, 1991 to hold their annual homecoming parade. The parade route will be from Forest Park to Fourth Street, a letter requesting authority to close Main Street for the parade from the Kansas Department of Transportation has been submitted.

Commissioner Tyson made a motion that the request for the parade as submitted by the Ottawa High School Student Council be approved, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Public Hearings

Tax Exemption Request by MacFasteners Inc.

Mayor Lantis opened a public hearing on the request for Ad Valorem Tax exemption as submitted by MacFasteners Inc., 1544 South Main Street. In as much as there was no one present representing MacFasteners to comment on the exemption request the public hearing was continued until the next regular meeting of the Governing Body, which will be October 2, 1991.

Our Own Hardware - Request for Issuance of Industrial Development Refunding Bonds

Mayor Lantis opened the hearing asking if there were anyone present to speak to the subject. Ms. Dottie Riley of Gilmore and Bell Attorneys, appeared to speak to this item. Ms. Riley stated that the issuance of Industrial Development Refunding Bonds for Our Own Hardware Co. is to refund those bonds issued by the Company in 1980, and to secure a lower interest rate for the outstanding debt of the company, which is \$6,180,000. Ms. Riley further stated that if anyone had any questions concerning the issue she would be happy to answer the questions.

Commissioner Gillette stated that he would recommend the City Commission take favorable action on this issue as Our Own Hardware has been an asset to this community.

There being no other comments the hearing was closed.

Ordinances and Resolutions

Ordinance No. 2996-91 - Industrial Development Revenue

Refunding Bonds

Commissioner Gillette made a motion that an ordinance authorizing the City of Ottawa Kansas to issue its variable rate demand industrial development revenue refunding bonds, Series 1991 (Our Own Hardware Company Project) in the aggregate amount of \$6,180,000 for the purposes of refunding and redeeming the City's industrial revenue bonds, Series A 1980 (Our Own Hardware Company Project) in the original principal amount of \$7,500,000; authorizing execution of a trust indenture by and between the City and Mercantile Bank N.A. in the City of St. Louis, Missouri, as trustee; authorizing the City to lease said project to Our Own Hardware Company, and authorizing execution of a lease between said City and said company; authorizing the execution of the bond purchase agreement for the bonds by and among the City, Our Own Hardware and Norwest Corporate Finance, a division of Norwest Bank Minnesota, N.A., as purchaser of the bonds. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 2997-91 - Granting a Non-Exclusive Franchise to Communications Services, Inc. to Operate a Cable Television System in the City of Ottawa, Kansas.

Mayor Lantis introduced the ordinance by stating that this is the third and final reading of the franchise ordinance and if passed it will not become effective for 60 days from the date of publication.

Commissioner Tyson made a motion that an ordinance granting a non-exclusive franchise to Communication Services, Inc. to operate a cable television system in the City of Ottawa, Kansas, be adopted on its third reading. The motion was seconded by Commissioner Gillette and upon call for the question all present voted in favor of the motion.

Ordinance No. 2998-91 - Relating to Sewer Connections in Use and Providing for Sewer User Charges

Commissioner Jackson made a motion that an ordinance amending certain sections of Chapter 14 of the Municipal Code of the City of Ottawa, Kansas 1982 relating to sewer connection and use and providing for the sewer user charges and the designation of revenues therefrom, and incorporating said amendments into said municipal code be passed. The motion was seconded by Commissioner Keim. The new amendment provides for residential consumers to have their sewer service charge based on a (4) four month winter average as opposed to a (3) month winter average. A medium rate will be established for those customers who do not establish a winter average and the amendment provides for separate metering for private water sources for purposes of the sewer user charge. The base rate in the new amendment will be \$3.65 with a user

charge of \$1.25 per one hundred cubic feet of water consumed. Effective March 1, 1993 the use charge will go to \$1.50 per 100 cubic feet of water used. Upon call for the question all present voted in favor of the motion.

Resolution 569-91 Fees for Planning Advisory Services

Commissioner Keim made a motion that a resolution increasing the maximum amount for fees payable under the current planning advisory services agreement with Bucher, Willis & Ratliff, Consulting Engineers, Planners and Architects be passed, the motion was seconded by Commissioner Tyson. The resolution sets forth that the fees which may be paid Bucher, Willis & Ratliff for 1991 be increased from \$8,000.00 to \$12,000.00. The reason for the proposed increase is that state regulation has mandated certain changes in the zoning ordinance of the City of Ottawa, which Bucher, Willis & Ratliff Consulting Engineers are working with the City to implement. Upon call for the question all present voted in favor of the motion.

Resolution 570-91 - Interlocal Agreement for the Drug Enforcement Task Force

Commissioner Tyson made a motion that a resolution authorizing an interlocal agreement with Franklin, Osage, and Anderson Counties, and the City of Garnett for the purpose of establishing a multi-jurisdiction drug enforcement task force be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Monthly Reports of Minutes and Boards

Commissioner Gillette made a motion that the Planning Commission minutes of August 6, 1991, Inspection Division, monthly activity report of August 1991, Fire Department monthly activity report of August 1991, Police Department monthly activity report of August 1991, and the City of Ottawa monthly financial report by the City Clerk of August 31, 1991, be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Financial Statements and Report by Agler & Gaeddert

Commissioner Tyson made a motion that the Financial Statements and Report by Agler & Gaeddert Independent Certified Public Accountants, for the Fiscal Year ended December 31, 1990, be accepted and approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Appointment of Voting Delegates for the Annual League of Kansas Municipalities Meeting

Commissioners Tyson, Jackson and Gillette were appointed voting

delegates for the annual league meeting. Mayor Lantis and City Manager Warren and City Clerk Smith were appointed alternate delegates for the annual League of Kansas Municipalities Meeting.

Letter of Engagement for the 1991 Fiscal Year Audit

Commissioner Tyson made a motion that the engagement letter of Agler & Gaeddert Chartered (CPAs), for the 1991 fiscal year audit of the City's records and operation be approved, the motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Announcements

Commissioner Gillette announced that the Ottawa Carol Fest will be held Wednesday, December 18, 1991 from 6:00 P.M. to 7:00 P.M. at the Haley Park in downtown Ottawa.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - October 2, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Gillette.

Approval of Minutes

The minutes of the last regular meeting which was held September 18, 1991, were approved as written.

Presentations and Recognitions

Proclamation - Fire Prevention Week

Mayor Lantis read a proclamation proclaiming the week of October 6 - 12, 1991 as Fire Prevention Week. Commissioner Tyson made a motion that the proclamation be approved, the motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Proclamation - Help the Mentally Handicap Citizens Day

Mayor Lantis read a proclamation proclaiming October 11 -13, 1991 as Help the Mentally Handicap Citizens Day. Commissioner Keim made a motion that the proclamation be approved, the motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Proclamation - Alpha Delta Kappa Week

Mayor Lantis read a proclamation proclaiming the week of October 13 - 19, 1991 as Alpha Delta Kappa Week. Commissioner Gillette made a motion that the proclamation be approved, the motion was seconded by Commissioner Tyson and all present voted in favor of the motion. Mrs. Betty Hazen representing the Alpha Delta Kappa Sorority was present and received the signed proclamation.

Public Hearing

Public Hearing - Ad Valorem Tax Exemption Application for MacFasteners, Inc.

Mayor Lantis opened the hearing by stating, the hearing is a continuation of the hearing which started at the last regular meeting of the City Governing Body.

Mr. Bob McDonald of MacFasteners was present and gave a brief history of the company since its inception in 1989. Mr. McDonald stated that the company has experienced steady growth, presently

has nine employees and is looking to add three additional employees in the near future.

Mr. McDonald ask that the Governing Body approve his application for tax exemption particularly in that the equipment he is using is used equipment and the current tax law in Kansas does not allow for depreciation for tax purposes on used equipment.

Mr. Lou Atherton, of the Ottawa Chamber of Commerce, and Ottawa/Franklin County Economic Development, spoke to the issue stating, the Chamber of Commerce and the OFCED were in support of Mr. McDonalds request. There being no further comment Mayor Lantis declared the hearing closed.

Commissioner Gillette made a motion to authorize a letter of intent of the City Governing Body to approve the request for tax exemption. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Ordinances and Resolutions

Ordinance No. 2999-91 - Alley Right of Way Vacation

The Governing Body proceeded to consider an ordinance providing for the vacating of an alley in block 2 of McCulla's north side addition. It was stated that a petition had been received from the property owners abutting the alley requesting such vacation. The reason for the vacation is that it would allow the property owners to build closer to their rear lot lines abutting an easement as opposed to a dedicated alley be passed. The ordinance sets forth that once the alley is vacated, the City retains a utility easement for the former alley right of way. All property owners abutting the alley signed the petition.

Commissioner Tyson made a motion that an ordinance providing for the vacating of an alley located in the City of Ottawa, Kansas, in block 2 of McCulla's north side addition, running south from the south line of Blackhawk Street between Birch and Spruce Streets to the south line of block 2, McCulla's north side addition; also providing for the reservation of the utility easement, said easement to be defined by the boundaries previously established for the alley be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 3000-91 - Amending Ordinance No. 2996-91, Pertaining to the Refunding of an Industrial Revenue Bond Issue, for the Our Own Hardware Company

It was discussed that due to miscalculation on the amount of refunding bonds which may be sold, that the amount stated in the

original ordinance must be amended from \$6,180,000 to \$6,110,000.

Commissioner Keim made a motion that an ordinance amending Ordinance No. 2996-91 of the City of Ottawa, Kansas, and providing a substitute provision on the same subject be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 3001-91 - Definition of Weeds, Grasses and Rank Vegetation and Providing for a Notice to Cut Weeds

Commissioner Jackson made a motion that an ordinance providing for the definition of weeds, grasses and rank vegetation within the City of Ottawa, Kansas, providing for personal notice and providing for the incorporation into the municipal code of the city of Ottawa, Kansas, 1982 be passed. The motion was seconded by Commissioner Gillette. Commissioner Gillette spoke to the issue stating that he had been on the City Commission for two and one half years and that he had been working toward regulations which would help to clean up the City and keep it clean such as the ordinance before the City Commission on weeds and grasses and the next ordinance to be considered which relates junk vehicle and nuisances abatement.

Commissioner Jackson spoke to the issue stating that he concurred with Commissioner Gillette and he thought that the ordinances being considered would help to clean up the City and certainly give a better impression of the City, not only for the people living here but for the people that might be passing through.

The City Manager spoke stating that the ordinance further defines weeds and grasses and other vegetation as opposed to the ordinance that is currently enforced and provides for notice to the property owner as opposed to the present method of notice to the property owner and publications each 10 days during the growing season published in the official newspaper.

Mr. John Kruzel, 717 E. Third, spoke to the issue stating that he was hopeful that the ordinance would apply to weeds and grasses on property which are inhabited and not just to vacant lots. Mr. Kruzel was assured that the ordinance would apply to both.

Mr. Clarence Marlow, spoke wanting to know if there was an ordinance against working on cars in the street. Mayor Lantis replied that he was sure there was, however, if he had a specific complaint to report it to the City Manager so that it might be investigated and action taken. There being no further discussion the question was called and all present voted in favor of the motion.

Ordinance No. 3002-91 - Providing for the Orderly and Timely Abatement of Junk Vehicle Nuisances Within the City

Commissioner Tysson made a motion that an ordinance providing for the orderly and timely abatement of junk vehicle nuisances within the City of Ottawa, Kansas and providing for the incorporation of a junk vehicle nuisance abatement procedure into the Municipal Code of the City of Ottawa, Kansas 1982 be passed. The motion was seconded by Commissioner Keim.

Mayor Lantis called upon the City Manager to comment on the subject. The City Manager stated that the ordinance before the City Commission at this time would allow the City to act upon the removal of junk vehicles from private property without having to file a complaint and siting the individual into Municipal Court. If a vehicle is found on property and deemed to be a junk vehicle under the conditions set forth in the ordinance, the City Commission could enact a resolution authorizing and ordering the removal of the vehicle at which time City personnel could go on the private property with the assistance of a wrecker and remove the vehicle for impoundment. Under the present City Ordinance, the individual violating the ordinance must be sited into court and often times the court will give the individual a suspended sentence, pending the removal of the vehicle, the present system has not been successful.

Mr. John Kruzel asked about a vehicle on private property without proper state registration? It was explained to Mr. Kruzel that under the terms of the ordinance a vehicle without the proper state registration displayed will be termed to be a junk vehicle.

Mr. Ralph Craig appeared before the City Commission stating that he had been harassed by the City since 1985 in that he has four vehicles on his property which are all licensed and in running order, however, Mr. Craig stated that in 1985 he had been confined to the hospital for a period of time and for sometime after was not able to work on the vehicles and at that time is when the trouble with the City started.

Mr. John Kruzel then questioned as if there were a clause in the ordinance pertaining to a habitual offender. It was explained there is nothing in the ordinance pertaining to the habitual offender, but in those cases the City could go to District Court to seek an injunction against the individual to prohibit that person from moving junk or inoperable vehicles on his private property. Mr. Kruzel indicated he thought the ordinance under consideration was a step in the right direction but he did not think it was going to answer the problem. Mr. Kruzel is to appear before the City Commission at a study session, October 14, to discuss the problem. The being no further discussion the question was called and all present voted in favor of the motion.

Resolution No. 571-91 - Authorizing the Execution of Documents to Modify a Contract to Sell Real Estate between the City of Ottawa, Kansas and RPI Services, Inc.

There has been an agreement enforce between the City of Ottawa and RPI Services Inc., for over a year for the purchase and sale of the North American Hotel to RPI Services Inc. At this time RPI Services Inc., is to start on the renovation of the hotel into an apartment complex and in as much as all financing arrangements are not completed there is a need to modify the agreement that if RPI Inc., does not comply with certain terms of the contract within a stated period time, the City can foreclose on a letter of credit and recover the funds that the City has invested into the hotel.

Commissioner Keim made a motion that a resolution authorizing the execution of certain documents relating to the modification of paragraph 3, of the original contract to sell real estate between the City of Ottawa, Kansas and RPI Services Inc., be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 572-91 - Collection of Delinquent Ad Valorem Taxes

Commissioner Tyson made a motion that a resolution requesting the Board of Commissioners of Franklin County, Kansas, to pursue the collection of delinquent ad valorem taxes be passed. The motion was seconded by Commissioner Gillette.

Commissioner Jackson stated that the resolution had been prepared and is being passes at his request. Commissioner Jackson said he felt that an all out effort should be made to collect delinquent ad valorem taxes as the non payment of taxes places an unnecessary burden on those persons who pay their taxes in a timely manner. To be fair to all persons delinquent taxes should be collected. Upon call for the question all present voted in favor of the motion.

Resolution No. 573-91 - Improvement of Delinquent Tax Collection Laws

Commissioner Tyson made a motion that a resolution encouraging the resolutions committee of the League of Kansas Municipalities to include in the 1991 - 1992 Statement of Municipal Policy, supporting for the improvement of tax collection laws. The motion was seconded by Commissioner Keim.

Commissioner Jackson stated that this was a companion resolution to the one directed to the Board of County Commissioners of Franklin County and that it will be presented to the resolutions

committee at the League of Kansas Municipalities Meeting next week. Upon call for the question all present voted in favor of the motion.

Monthly Reports of Minutes and Boards

Commissioner Keim made a motion that the Planning Commission Minutes of September 3, 1991 and the Ottawa Library Board of Trustees Minutes of August 15, 1991 be approved. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Appointment of Voting Delegates for the National League of Cities Annual Conference of Cities

With a consensus of approval from the City Governing Body, Mayor Lantis appointed Joan Tyson as voting delegate and Commissioners Gillette and Jackson as alternate voting delegates for the National League of Cities Annual Conference of Cities.

Commissioner Jackson reported that all funds not committed for rental rehabilitation by September 30, 1991 had to be returned to the federal government, however, the City of Ottawa did secure funds for two additional applicants for rental housing rehabilitation prior to the return of the funds.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - October 16, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Gillette.

Approval of Minutes

The minutes of the last regular meeting which was held October 2, 1991 were approved as written.

Proposal for Iola to Ottawa Rail Service

The City Manager reported that Mr. Steve Gorsline who was to appear before the City Governing Body to present a proposal for rail service between the City of Ottawa and the City of Iola, had informed him, he would not be able to appear before the City Commission at this time.

Presentations and Recognitions

Presentations of Service Awards

Mayor Lantis presented Service Awards to City Employees as follows: Awards for 10 years of service were presented to Kris Peterson, Records Clerk, Police Dept., Shirley Fluke, Dispatcher, Emergency Dispatch, Julius Chaney, Municipal Judge, Rick Geist, Patrolman, Police Dept., Robert Hollon, Wastewater Laboratory Technician, and Scott Bird, City Accountant. Awards for 25 years of service were presented to Charles Talbott, Power Plant Maintenance, Orlin W. Smith, City Clerk, Daryl Shutt, Capt. Police Dept., Dewayne Snyder, Power Plant Operator and Donald McKay, Heavy Equipment Operator.

Proclamation - National Business Women's Week

Mayor Lantis read a proclamation designating October 21 - October 26, 1991, as National Business Women's Week. Commissioner Tyson made a motion that the proclamation proclaiming the week of October 21 - October 26, 1991 as National Business Women's Week be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Proclamation - Red Ribbon Week

Commissioner Lantis read a proclamation designating the week of October 19 - October 27, 1991 as Red Ribbon Week. The Red Ribbon, when displayed, stands for no use of illegal drugs or no illegal use of legal drugs. Commissioner Gillette made a motion that the proclamation proclaiming October 19 - October 27, 1991 be

designated as Red Ribbon Week. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Cindy Walker representing the organization which had requested the proclamation was present for the reading of the proclamation.

Request for 5-K and Mile Fun Run

The Governing Body proceeded to consider a request from Ottawa University to hold a 5-K Fun Run on the streets of Ottawa. The Run to be held October 19, starting at 9 A.M., begins at the Ottawa University Campus at 10th & Cedar Streets, south on Cedar St. to 15th St., east on 15th St. to Lincoln St., north on Lincoln St. to 9th St., 9th St. west to Mulberry St., Mulberry St. south to 11th St., and 11th St. west back to Cedar St., Cedar St. north to 10th St., which is the finishing point.

Commissioner Jackson made a motion that the request of Ottawa University to hold their 5K Fun Run on October 19, 1991 be approved. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Ordinances and Resolutions

Ordinance No. 3003-91 - Storage of Household and Public Hazard Materials

Commissioner Tyson made a motion that an ordinance amending the zoning ordinance of the City of Ottawa, Kansas, Ordinance No. 2933-90 as amended be passed. The motion was seconded by Commissioner Keim.

The ordinance sets forth that a place for public collection and storage of household and public hazard materials may be designated as a special use in the I-1 and I-2 Districts. The ordinance is being considered at the request of the Franklin County Commission, so as to allow the Franklin County Commission to designate a place for storage of hazardous materials. Upon call for the question all present voted in favor of the motion.

Ordinance No. 3004-91 - Voluntary Demolition of Dangerous and Unsafe Structures

Commissioner Gillette made a motion that an ordinance providing for the voluntary demolition of dangerous, unsafe or blighted structures within the City of Ottawa, Kansas, and providing for the incorporation of a demolition policy and procedure into the Municipal Code of the City of Ottawa, Kansas, 1982 be passed. The motion was seconded by Commissioner Keim.

It was explained that the ordinance does not change anything that the City has previously practiced in the past, but sets forth a

formal policy by which the owner of a unsafe or dangerous structure may allow the City to demolish and dispose of the structure. Upon call for the question all present voted in favor of the motion.

Ordinance No. 3005-91 - Declaring the existence of Structures Unfit for Human Use or Habitation

Commissioner Keim made a motion that an ordinance declaring the existence of structure unfit for human use or habitation within the City of Ottawa, Kansas, be passed. The motion was seconded by Commissioner Gillette.

This ordinance makes a finding that there are unsafe structures within the City, which are unfit for human habitation and authorizes the City Governing Body to require or cause the repair, closing or demolition or removal of such structures. Upon call for the question all present voted in favor of the motion.

Ordinance No. 3006-91 - Providing for the Orderly and Timely Removal of Unsafe and Dangerous Structures

Commissioner Jackson made a motion that an ordinance providing for the orderly and timely removal of unsafe and dangerous structures within the City of Ottawa, Kansas, and providing for the inclusion of an administrative procedure for condemnation into the Municipal Code of the City of Ottawa, Kansas, 1982 be approved. The motion was seconded by Commissioner Keim.

This ordinance contains the administrative procedures to require the repair or removal of uninhabitable structures. Upon call for the question all present voted in favor of the motion.

Resolution 574-91 - Ratifying the execution of a Deed

Commissioner Gillette made a motion that a resolution ratifying the execution of a deed for the North American Hotel property from the City of Ottawa, Kansas, to RPI Limited Partnership #20 and approving an irrevocable nontransferable letter of credit in favor of the City of Ottawa, Kansas, from Peoples National Bank and Trust Company, Ottawa, Kansas, in behalf of RPI Limited Partnership #20 be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 575-91 - Authorizing Grant Agreement

Commissioner Tyson made a motion that a resolution authorizing Grant Agreement No. 91-BF-156 with the State of Kansas Department of Commerce for an economic development project through the Small Cities Community Development Block Grant program be passed. The motion was seconded by Commissioner Jackson.

The resolution sets forth that the Mayor and City Clerk are authorized and directed to execute grant No. 91-BF-156 between the City of Ottawa, Kansas and the Kansas Department of Commerce, for the purpose of a \$300,000 grant for economic development project of Fashion Inc. Upon call for the question all present voted in favor of the motion.

Report by City Manager

The City Manager reported that he had spoken to the Kansas Department of Commerce as late as yesterday afternoon and that the Industrial Bond allocation will be made to Fashion Inc. to expire December 31, 1991, however the Dept. of Commerce indicated that if they had a firm commitment letter from the purchaser of the bonds that the bonds would be purchased, the commitment would be extended through December 31, 1991. The City Manager further reported that he had spoken to Mr. Larry King, of Fashion, Inc. and that a letter from his bank would be forth coming concerning the purchase of the bonds.

Monthly Reports and Minutes of Boards

Commissioner Tyson made a motion that the City of Ottawa Investment Schedule for the period ending September 13, 1991, Ottawa Fire Department Monthly Report, September 1991, Ottawa Police Department Monthly Report, September 1991, Planning Commission Minutes, October 1991, Ottawa Recreation Commission Minutes, August 21, 1991, and the Library Report of September 19, 1991 be accepted and entered into the record. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Governing Body Agenda

Mayor Lantis announced that Mr. Ray Cummiskey of Neosho County Community College had volunteered to be placed on the Auditorium Authority, Mr. Cummiskey has had previous theater experience. Mayor Lantis stated that he was appointing Ray Cummiskey to the Auditorium Authority and asked for approval from the Governing Body.

Commissioner Tyson made a motion that the appointment by Mayor Lantis of Ray Cummiskey to the Auditorium Authority be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Commissioner Gillette commented that two years ago the Governing Body was looking into and considering a Code of Ethics for Governing Body members, but did not follow through at that time. Commissioner Gillette stated that he thought it would be proper for the City Governing Body to move ahead and again look into a Code of Ethics for the City Commission. It was mentioned that Mr.

Jim Copp of the League of Kansas Municipalities had talked to the City Commission on the subject before and that possibly he should be called upon to address the subject once again for the City Commission.

The City Manager stated Mr. Copp had talked to the new commission members about a Code of Ethics at the Governing Body Orientation Session earlier in the year but possibly he would be available to speak to the Ottawa City Commission in the near future.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The next regular meeting is at 7 P.M. November 6, 1991. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - November 6, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Clyde Greisen of the Community Foursquare Church.

Approval of Minutes

The minutes of the last regular meeting which was held October 16, 1991, were approved as written.

Public Comments

Mr. Rick Comfort of TCI, the cable television company which serves the City of Ottawa addressed the City Commission at this time. Mr. Comfort said he wished to give an update on the plans of TCI for upgrading the cable television system in the City of Ottawa. It was reported by Mr. Comfort that the upgrade of the system which will bring the City of Ottawa 36 channels should be completed in late spring or early summer hopefully June of 1992 or before. Further Mr. Comfort reported that the basic system which will offer eleven channels for eleven dollars per month should be operable at about the same time. TCI is presently in the process of selecting a company to survey the City of Ottawa to see what additional channels the people of Ottawa would like to have. Mr. Comfort assured the City Commission that through a combination of various cable television stations that the City of Ottawa will have coverage for all K-State and K-U Basketball games available for broadcast.

Mr. Jimmie Tolson appeared before the City Commission requesting that the City Commission consider an ordinance providing for the vaccination and licensing of cats within the City. Further Mr. Tolson requested that the hours of the animal control officer be changed so that he would be on duty from eight in the morning to five in the evening and that the animal control officer be available on weekends on call as needed. Mr. Tolson's comments were written and lengthy and the City Commission requested that he leave a copy of his comments with the City Clerk, however Mr. Tolson said he wished to rewrite them and he would bring them to City Hall the next day.

Ordinances and Resolutions

Ordinance No. 3007-91 - Vacating A Portion of North Cherry Street

Commissioner Keim made a motion that an ordinance vacating a 15 foot wide portion of North Cherry Street on both sides thereof adjacent to Block 13, Original Town, between the south line of

Logan Street and the Marais Des Cygnes River and reserving a utility easement in the vacated portion of said street be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Ordinance No. 3008-91 - Abatement of Nuisances

Commissioner Tyson made a motion that an ordinance providing for the abatement of nuisances within the City of Ottawa, Kansas and incorporating a nuisance abatement procedure into the Municipal Code of the City of Ottawa Kansas 1982, be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Commissioner Jackson suggested at this time that the City look into the minimum housing code regulations for the City of Ottawa and effect an update in that area as might be deemed necessary.

Resolution No. 576-91 - Authorizing an Agreement for Payment in Lieu of Taxes with MacFasteners Inc.

Commissioner Keim made a motion that a resolution authorizing an agreement with MacFasteners Inc., Ottawa, Kansas for payments in lieu of taxes as a condition precedent to the granting of tax exemption pursuant to Article 11, Section 13, of the Constitution of the State of Kansas be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Ordinance No. 3009-91 - Exempting Certain Property from Ad Valorem Taxation

Commissioner Jackson made a motion that an ordinance exempting certain property from ad valorem taxation for economic development purposes in the City of Ottawa, Franklin County, Kansas, and providing for payments in lieu of taxes be passed. The motion was seconded by Commissioner Tyson, and all present voted in favor of the motion.

Resolution No. 577-91 - Pledging Support for a Kansas Strategic Planning Grant

Commissioner Gillette made a motion that a resolution pledging support for the application of Ottawa/Franklin County Economic Development, Inc. for a Kansas strategic planning grant be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Mayor Gillette explained that the matching funds required for the grant would not come from the City of Ottawa or Franklin County but they would come from the monies paid to Franklin County Economic Development Inc. by the City of Ottawa and Franklin County.

Resolution No. 578-91 - Reserving Haley Park

Commissioner Tyson made a motion that a resolution authorizing reservation of Haley Park for the conduct of a ceremony honoring those American men and women who gave their lives at Pearl Harbor, and in other conflicts world wide be passed. The motion was seconded by Commissioner Keim. The Fiftieth Anniversary of the Pearl Harbor attack will be observed with ceremonies conducted by the VFW at Haley Park on December 7, 1991. The resolution is proposed to suspend ordinances concerning the discharge of rifles for the salute. Upon call for the question all present voted in favor of the motion.

Resolution No. 579-91 Agreement With Municipal Code Corporation for Recodification and Republication of City of Ottawa Code Book

Commissioner Tyson made a motion that a resolution authorizing an agreement with Municipal Code Corporation of Tallahassee, Florida, for the recodification and republication of the City of Ottawa Municipal Code Book be passed. The Motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Monthly Reports of Minutes and Boards

Commissioner Gillette made a motion that the City of Ottawa Financial Report for the period from July 1, 1991 to September 30, 1991, the Ottawa Library Board Meeting Minutes of September 19, 1991, the Ottawa Recreation Commission Meeting Minutes of September 18, 1991, and the City of Ottawa Planning Commission Meeting Minutes of October 1, 1991 be accepted. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - November 20, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Henry Roberts, Westminster Presbyterian Church.

Approval of Minutes

The minutes of the last meeting which was held November 6, 1991 were amended in the last paragraph of page 107 to make reference to Mayor Lantis and not Mayor Gillette as stated. The balance of the minutes were approved as written.

Public Comments

Laura Martin appeared before the City Commission stating she wished to thank the City Commission for their kindness and courtesies extended to her while she was acting as a news reporter for radio station KOFO.

Bid Openings for the Sale of General Obligation Bonds

The City Clerk proceeded to open bids for the sale of General Obligation Bonds in the amount of \$227,557.00, which are being issued to finance the purchase of real estate to be used for the development of an industrial park. The bids received for the sale of the bonds are as follows: All bids received were accompanied by a good faith check in the amount of \$ 4600.00. Bank IV of Wichita, KS., average interest rate 5.2730%, total interest cost \$76,821.26, a premium of \$227.56, with a net interest cost of \$76,593.70. Lehman Bros., Omaha, NE., average interest rate 7.64506%, total interest cost of \$111,048.99 with no premium. J. O. Davidson, Inc., Wichita, KS, average interest rate 7.84439688%, with a net interest cost of \$113,944.34, with no premium. Commerce Bank of Kansas City, MO, average interest rate 8.186951%, with a net interest cost of \$118,920.00, with no premium. Zahner & Co., of Kansas City, MO, average interest rate 8.2159% with a total interest cost of \$119,419.02 with a premium of \$76.95 for a net interest rate of \$119,342.07.

The low bidder for the sale of the bonds was Bank IV of Wichita KS, with an average interest rate of 5.2730%, with the next low bid being that of Lehman Bros. of Omaha, NE, with an average interest rate of 7.64506%. The Governing Body then continued with other business while the accuracy of the low bidders bid was being checked.

Presentations and Recognitions

Proclamation - American Education Week

Mayor Lantis read a proclamation proclaiming the week of November 17 through November 23 1991, as American Education Week. Mrs. Renita Ubel, President of the Ottawa Education Association was present for the reading and signing of the proclamation.

Commissioner Keim made a motion that the proclamation be approved, the motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution

Resolution No. 581-91 - Approving Policies Concerning Employment by the City of Ottawa

A resolution approving policies concerning employment by the City of Ottawa, Kansas, effective as of January 1, 1992 and rescinding Resolution No. 440-87, dated July 15, 1987 was introduced. Commissioner Gillette in addressing the policies for employment which are proposed to be adopted by the passage of the resolution stated that he was not in favor of including an additional holiday for City employees. Commissioner Gillette stated that the City employees presently have (10) ten holidays and he did not feel it was in the City's best interest to add an additional holiday for a total of (11) eleven. In addressing the issue Commissioner Gillette stated that in the 1970's and early 1980's that all employers were increasing benefits to employees but due to the economic conditions since the mid 1980's a reversal trend has come about where employee benefits are being trimmed by private industry.

Commissioner Tyson stated that she concurred with Commissioner Gillette's remarks and she did not feel it would be proper at this time to give City employees an additional holiday.

Commissioner Jackson made a motion that a resolution approving policies concerning employment by the City of Ottawa, Kansas, effective as of January 1, 1992 and rescinding Resolution No. 440-87, dated July 15, 1987 be passed. The motion was seconded by Commissioner Keim and upon call for the question Mayor Lantis and Commissioner Jackson and Keim voted in favor of the motion, and Commissioner Tyson and Gillette voted opposing the motion.

Resolution No. 582-91 Dedication of Streets and Easements

A resolution authorizing the dedication of streets and easements within Northeast Ottawa Industrial Park Second Addition to the City of Ottawa, Kansas was introduced. The land is owned by the City of Ottawa and is presently platted however to complete the platting process the City Governing Body must approve the dedication of streets and easements.

Commissioner Tyson made a motion that a resolution authorizing dedication of streets and easements within Northeast Ottawa Industrial Park Second Addition to the City of Ottawa, Kansas be passed. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Application for Cereal Malt Beverage License

Applications for Cereal Malt Beverage for 1992 were submitted to the Governing Body as follows: Triple K. Ltd. dba Casey's General Store, 1002 North Main St., Ramona A. Carner, Manager, Triple K. Ltd. dba Casey's General Store, 1019 W. 7th St., Lynn LaMaster, Manager, S & S Foods, Inc. dba Country Mart, 2138 Princeton Circle. Dr., Steven W. Silverman, Manager, Food Barn Stores Inc., 901 S. Main, Carl Hinson, Manager, Ottawa Cooperative Assn., 302 North Main, Adrian L. Derousseau, Manager, Pizza Hut of America, Inc., 118 West 15th St., Oren K. McDaniel, Manager, Tanana Oil Corp., dba Miller Mart, 304 E. Logan, Dale L. Miller, Manager, Taylor Oil Co. Inc., 2305 S. Cedar, Harold Taylor, Manager, Wolken Oil Co. Inc., 216 E. 23rd St., Charles R. Gilkey, Manager. All of the foregoing license are for individual package sales only with the exception of Pizza Hut of America Inc., which is for consumption on the premise.

Commissioner Keim made a motion that the application for Cereal Malt Beverage License for 1992 as submitted be approved. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Monthly Reports and Minutes of Boards

Commissioner Gillette made a motion that the monthly reports of minutes and boards as follows be accepted: The Planning Commission minutes of November 5, 1991, the Inspection Division Report, October, 1991, the Police Dept. monthly report, October, 1991, Fire Dept. monthly report, October, 1991, Investment Schedule for period ending October 31, 1991, City Clerk's monthly report, October 1991 and an analysis of local sales tax receipts of October 31, 1991. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Award Sale of General Obligation Bonds

Ms. Dottie Riley of Gilmore and Bell Attorneys, reported to the City Commission that the bids for the sale of bonds of Bank IV, Wichita and Lehman Bros., Omaha, NE had been checked and verified for accuracy. Ms. Riley further stated that in as much as the bid of Bank IV of Wichita was low to the extent that it appeared Bank IV of Wichita had bid on the bonds as if they were tax free as opposed to taxable bonds which they are, and that she had contacted Bank IV of Wichita. Mr. John Schwartz of Bank IV of Wichita acknowledged that his bank had made an error in bidding

on the bonds and they were bid as tax free bonds as opposed to taxable bonds, however Mr. Schwartz had stated that Bank IV of Wichita would honor the bid as submitted.

Commissioner Gillette made a motion that the sale of General Obligation Bonds in the amount of \$227,557.00 be awarded to Bank IV of Wichita at an average interest rate of 5.2730% and a net interest cost of \$76,593.70. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 3010-91 - Authorizing Issuance of Bonds

Commissioner Tyson made a motion that an ordinance authorizing the issuance and delivery of \$227,557.00 principal amount of General Obligation Bonds Series B 1991, The City of Ottawa, Kansas for the purpose of paying the cost of acquiring land for industrial development and providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due be passed. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Resolution No. 580-91 - Prescribing Form and Detail of General Obligation Bonds

Commissioner Tyson made a motion that a resolution prescribing the form and details of and authorizing the delivery of \$227,557.00 principle amount of General Obligation Bonds, Series B 1991, of the City of Ottawa, Kansas, previously authorized by Ordinance No. 3010-91 of the City and making certain covenants with respect thereto be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Acceptance of Streets and Easements on a Plat of Northeast Ottawa Industrial Park Second Addition

Commissioner Keim made a motion that the City accept the streets and easements as dedicated or granted and as shown on the final plat of the Northeast Industrial Park Second Addition, City of Ottawa Franklin, County Kansas. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.

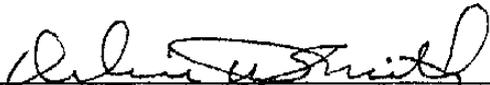

Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - November 21, 1991

The City Governing Body met in Special session at 9:20 AM this date: Present Mayor Lantis and Commissioners Jackson and Tyson, absent Commissioners Gillette and Keim. The Special Commission Meeting was called for the purpose of discussing the events surrounding the award of the purchase of General Obligation Bonds in the amount of \$227,557.00 to Bank IV on November 20, 1991. After the City Commission Meeting was adjourned on November 20, 1991 the City Clerk had been informed by Bank IV of Wichita they would not honor their bid for the purchase of the bonds in the amount of \$227,557.00 and they would choose to forfeit their Good Faith Check in the amount of \$4600.00. It was determined by the City Commission that there were three options which they might pursue due to this event. Option No. 1 would be to keep the Good Faith Check of Bank IV of Wichita and release them from their obligation to purchase the bonds and award the purchase to Lehman Bros. of Omaha, NE, for an average annual interest rate of 7.64506%. The second option would be to negotiate a bid with Bank IV of Wichita and have them submit the negotiated bid at a public bond sale at a time to be determined. The third option was to retain the Good Faith Check and bring litigation against Bank IV of Wichita for not honoring the bid they had submitted. It was the concensus of the City Commission at this time that the City of Ottawa release Bank IV of Wichita from its obligation to purchase the bonds and retain their Good Faith Check, and to award the bid to the next low bidder, Lehman Bros. of Omaha, NE.

Commissioner Jackson made a motion that the City accept the bid of Lehman Bros. of Omaha NE, for the purchase of General Obligation Bonds in the amount of \$227,557.00 for an average annual interest rate of 7.64506% and a net interest cost of \$111,048.99. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion. The City Clerk was then directed to contact Lehman Bros., to ascertain whether or not they would still honor the bid they had submitted on November 20, 1991. Upon contacting Lehman Bros. of Omaha, NE, the City Clerk reported to the City Commission that Lehman Bros. would accept award on the bid for the bonds which they had submitted on Nov. 20, 1991. Commissioner Tyson made a motion that the action taken by the City Commission on November 20, 1991 awarding the sale of the bonds to Bank IV of Wichita be rescinded and that the Good Faith Check in the amount of \$4600.00 be retained by the City of Ottawa as set forth by Kansas statutes. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

The business for which this meeting was called having been completed the meeting was adjourned.


Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - December 4, 1991

The City Governing Body met in regular session at 7:00 PM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, Tyson and Keim. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman of the Faith Lutheran Church.

Approval of Minutes

The minutes of the last regular meeting which was held November 20, 1991, were approved as written and the minutes of the special call meeting which was held November 21, 1991 were approved as written.

Public Comments

Mrs. Sue McFadden appeared before the City Commission questioning the Commission as to why the City of Ottawa attracts only low paying industry and in so doing gives the industry tax exemptions for ten years. Mrs. McFadden stated: The industry the City of Ottawa has attracted pays wages such that they are not a livable wage. Mrs. McFadden was encouraging the City Commission to bring in industry which pays a higher wage scale. Mrs. McFadden also questioned as to whether the tax exemptions were transferable from one business to another as a business may be sold to another party and thus an industry may receive two (10) year tax exemptions in a row for a total of (20) years.

The City Commission reported to Mrs. McFadden that tax exemptions are not transferable and any one business would get a tax exemption for a maximum of (10) years. The Commission further reported that when they are working to attract an industry which has expressed an interest in the City of Ottawa they do not do so on the basis of wage scales. It was further discussed that the high tech industries which pay higher wage scale are generally not interested in a city the size of Ottawa as it does not have the cultural or social events necessary to attract the upper management and their spouses to the City of Ottawa.

Mrs. McFadden then went on record as asking the City of Ottawa to adopt stricter laws concerning animals in the City. Mrs. McFadden specific reference was, she felt all animals in the City should be spade or neutered as the City and the Humane Society is overrun with unwanted animals.

Mr. Steve Gorsline appeared before the City Commission stating he had been in contact with Kansas State University concerning a feasibility study for the use of the right of way of the old Santa Fe tracks. Mr. Steve Gorsline stated that the Kansas State

University Extension would do a feasibility study for the right of way around the City of Ottawa but not for the entire (58) fifty eight miles that has been abandoned and torn up by the railroad. For the University to conduct a study of the area around Ottawa the University would need a letter of request from the Ottawa City Commission. Mr. Gorsline also reported that he had investigated various agencies and methods of funding to make use of the old Santa Fe Railway Right of Way but at the present time he did not feel that this should be pursued until a feasibility study is completed.

Ordinances and Resolutions

Resolution 583-91 - Ratifying a Consent and Waiver

A resolution ratifying a consent and waiver by the City of Ottawa, Kansas, to NCNB Leasing Corporation for certain leased equipment located at Haven's Steel Co., Ottawa, Kansas, was introduced. As the City of Ottawa is legal title holder to the real estate occupied under an Industrial Revenue Bond leased by Haven's Steel Co., the lessor of the new industrial equipment request the consent and waiver for title to the personal property affixed to the premises to remain with the lessor.

Commissioner Gillette made a motion that a resolution ratifying a consent and waiver by the City of Ottawa, Kansas, to NCNB Leasing Corp. for certain leased equipment located at Haven's Steel Co., Ottawa, Kansas be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution 584-91 - Statement of Policy and Procedures for Tax Exemptions

A resolution adopting a statement of policy and procedures for Tax Exemptions and Incentives for Economic Development for the City of Ottawa, Kansas, and repealing Resolution 490-89 in its entirety was introduced. The proposed new resolution incorporates new language regarding state laws changes, pirating, conditions when no exemptions apply and attempts to clarify other wording.

Commissioner Tyson made a motion that a resolution adopting a statement of policy and procedures for Tax Exemptions and Incentives for Economic Development in the City of Ottawa, Kansas and repealing Resolution 490-89 in its entirety be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 3011-91 - Amending the Animal Control Ordinance

An Ordinance amending articles 1,2, and 3 of Chapter III of the Municipal Code of the City of Ottawa, Kansas 1982, relating to the control of animals within the City, and providing for the incorporation of said amendments into the Municipal Code of the City of Ottawa, Kansas, was introduced. The amendments addressed in the proposed ordinance specifically addresses the impounding of dogs suspected of rabies and other domestic animals and updates other miscellaneous provisions in the Animal Control Ordinance.

Commissioner Jackson made a motion that an ordinance amending Article 1, 2 & 3 of Chapter III of the Municipal Code of the City of Ottawa, Kansas 1982, relating to the control of animals within the City and providing for the incorporation of said amendments into the Municipal Code of the City of Ottawa, Kansas 1982 and repealing sections 3-312, 3-313, 3-314, 3-315, and 3-319 of Article 3 of Chapter III of the Municipal Code of the City of Ottawa, Kansas, 1982 be passed. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Ordinance No. 3012-91 - Providing for the Recovery Expenses by the City for the Clean Up - Toxic Material Up Spills

An Ordinance adding and incorporating a new article 6 to Chapter X of the Municipal code of the City of Ottawa, Kansas, 1982, Providing for recovery of expenses of the City of Ottawa, Kansas, incurred in taking emergency action in response to the release or threatened release of material which threatens the public health, safety or environment of the City was introduced. The purpose of this ordinance is to create a greater potential for recovery of City clean up expenses from a responsible party, involved in a toxic material spill.

Commissioner Gillette made a motion that an ordinance adding and incorporating a new Article 6, to Chapter X of the Municipal Code of the City of Ottawa Kansas, 1982, providing for the recovery of expenses of the City of Ottawa, Kansas incurred in taking emergency action in response to the release or threatened release of material which threatens the public health and safety for the environment be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Resolution No. 585-91 - Authorizing the National Guard to use Forest Park as a Mobilization Area

A Resolution authorizing Headquarters Battery, 1st Battalion 127th Field Artillery to use Forest Park as an alternate assembly area in the event of the of unit mobilization when their primary assembly area cannot be used was introduced.

The local National Guard Unit is required as a part of the mobilization plan to designate an alternate assembly area. The City can cooperate with the local National Guard unit by permitting the use of Forest Park in the unlikely event that it would be needed.

Commissioner Tyson made a motion that a resolution authorizing Headquarters Battery First Battalion 127th Field Artillery to use Forest Park as an alternate assembly area in the event of unit mobilization when their primary assembly area cannot be used. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Approval of Cereal Malt Beverage License Application

The Governing Body proceeded to authorize issuance of cereal malt beverage license for 1992 to the following business establishments Olympic Recreation Center Inc., dba, Indian Lanes, 2040 Princeton Road, Barbara Wolken, Manager, Ottawa IGA, Inc., dba Ray's IGA, 1428 S. Main, Robert J. Floersch, Manager, Pizza Time, 2232 South King St., John Duncan, Owner & Manager, Pizza Village Inc., 330 South Main, Dennis E. Tharp, Manager, Poncho's of Ottawa, 429 S. Main, Jane E. Mauszycki, Manager, Charles R. Wood Oil Co. Inc., 2130 Princeton Rd., Betty Hill, Manager, Hickory Inn Tavern, 120 East Dundee, Dale E. Galutia, Owner and Manager, Waymire Price Chopper, 2008 Princeton Road, Mary Montis, Manager, Commissioner Tyson made a motion that the cereal malt beverage license applications as presented be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Recommended Operational Changes at the Ottawa Water Plant

The City Manager presented the City Commission with a proposal to reduce the cost of operating the Ottawa Water Plant by reducing the work force from seven (7) full time persons to six (6) full time persons. This would necessitate changing the manned operation of the water plant from twenty four (24) hours a day to eighteen hours (18) hours per day, which appears to be very feasible in that the use of water is very low during the late night and early morning hours. To accomplish this proposal it will be necessary to spend a total of \$43,500.00 on additional monitoring and security equipment. \$20,000 of the foregoing amount is budgeted to be spent in the 1992 budget. The pay back on the expenditure would be six tenths of (.06) of a year.

Commissioner Tyson made a motion that the proposed operational change at the Ottawa Water Plant and the proposed expenditure for additional monitoring and security equipment be approved. The motion was seconded by Commissioner Jackson and all voted in favor of the motion.

Call for Public Hearing

The City Manager requested that the Governing Body call a public hearing for 9:30 AM, December 18, 1991, to consider a request for tax exemption as submitted by National Sign Company.

The City Manager stated that the Administrative Review Committee had met to consider the request submitted by National Sign Company, but that additional information was necessary before a recommendation would come from the committee. The City Manager assured the City Commission that a recommendation would be forthcoming prior or coincide with the public hearing he had requested.

Commissioner Gillette made a motion that a public hearing be held at 9:30 AM, December 18, 1991, to consider a request for tax exemption as submitted by the National Sign Company. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

News Media Christmas Greeting

The City Manager stated that the City over the years has given Christmas Greetings to the People of Ottawa, through the Ottawa Herald and the Ottawa Times. The City Manager questioned as to whether the City Commission wished to continue to do so. It was the consensus of the City Commission that it was an administrative matter and the decision was left to the City Manager.

Executive Session

The City Manager requested the City Commission to call an Executive Session to discuss the purchase of real estate.

Commissioner Keim made a motion that the City Commission go to executive session for a period of ten (10) minutes the time will expire at 8:20 PM. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

The City Commission Meeting was reconvened at 8:19 PM. It was explained that the City Commission had gone into Executive Session to discuss the possible purchase of a tract of land consisting of 2.8 acres which lies west of the Santa Fe right of way and south of 15th Street. The price for which the land could be purchased being \$12,000.00.

Commissioner Gillette made a motion that the City Manager be authorized to proceed with the purchase of 2.8 acres at a total cost of \$12,000.00 with Title Insurance. The land presently

belonging to James McCrea. The motion was seconded by Commissioner Keim, all present voted in favor of the motion except Mayor Lantis who abstained from voting as he is in the real estate business.

Monthly Reports of Minutes and Boards

Commissioner Jackson made a motion that the minutes of the Ottawa Recreation Commission of October 16, 1991 and the Sanitary Sewer Study Inspection Progress Update of November 21, 1991 be accepted. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

Rescheduling of the First Meeting for 1992

In as much as the first scheduled meeting of 1992 comes on January 1, 1992, which is a recognized holiday it was decided by the City Commission that the meeting should be rescheduled for another date.

Commissioner Keim made a motion that the first meeting of 1992 be held at 7 PM on January 2, 1992 as opposed to the regularly scheduled of January 1. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk

City Hall- Ottawa, Kansas - December 18, 1991

The City Governing Body met in regular session at 9:30 AM this date: Present Mayor Lantis and Commissioners Gillette, Jackson, and Tyson. Mayor Lantis led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Earl Zimmerman, of the Faith Lutheran Church.

Approval of Minutes

The minutes of the last regular meeting which was held December 4, 1991, were approved as written.

Report of the Administrative Review Committee - Application for Tax Exemption by National Sign Company, Inc.

The report of the Administrative Review Committee is summarized as follows: Under the City's tax exemption policy an expanding business relocating to an existing building may qualify for an exemption of 50% of the valuation of the land, building and equipment for (5) five years. Further the State Board of Tax Appeals requires that only that part of its new facility which represents an expansion from its previous facility can qualify for the tax exemption. The portion of the new building necessary for the creation of new employment is that devoted to the new manufacturing equipment or (25) twenty five percent of the increased manufacturing space. In as much as this is less than the (50) fifty percent allowed it is recommended that an exemption of (100) one hundred percent of the associated tangible personal property be granted. An analysis of the amount of tax incentive was attached to the recommendation.

Commissioner Keim entered the meeting during the report of the Administrative Review Committee.

Public Hearing - National Sign Company Tax Exemption Application

Mayor Lantis opened the Public Hearing for the National Sign Company Tax Exemption application, which has just been reported on by the Administrative Review Committee.

Mr. Lou Atherton, President of the Ottawa Area Chamber of Commerce, appeared and stated that even though he is a member of the Administrative Review Committee and is a part of the report that was just submitted, he would like to verbally endorse the tax exemption requested by the National Sign Company.

Commissioner Gillette stated that expansion and retention of local industry should be given as much if not more consideration than

those new industries wishing to locate in Ottawa.

There being no further comments the hearing was closed.

Resolution No. 586-91 - Dedication of Streets and Easements
Within Thompson's Addition to the City of Ottawa

Commissioner Tyson made a motion that a resolution accepting the dedication of streets and easements within the Thompson's Addition to the City of Ottawa, Kansas be passed. The motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution No. 587-91 - Authorizing an Agreement with the
Franklin County Humane Society

Commissioner Jackson made a motion that a resolution authorizing an agreement with the Franklin County Humane Society and the City of Ottawa, Kansas to furnish services as described in the Municipal Code of the City of Ottawa, Kansas be passed. The motion was seconded by Commissioner Tyson.

The City Manager reported that the City had just negotiated a new agreement with the Franklin County Humane Society, pertaining to the impounding and care of animals and that the new agreement sets forth an annual fee of \$18,000 as compared to the former annual fee of \$14,500, for the additional fee the City of Ottawa does derive some additional services from the Humane Society. Upon call for the question all present voted in favor of the motion.

Application for Cereal Malt Beverage License

The following applications for Cereal Malt Beverage License were submitted for consideration and approval of the City Governing Body. The Ottawa Country Club, 1001 E. Logan, Steve Hardesty, Manager, for consumption on the premise. Quick Corner, 402 S. Main St., Russie J. Harris, Owner and Manager, unopened containers only. National Marketing Co. of Kansas Inc., 1621 South Main, Dorothy Haag, Manager, unopened containers only. Commissioner Tyson made a motion that the Cereal Malt Beverage License Applications as submitted be approved. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Monthly Reports & Minutes of Boards

Commissioner Tyson made a motion that the Planning Commission minutes of December 3, 1991, the Fire Department monthly report of November 19, 1991, analysis of local sales tax receipts, Inspection Division report of November 1991, City Clerk's monthly report of November 30, 1991, Police Dept. monthly report for

November 1991 and the Ottawa Library minutes for October 1991, be accepted by the Ottawa City Governing Body. The motion was seconded by Commissioner Jackson and all present voted in favor of the motion.

Proclamation of Appreciation for J. R. (Duke) Cheney

Mayor Lantis read a proclamation honoring Judge J.R. (Duke) Cheney for his service to the community of the City of Ottawa both as Governing Body member, Mayor, Municipal Judge and many other activities.

Support for Emergency Communication Service

Mayor Lantis reported that the Emergency Communication Service now located in the Southwestern Bell Telephone Bldg. is contemplating a move into the old Franklin County Jail facility. In as much as the City Governing Body has never voiced a formal approval for the move, Mayor Lantis thought it would be appropriate for the Governing Body to do so at this time if they so desired. The Emergency Communication Service is a joint venture of the City of Ottawa and Franklin County and Franklin County has voiced approval for the move.

Commissioner Gillette made a motion that the City of Ottawa go on record as supporting the move of the Franklin County Communication Services from the Southwestern Bell Telephone Bldg., to the old Franklin County Jail facility, providing no additional funds are needed outside of their operating budget and if additional funds are needed that the Emergency Communication Service make a request for the additional funds. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Commissioner Gillette made a motion that the meeting be recessed until 3 PM, December 23, 1991, at which time there is other business to come before the City Commission. The motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Mayor Lantis reconvened the regular City Meeting at 3 P.M. on December 23, 1991.

Public Hearing - Industrial Revenue Bonds

Mayor Lantis opened the public hearing on the issuance of Industrial Revenue Bonds in the amount of \$1,500,000.00 for Fashion, Inc. Brent Fogle president of the Ottawa/Franklin County Economic Development spoke to the City Commission recommending approval of the Industrial Revenue Bonds in the amount of \$1,500,000.00 and recommended the approval of the proposed

Economic Development Grant, for Fashion, Inc. The Economic Development Grant is in the form of a loan. Mr. Lonnie King president of Fashion, Inc. appeared to thank the City Governing Body for their efforts in assisting Fashion, Inc. in securing the bond issue and loans necessary for Fashion, Inc. to move to the City of Ottawa.

Commissioner Jackson made a motion that the hearing be closed, the motion was seconded by Commissioner Gillette and all present voted in favor of the motion.

Resolution No. 588-91 - Authorizing agreements with Fashion, Inc.

The Governing Body proceeded to consider a resolution authorizing various agreements with Fashion, Inc., for an economic development project under the Kansas Small Cities Community Development Block Grant Program.

The City Attorney Bob Bezek spoke to the subject stating that the resolution before the Governing Body authorizes the execution of various agreements necessary to participate in the Small Cities Community Development Block Grant Program. The various agreements consist of the Kansas Mortgage, a document creating the promissory note. The promissory note, the loan agreement, the escrow agreement and an intercredit agreement with Country Hill Bank. The document before the Governing Body at the present time does not approve the intercreditor agreement as that will be handled in a resolution following.

Commissioner Gillette made a motion that a resolution authorizing various agreements with Fashion Inc., for an Economic Development project under the Kansas Small Cities Community Development Block Grant Program, with the exception of the Intercreditor Agreement be passed, the motion was seconded by Commissioner Keim and all present voted in favor of the motion.

Resolution No. 589-91 - Authorizing an Intercreditor Agreement with Country Hill Bank

Commissioner Keim made a motion that a resolution authorizing an intercreditor agreement with Country Hill Bank be passed. The motion was seconded by Commissioner Jackson. The City and Country Hill Bank have reached an agreement to insure that they are mutually secured with respect to Fashion, Inc. indebtedness and provide appropriate arrangement for Fashion's future credit needs. Upon call for the question all present voted in favor of the motion.

Ordinance No. 3013-91 - Authorizing the issuance of

Industrial Revenue Bonds, in the amount of \$1,500,000.00 for Fashion Inc.

Commissioner Gillette made a motion that an ordinance authorizing the City of Ottawa to issue its Industrial Revenue Bonds Series 1991, in the aggregate principal amount of \$1,500,000.00 for the purpose of acquiring, constructing, rehabilitating, renovating and equipping an industrial project; authorizing execution of a trust indenture by and between the City and Country Hill Bank, in the city of Lenexa, Kansas, as trustee; authorizing the City to lease said project to Fashion, Inc.; and approving a guaranty agreement between Lonnie King and Country Hill Bank be passed. The motion was seconded by Commissioner Tyson and all present voted in favor of the motion.

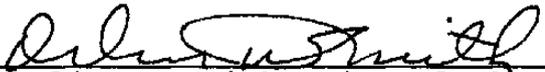
Reports by City Manager

The City Manager commented concerning a letter to the editor appearing in the last few days in the Ottawa Herald, concerning fire hydrants painted black on the north side of Ottawa. The City Manager stated; this past summer the Ottawa Fire Dept. has done extensive testing on the water capacity on the fire hydrants in all areas of the City of Ottawa. The hydrants which did not measure up to adequate capacity for supporting a pump and three (3) inch fire lines in times of high water usage were painted black. However, since the fire hydrants were tested an effort has been made to change the color of the fire hydrants to red. The fire hydrants painted either black or red are of adequate capacity to fill the water tank on any fire truck and keep an inch and one half fire line going at all times. A study is also being made to determine what would be necessary to bring these fire hydrants up to adequate capacity to support a pump and a three (3) inch fire line. The City Manager did make the assurance however that all homes and business in the City of Ottawa are adequately protected from fire, that in all cases where a hydrant has been determined inadequate to support a pump and three (3) inch line, there is another fire hydrant near which will provide the necessary volume of water.

The future of the 911 Emergency Communication System came under discussion. It was pointed out that at the present time there is no interlocal agreement between the City of Ottawa and Franklin County and that either an interlocal agreement should be acted upon or the 911 Emergency Communication system should be under the direct control of either the City of Ottawa or Franklin County. It was the consensus of the City Commission that if an Interlocal Agreement cannot be executed in the near future that either the City of Ottawa or Franklin County should assume the complete responsibility for the 911 Emergency Communication System.

Adjournment

There being no further business to come before the City Commission the meeting was adjourned. The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year from the date of the meeting.



Orlin W. Smith, City Clerk