

**Study Session Minutes
Ottawa, Kansas**

Minutes of January 4, 1999

The City Governing Body met at 4:00 p.m., this date. All members of the Governing Body were present. The Mayor called the meeting to order at 4:02 p.m., this date.

Executive Session

Thereupon, the Mayor stated the reason for this meeting was to conduct an Executive Session to discuss the City Manager's evaluation. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to recess into Executive Session to discuss the City Managers evaluation for a period of 28 minutes and to reconvene in Open Session at 4:30 p.m., in the Work Study Session room. The motion was considered and upon being put, all present voted aye.

Reconvene

Thereupon, at 4:30 p.m., Commissioner Matthews made a motion, seconded by Commissioner Gillette, to reconvene the meeting.

Open Agenda

Thereupon, Commissioner Ramsey stated he had had complaints about the street sweeper. One, it was causing excessive dust as it was being used, and asked if it had some type of water which could be applied. Secondly, that it had been reported that the driver had not observed proper traffic laws at the corner of K-68 and Hwy-59. Commissioner Ramsey asked if the street sweeper is responsible for observing traffic laws? The City Manager stated that the street sweeper is in fact to obey all traffic laws, and that he would pass these concerns to the Public Works Director.

Thereupon, Commissioner Matthews asked about the possibility of using liquid ice melt rather than the solid application. The City Manager stated that he would ask the Public Works Director to look into this issue.

Thereupon, Mayor Finch asked if the meeting scheduled for January 18, 1999, (Martin Luther King, observance day) could be moved to the January 19, 1999, at 4:00 p.m. The Commission agreed by consensus to this change.

Thereupon, the City Manager reminded the Commission that a proclamation recognizing Martin Luther King would be presented on January 6, 1999.

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Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of January 6, 1999

The City Governing Body met in Regular Session at 7:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioners Tyson, Matthews, and Ramsey present. Commissioner Gillette absent.

A quorum was present. Thereupon, the Mayor called the meeting to order and welcomed the Chamber Audience.

Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon the invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Matthews made a motion to approve the agenda, however to remove item Number 14, Bill No. 99-2. The motion was seconded by Commissioner Tyson. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved with correction.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews to approve the minutes of December 16, 1998, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of December 16, 1998, approved as written.

Public Comment

Thereupon, the Commission heard from Ms. Mattie Perry, 4381 Nebraska Terrace, Wellsville, Kansas, representing the Friends of the Historic Building who asked to be heard by the Governing Body at a future Work Study Session. She suggested January 11, 1999, to discuss possible uses of the old Ottawa Middle School building. Thereupon, the City Manager stated that they would be scheduled for January 11, 1999, and the Mayor thanked Ms. Perry.

Next to address the Commission was Mr. David Wells, 841 Hamblin, who inquired about 1203 N. Cherry, property owned by the City. Mr. Wells stated he is still interested in the house located on the corner of the Industrial Park area and asked that this issue be

moved onto the Commission agenda. Thereupon, the City Manager explained the bids for survey work had been received and would be conducted in the near future. However, he anticipated the sale of this property sometime in the Spring.

Response to Public Comment

Thereupon, the Mayor noted that former Mayor Marvin Calliham had addressed the City Commission to express concerns regarding packaged liquor sales. Staff had no response at this time.

Presentations and Recognition

Thereupon, the Mayor read a proclamation declaring January 17, 1999, as Dr. Martin Luther King, Jr. Day in the City of Ottawa, Kansas. Receiving the proclamation was former Mayor Richard Jackson, who reminded the Commission that on January 17, 1999, there will be a celebration to commemorate the life of Dr. Martin Luther King at the Bethany Baptist Church Chapel, starting at 2:00 p.m. He invited all who were interested to attend.

New Business

Vacation of 14th Street: Thereupon, there was presented an ordinance vacating that portion of unimproved 14th Street cul-de-sac located east of South Olive Street. Described real estate is generally located South of Lot 5, of the Medical Office Incorporated Subdivision, and of Lot 22 Rolling Ridge Addition. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Matthews, to adopt the ordinance.

During discussion it was explained that the Planning Commission had held a Public Hearing on the merits of this petition on November 11, 1998, and forwarded their recommendation to City Staff on November 12, 1998. The City Commission heard the petition at their Regular City Commission meeting December 16, 1998, and no protests were made during the Public Hearings. The motion was considered, and upon being put, all present voted aye.

Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance 3305-99.

Acceptance of Kansas Department of Wildlife & Parks (KDWP), North side Park Grant Application

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson to approve this application. During discussion it was explained that the grant application for the Trail portion of the North side Park had been accepted by the Federal Highway Administration. The Department of Wildlife & Parks has sent the project agreement to be accepted by the City Commission. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

Announcements

Thereupon, the Mayor announced:

1. A Special Call meeting scheduled for January 7, 1999, at 10:00 p.m.
2. A Work Study Session on January 11, 1999, at 4:00 p.m.
3. There will not be a Work Study Session on January 8, 1999.
4. There will be a Work Study Session on January 19, 1999, at 4:00 p.m.
5. There will be a Joint City/County/School meeting on January 20, 1999, at 12 noon, in the City Commission Room at City Hall.
6. There will be a Work Study Session on January 25, 1999, at 4:00 p.m.
7. The next Regular Meeting on January 20, 1999, at 9:30 a.m.

Adjournment

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

The entire text of the minutes is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of January 6, 1999

The City Governing Body met at 4:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioners Gene Ramsey, Joan Tyson, Matt Matthews present, and Commissioner Charles Gillette absent.

Thereupon, the Mayor called the meeting to order at 4:00 p.m., and asked for public comment. There were no public comments offered at this meeting.

Approval of Minutes

Thereupon, the Commission reviewed and accepted the minutes of December 21, 1998, and January 4, 1999.

Review of Agenda

Thereupon, the Commission reviewed and accepted the tentative agenda for January 6, 1999. Items to be added to the agenda are; a Proclamation in honor of Dr. Martin Luther King, Jr., and the agreement with the State of Kansas Department of Wildlife & Parks. Thereupon, Mayor Finch asked staff for no further late additions to the agenda.

Martin Luther King, Jr. Proclamation

Thereupon, the Commission reviewed and accepted a proclamation to honor Dr. Martin Luther King, Jr. and agreed to designate January 17, 1999, as Martin Luther King, Jr. Day in the City of Ottawa. This item will be placed on the January 6, 1999, agenda.

Orlis Cox Restrooms

Earl Devore, Architect and Jane Yancey, Director of the Ottawa Recreation Commission discussed construction alternatives for the proposed restrooms at Orlis Cox Field.

Mr. Devore reported that a block design would cost approximately \$59,000 or \$87,000 with a concession stand.

Ms. Yancey suggested a metal construction instead and stated approximate cost would be within the \$55,000 budget and would include a concession stand.

Thereupon, the Governing Body agreed to discuss this at a later date.

January 6, 1999

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Airport Master Plan Status Update

Thereupon, a memo was provided from Andy Haney stating that Senator Pat Roberts had released information on December 22, 1998, that the FAA was awarding a grant in the amount of \$37,800 for an update of the Airport Master Plan for the Ottawa Municipal Airport. Assuming this FAA estimate is correct, the City's share of the project cost will be \$3,780. A legal advertisement requesting submission of qualifications from qualified consultants was forwarded for publication in the Ottawa Times and the Ottawa Herald, and fax notification was made to all known qualified consultants (7) in the Kansas City/Omaha area. These consultants were requested to submit their qualifications by January 20, 1999.

Revised Traffic Regulations Ordinance

Thereupon, the City Commission discussed this issue and agreed to defer this until the January 20, 1999, Regular City Commission meeting.

Northside Park Grant Application

Thereupon, Grant Manager Wynndee Lee provided a letter and project agreement from Kansas Department of Wildlife & Parks. Thereupon, Ms. Wynndee Lee stated there are 1998 funds available. It was pointed out that this will mean an expenditure of \$3,100 from General Fund Contingency.

Wal-Mart Distribution Center Sanitary Sewer Force Main.

Thereupon, the Governing Body reviewed correspondence from Wal-Mart Corporation indicating their willingness to dedicate the existing sanitary sewer force main from a point West of I-35 (yet to be determined). Thereupon, Commissioner Matt Matthews made a motion, seconded by Commissioner Gene Ramsey, to authorize the City Attorney to prepare and submit appropriate documents to Wal-Mart for dedication. The motion was considered and upon being put, all present voted aye.

1999 State Legislative Program

Thereupon, it was noted the City's draft 1999 State Legislative Program was attached for Commissioners and it is anticipated this will be adopted on January 20, 1999. It will then be presented to the members of our delegation at the League Meeting on January 21, 1999. Thereupon, discussion followed with City Manager Scott Lambers, who noted this was the first time the Commissioner's had seen the information, and will be brought back at a later Study Session. Thereupon, Commissioner Gene Ramsey asked about Retail Wheeling. Thereupon, Director of Utilities Jim Bradley stated he still had a concern, especially on the Federal level. Thereupon, Commissioner Gene Ramsey asked about the Motor Vehicle Tax. Thereupon, City Manager Scott Lambers responded it is out there. Thereupon, Mayor Blaine Finch asked for stronger sentencing guidelines - "Justice System".

Quarterly Update Report

Thereupon, Mayor Blaine Finch moved that this issue be moved to the January 11, 1999, Work Study Session.

Open Agenda

Thereupon, Commissioner Gene Ramsey asked about negotiations with Rail Trail. Thereupon, City Manager Scott Lambers stated we are at an impasse for now.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on January 6, 1999, at 7:00 p.m.
2. There will be a Special Call Meeting on January 7, 1999, at 10:00 a.m. (Sale of Temporary Notes for Public Works Facility)
3. There will be a Work Study Session on January 11, 1999, at 4:00 p.m.
4. There will not be a Work Study Session on January 18, 1999.
5. There will be a Work Study Session on January 19, 1999, at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
SPECIAL CALL MEETING
Regular Meeting Minutes
Ottawa, Kansas

Minutes of January 7, 1999

The City Governing Body met at 10:00 a.m. this date in Special Call Session to consider bids for \$1,000,000 of General Obligation Temporary Notes for the purpose of temporarily financing the cost of the Public Works improvements.

Roll Call

Thereupon, at 10 a.m. the Mayor called the meeting to order and asked the City Clerk to call the roll. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commission Ramsey present, Commissioner Matthews absent, and Commissioner Gillette absent.

Thereupon, the Mayor called upon the City Clerk to read the sealed bids. Those bids were submitted to the City Clerk and read as follows.

Bid	Total Interest Cost	Net Interest Cost	Average Net Interest Rate	Comment
<u>Mid West Capital Management</u>	\$49,375.00	\$49,375.00	3.95%	No premium
<u>United Missouri Bank</u>	\$47,250.00	\$47,238.90	3.779112%	A premium of \$11.10
<u>Commerce Bank of MO</u>	\$46,250.00	\$46,250.00	3.70%	No premium
<u>Country Club Bank of MO</u>	\$45,375.00	\$45,375.00	3.63%	No premium

Thereupon, it was announced that the low bid was from Country Club Bank at 3.63%.

Acceptances

Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Ramsey to accept the bid from Country Club Bank with a Net Interest Cost of \$45,375.00 and Average Net Interest Rate of 3.63%. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the bid from Country Club Bank duly accepted.

January 7, 1999

Resolution Authorizing Issuance of \$1,000,000 of Temporary Notes

Thereupon, there was presented a resolution authorizing the issuance and delivery of \$1,000,000 principal amount of General Obligation Temporary Notes series 1999, of the City Of Ottawa, Kansas for the purpose of temporarily financing the cost of certain public building improvements of the City. Describing the terms and details of the notes.

Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Ramsey to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted. The resolution was duly numbered Resolution No. 1025-99.

Adjournment

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

The entire text of the minutes is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of January 11, 1999

The Governing Body met at 4:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Ramsey, Tyson, Matthews, present and Commissioner Gillette absent. The Mayor called the meeting to order and asked for Public Comment. There were no Public Comments offered at this meeting.

Agenda for January 20, 1999

Thereupon, the Commission reviewed the tentative agenda for January 20, 1999, noting that changes would occur.

Presentation by Bob Marsh and Mattie Perry

Thereupon, Mr. Bob Marsh and Ms. Mattie Perry representing the Friends of Historic Buildings spoke to the Governing Body and asked the City Council to consider a joint effort between the City and County to take a lead role in revitalizing the old Ottawa Middle School. Mr. Marsh explained the Friends want to make use of the gymnasium theater and other areas possibly as a Convention Center, and/or Governmental Offices in the Middle School Building. They asked if it would be possible to bring this issue, and the possible financing to a vote, of the people as a potential 1/4 cent sales tax.

Thereupon, Commissioner Matthews asked what the anticipated cost would be?

Thereupon, Mr. Marsh responded it would depend on the level of improvements made. Somewhere between \$30 and \$65 per square foot. At an approximate total cost of \$6,500,000. Mr. Marsh further noted that the heating has been off in the building for approximately two years, and the building is in need of immediate attention.

During discussion it was pointed out to Mr. Marsh and Ms. Perry that the City also has needs which will require large amounts of financing, and more specifically the required improvement to the Wastewater Treatment Facility.

It was further pointed out the proposal being made by the Friends, did not make a provision for reimbursement to the School District. Mr. Marsh responded that public funds had paid for this building once and should not be asked to do so again. He further suggested that organizations such as local theater groups might want to get involved in the restoration of various portions of this facility.

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City of Ottawa
Study Session Minutes

Thereupon, the Mayor suggested that this item be brought before the voters on a countywide basis as an advisory election only, at this point. Keeping in mind that the school district still has the decision in its hands, upcoming on January 28, 1999.

Thereupon, Commissioner Ramsey stated for the record, he is opposed to public monies being spent on this project at this time. It was further suggested that the City and County Commissions discuss this issue at their joint meeting scheduled for January 20, 1999.

Orlis Cox Restrooms

Thereupon, the Commission heard from Ms. Jane Yancey, regarding the possible development of restrooms in the Orlis Cox baseball complex. Ms. Yancey brought before the Governing Body an estimate for a metal building which would include restrooms and concession stand in a total amount of \$47,715. Ms. Yancey noted that the use of stainless steel fixtures would cost an additional \$3,200.

Thereupon, Commissioner Tyson asked to see comparison between this option and the one brought to the Governing Body by Mr. Earl Devore. Thereupon, the Mayor asked why metal had not been considered as an option at an earlier date, and why the only option the Governing Body had been given previously was the one purposed by Mr. Devore? He asked that the two options be compared and brought back to the Governing Body by January 19, 1999.

State Legislative Program

Thereupon, the Mayor asked that this item be brought back for discussion at a later date.

Wastewater Treatment Plant Approvements

Thereupon, the Commission discussed with the City Manager. Mr. Lambers explained that the Kansas Department of Health and Environment has denied the City's request for a 5 year extension of time regarding the inadequate control of released ammonia at the Wastewater Treatment Plant and is requiring the City to be compliant by April 1, 2002. He therefore, has developed a plan to issue financing on this multi-million dollar improvement which includes financing of \$6,000,000 over a twenty year period of time. He proposed two possible ways to finance this. One through Wastewater rates, and a second through imposing a 1/4 cent sales tax. The City's current sales tax authority would

allow for the voters to approve a 1/4 cent sales tax without special legislation. The City would still have a 1/4 cent sales tax authority remaining for future endeavors. The Governing Body discussed this issue and agreed to continue discussion regarding this issue.

Announcement's

Thereupon, the Mayor announced:

1. There will not be a Work Study Session scheduled for January 18, 1999, but rather a Work Study Session scheduled for January 19, 1999, at 4:00 p.m.
2. There will be a City Commission meeting on January 20, 1999, at 9:30 a.m.
3. There will be a Joint City/County/School meeting on January 20, 1999, at 12 noon.
4. There will be an Executive Session on January 25, 1999, at 4:00 p.m. To discuss the City Managers Evaluation.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of January 19, 1999

The City Governing Body met at 4:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Ramsey present, Commissioner Gillette present, Commissioner Tyson present, and Commissioner Matthews present. The Mayor called the meeting to order and asked for Public Comment. There were no Public Comments offered at this meeting.

Approval of Minutes

Thereupon, the Commission reviewed and accepted the Work Study Session minutes of January 6, 1999, and January 11, 1999.

Agenda for January 20, 1999

Thereupon, the Commission reviewed the tentative agenda for January 20, 1999, noting that changes would occur.

Boy Scout Proclamation

Thereupon, approval was given to place this item on the February 3, 1999, City Commission agenda.

Parking Request - USD 290

Thereupon, a representative from Eisenhower Elementary School, Principal Ms. Nancy Johnson, requested from the Commission no parking be allowed during school hours on the West side of Ash street, between 14th & 15th streets.

Thereupon, the item was discussed. City Manager Scott Lambers stated the item will be brought back to the February 15, 1999, agenda.

Thereupon, Mayor Blaine Finch thanked Ms. Johnson for coming before the Governing Body.

Orlis Cox Restrooms

Thereupon, Public Works Director Andy Haney stated that he and Ottawa Recreation Director Ms. Jane Yancey had met with Mr. Earl Devore to establish (minimum) specification for restroom facilities. This will allow contractors the flexibility to make their recommendations within code.

January 19, 1999

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Mr. Haney further suggested Mr. Devore be allowed to evaluate and make recommendations.

Thereupon, Mayor Blaine Finch stated he just wanted to make sure we meet our own Code!

Bicycle Licensing Program

Thereupon, Police Chief Jeff Herrman provided written correspondence proposing Registration of local bikes be done to assist the Police Department in locating rightful owners.

Thereupon, Mayor Finch stated this issue would be brought back to the February 15, 1999, Work Study Session meeting and if approved, to be adopted February 17, 1999,

1999 Legislative Program

Thereupon, the Governing Body discussed this issue and agreed to place it on the agenda.

Quarterly Update Report

Thereupon, the Governing Body discussed this issue.

November, 1998 Monthly Financial and Activity Report

Thereupon, the Governing Body discussed this issue, and agreed to place it on the January 20, 1999, agenda.

Open Agenda

Thereupon, it was announced that the City Commissioners will go to Topeka, Thursday, January 21, 1999. Commissioners Matthews and Gillette will not be able to attend.

Thereupon, Mayor Finch stated he needed evaluations from all City Commissioners for discussion next week.

Thereupon, Mayor Finch asked if the City provides sand at Ottawa High School during ice storms. Thereupon, City Manager Scott Lambers stated that we do not, we take care of our public facilities only.

Thereupon, Commissioner Matt Matthews asked for information on liquid salt application.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on January 20, 1999, at 9:30 a.m.
2. There will be a Joint City/County/School meeting on January 20, 1999, at 12:00 noon, in the City Commission room at City Hall.
3. There will be an Executive Session on February 1, 1999, at 4:00 p.m.

Thereupon, City Manager Scott Lambers stated that there are several planning items on the next agenda.

Thereupon, Administrative Secretary, Barbara Nelson mentioned the death of former city employee, Hubert Blecha. The City will send flowers from the City Commission.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of January 20, 1999

The City Governing Body met in Regular Session at 9:30 a.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commissioner Matthews present, Commissioner Ramsey present, and Commissioner Gillette present. A quorum was present.

Thereupon, the Mayor called the meeting to order and welcomed the Chamber Audience.

Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the invocation was given by Rev. Leroy Rayson.

Approval of Agenda

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews, to approve the minutes of January 6, 1999, and the Special Meeting Minutes of January 7, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of January 6, 1999, and January 7, 1999, duly approved.

Public Comments

Thereupon, Ms. Cathy Sutton, of Sutton's Jewelry, a representative of the Downtown Retail Committee, asked the Commission for time at their next Regular Study Session to consider ideas presented by the Chamber of Commerce for downtown Christmas lighting. The Commission agreed to place this item on the agenda for January 25, 1999, at 4:00 p.m.

Response to Public Comment

Thereupon, the Mayor noted Mr. David Wells of 841 Hamblin had approached the Governing Body at an earlier meeting this month to propose a purchase of a house

located at 1203 N. Cherry and informed the Commission that water was standing in the basement at this location. Thereupon, the City Manager stated that a survey of the property was pending and that the house would be auctioned off sometime in the spring he also informed that the basement has been pumped.

Proclamations and Recognition

Thereupon, the Mayor read a proclamation declaring the week of February 7, 1999, as Boy Scouts of America Week, in the City of Ottawa, Kansas. Thereupon, Scott D. Bird, Assistant Scout/Master-Troop 77 accepted the proclamation on behalf of the Scouts and Scouters in the Twin Rivers District, Heart of America Council.

New Business:

No Parking, Stopping, or Standing of Vehicles

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic including designation of parking restrictions in the City of Ottawa, Kansas.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews, to adopt the ordinance. During discussion it was explained this ordinance will amend the Ottawa Municipal Code to restrict parking, stopping, and standing of vehicles on Beech Street, between K-68 Highway and 4th Street, and on 17th Street between Eisenhower Road and Main Street. It was further explained that this change was being made due to request from Citizens. The motion was considered, and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the Ordinance was numbered 3306-99.

State Legislative Program

Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Gillette, to adopt the 1999 State Legislative Program to be presented to local legislators on Thursday, January 21, 1999. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Gillette, to adopt the State Legislative Program for 1999. During discussion Commissioner Matthews stated he would vote for the program as a whole but did not like the concealed weapons restriction. The motion was considered and upon

being put, all present voted aye. Thereupon, the Mayor declared the 1999 State Legislative Program duly approved.

Monthly Financial and Activity Reports for November, 1998

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Ramsey, to accept the Monthly Financial and Activity reports for the month of November 1998. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity reports for the month of November 1998 duly approved.

Announcements

Thereupon, the Mayor announced:

1. A Joint City/County/School meeting on January 20, 1999, at 12 Noon, in the City Commission Room.
2. There will be a Work Study Session on January 25, 1999, at 4:00 p.m.
3. A Work Study Session on February 1, 1999, at 4:00 p.m., to conduct an Executive Session to discuss the City Managers evaluation.
4. A Work Study Session on February 3, 1999, at 6:00 p.m.
5. The next Regular Meeting is scheduled for February 3, 1999, at 7:00 p.m.

Adjournment

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

The entire text of meeting is on tape in the office of the City Clerk and will remain so, for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of January 25, 1999

The City Governing Body met at 4:00 p.m. this date, all members of the Governing Body were present and participating. The Mayor called the meeting to order and asked for Public Comment. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for February 3, 1999, noting that additions would be made.

Amendment to City of Ottawa Zoning Ordinance

Thereupon, the Commission reviewed a cleanup measure for the zoning ordinance for the City of Ottawa. The Governing Body discussed this issue with Program Manager Wynndee Lee and agreed to place this item on the agenda for February 3, 1999.

Acceptance of Easements

Thereupon, the Commission discussed the acceptance of easement on Gaynor's Addition Number 1 and Super 8 Subdivision, and agreed to place this issue on the agenda for February 3, 1999.

Special Use Permit - ECKAN

Thereupon, the Commission reviewed a request from Richard Jackson, Director of ECKAN, about storage and warehousing of goods at 1124 N. Main. The Governing Body reviewed this item and agreed to place it on the agenda for February 3, 1999.

Vacation of Easement

Thereupon, the Commission discussed with Utility Director Jim Bradley a request to vacate an easement granted by Buildex, Inc. in 1986. Mr. Bradley explained this easement was to be used for City water lines at some future date. However, the City has requested and received from Buildex an easement on the South edge of the property which is currently being developed. Mr. Dennis Woolmen of Buildex Inc. has requested

the 1986 easement be vacated at this time. The City Governing Body discussed this issue and agreed to place it on the agenda for February 3, 1999.

Downtown Christmas Lighting Funding

Thereupon, the Commission discussed with Cathy Sutton, representing the Chamber of Commerce Retail Committee, ideas for funding the Dcwntown Christmas Lights. The Governing Body discussed this issue, noting the request to add \$1.00 to utility bills or to add a check-off provision on utility bills was not possible at this time, given the format of the City's billing system. The Mayor asked that more information be brought to the Governing Body regarding this issue.

Tax Abatement Policy

Thereupon, the Commission discussed the current tax abatement policy and the possibility of allowing credit for existing jobs should an organization decide to expand in the corporate boundaries of the city. The Governing Body discussed this issue at some length and agreed to discuss it again on February 15.

Open Agenda

Thereupon, Commissioner Ramsey congratulated Dick Smith and the Auditorium Board for a sellout crowd at the Riders in the Sky concert.

Thereupon, Commissioner Ramsey asked about the bathroom situation at Orlis Cox Field. Thereupon, Public Works Director Andy Haney stated that he and Jane Yancey, Director of the Ottawa Recreation Commission, had met with Earl Devore to develop specifications.

Thereupon, Mayor Finch asked about the status of the Public Works Building. Thereupon, Public Works Director Andy Haney stated that the footings have been poured and the steel is to be delivered next week.

Thereupon, Commissioner Ramsey noted that he, City Manager Scott Lambers, and Administrative Assistant Sarah Plinsky had attended a Legislative Session in Topeka and the City will have its transportation needs presented to the joint committees in Topeka by February 4, 1999.

Thereupon, Commissioner Matthews asked to bring back the unregulated intersection issue.

Announcements

Thereupon, the Mayor announced:

1. An Executive Session scheduled for February 1, 1999, at 4:00 p.m. (to discuss the City Managers contract).
2. A Work Study Session on February 3, 1999, at 6:00 p.m.
3. A City Commission meeting on February 3, 1999, at 7:00 p.m.
4. A Work Study Session on February 8, 1999, at 4:00 p.m.
5. The Mayor's prayer breakfast tentatively scheduled for March 10, 1999, at 6:45 a.m.

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of February 1, 1999

The City Governing Body met in Work Study Session at 4:00 p.m., on this date. All members of the Governing Body present.

Executive Session

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey to recess into Executive Session for one half hour and reconvene in the same Study Session room at 4:35 p.m. Topic of discussion to be the City Manager's contract. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Thereupon, at 4:35 p.m., Commission Ramsey made a motion, seconded by Commissioner Matthews, to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Ramsey to place the City Manager's contract on the agenda for February 3, 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the City Manager's contract duly placed on the agenda for February 3, 1999.

Open Agenda

Thereupon, the Commission discussed its approach to Thursday's hearing at Topeka to consider the state highway plan. Thereupon, Mayor Finch noted that he, Ed York, Jeff Mourning, and Ralph Tanner would be speaking on behalf of the City's position regarding this issue.

Announcements

Thereupon, the Mayor announced:

1. A Study Session scheduled for 6:00 p.m., February 3, 1999.
2. A Regular Meeting scheduled for 7:00 p.m., February 3, 1999.

Ajournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of February 3, 1999

The City Governing Body met at 7:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commissioner Matthews present, Commissioner Ramsey present, Commissioner Gillette present. A quorum was present. The Mayor called the meeting to order and lead the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the invocation was given by Commissioner Gillette.

Agenda Approval

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Ramsey, to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews, to approve the minutes of January 20, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of January 20, 1999, approved as presented.

Public Comments

Thereupon, Mr. Max Attebery, 746 S. Cherry, spoke to the Commission concerning the possibility of having an advisory election in regards to the old Ottawa Middle School. Mr. Attebery asked what the cost would be for such an advisory election and if the Governing Body decided it was worth the cost, to make sure it was well staffed so the results will be accurate.

Response to Public Comments

Thereupon, the Mayor noted Ms. Cathy Sutton, of Sutton's Jewelry, 207 S. Main had submitted a request on behalf of the Ottawa Chamber of Commerce Retail Committee, that the City Commission consider options to finance the downtown Christmas lighting. Thereupon, it was noted that the City Manager had suggested their request be placed on the January 25, 1999, Work Study Session agenda for discussion. This item had been discussed and deferred for further information.

New Business

Zoning Ordinance

Thereupon, there was presented an ordinance to amend article IX, R-1, Single-Family Dwelling District; Article X, R-2, Two-Family Dwelling and Article XA, R-3, Multi-Family Dwelling District of the Zoning Ordinance 2933-90 for the City of Ottawa, Kansas. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Matthews, to adopt the ordinance. During discussion it was explained the City Commission discussed this item at their January 25, 1999, Work Study Session and the Ottawa Planning Commission had reviewed the amendment and held a Public Hearing to consider this issue. The Planning Commission recommends to the City Commission the approval of the amendment.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance duly numbered Ordinance No. 3307-99.

Gaynor's Addition Number 1

Thereupon, there was presented a resolution to accept easements for Gaynor's Addition Number 1. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the resolution. During discussion it was explained that the City Commission had discussed this issue at their January 25, 1999, Work Study Session and that the Planning Commission had approved the final plat for the Gaynor's Addition Number 1 by a vote of 6-0.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1026-99.

Super 8 Subdivision

Thereupon, there was presented a resolution to accept easement for Super 8 Subdivision. Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Ramsey, to adopt the resolution. During discussion it was explained that the City

Commission had discussed this item at an earlier Work Study Session and the Ottawa Planning Commission approved the final plat for the Super 8 Subdivision by a vote of 6-0.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1027-99.

Special Use Permit - ECKAN

Thereupon, there was presented a resolution granting a special use permit for storage and warehousing at 1124 N. Main, requested by ECKAN in the City of Ottawa, Kansas. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Ramsey, to adopt the resolution. During discussion it was explained that the Ottawa Planning Commission had reviewed the special use request, held a Public Hearing and recommended to the City Commission by a vote of 6-0 to approve the special use permit for ECKAN to allow storage and warehousing of household goods, USDA commodities, used furniture, and agency vehicles at 1124 N. Main.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted and the resolution was duly numbered Resolution No.1028-99.

Vacation of Easement-Buildex Inc.

Thereupon, there was presented an ordinance vacating a portion of an easment received from Buildex Inc. Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Tyson, to adopt the ordinance. During discussion it was explained that Mr. Dennis Woolmen of Buildex, Inc. granted an easement on the North edge of the property in 1986 and that this easement was to be used for City water line at some future time. It was further noted that Mr. Woolmen has recently granted the City an easement on the South side of this same property for water line extension and the City is now in the process of constructing this water line. Therefore, Mr. Woolmen has requested a vacation of the earlier 1986 easement.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor the declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3308-99.

Addendum to City Manager Contract

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to provide an addendum to the City Manager's contract between the City Commission and the City Manager, which will increase the City Manager's base salary compensation by 3%; deferred compensation by \$50 per pay period; by capping vacation accrual at 480 hours; and extending the contract to January 31, 2002.

During discussion Mr. George Marstall, 15 East 16th Street Terrace reminded the Commission that during the most recent budget adoption the City Manager had stated that pay increases had been included in the budget to accommodate all City employees except for himself. Mr. Marstall stated he recognized this was a technicality, but wondered if the Commission had considered this issue.

Thereupon, the Mayor called upon the City Manager to respond. Thereupon, the City Manager stated that his reminder during the budget process is merely a notation that his contract does not run concurrent with the budget process and that the increase to his salary is in fact part of the overall budget. The motion was considered, and upon being put, all present voted aye. Thereupon, the Mayor declared the addendum duly approved.

Announcements

Thereupon, the Mayor announced:

1. There will not be a Work Study Session scheduled for February 8, 1999.
2. There will be a Work Study Session on February 15, 1999, at 4:00 p.m.
3. There will be a Joint City/County/School meeting on February 17, 1999, at 12 Noon, at the Franklin County Jail.
4. The next Regular Meeting is scheduled for February 17, 1999, at 9:30 a.m.

Adjournment

There being no further business to come before the Commission, Commissioner Matthews made a motion, seconded by Commissioner Gillette, to adjourn the meeting.

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of February 3, 1999

The City Governing Body met in Work Study Session at 6:00 p.m., this date. All members of the Governing Body were present and participating.

The Mayor called the meeting to order at 6:00 p.m., and asked for Public Comments. Thereupon, Mr. David Wells addressed the Commission regarding 1203 N. Cherry and asked if the sale date of this property could be moved up, noting that damage was being caused to the property as a result of it just setting. The Commission discussed this issue and asked the City Manager to schedule March 20, 1999, as the sale date or April 10, 1999, as an alternate date with a local auctioneer.

Review of Agenda

Thereupon, the Commission reviewed the tentative Regular Meeting agenda for February 3, 1999.

Request from Ottawa Convention and Tourism Bureau

Thereupon, the Commission heard from Mr. Murray McGee, for the use of Forest Park for the Kansas Sampler Festival. Thereupon, Mr. McGee explained that the Kansas Sampler Festival is an event designed to promote rural tourism and that Ottawa is being considered as the site for this festival in the Years 2000 and 2001. Mr. McGee asked for permission to use Forest Park and asked that the park be closed during the first weekend in October of each year. The Commission discussed this issue, noting that an admission fee would be charged to enter the park during the dates of the festival. Thereupon, the Commission agreed to set the park aside for these dates.

Request from MS Society

Thereupon, the Commission reviewed a letter from Ms. Kim Weidner with the MS Society requesting the use of Forest Park on May 1st. The Commission discussed this issue, noting that Kanza Park would be a better choice for this event, and asked the City Manager to contact Ms. Weidner.

KLINK Project-Highway 59 from 17th Street to 23rd Street

Thereupon, the Commission reviewed a recommendation from Public Works Director Andy Haney to contract with Killough Construction Inc. of Ottawa for the overlay of

Highway 59 from 17th to 23rd Street. Mr. Haney explained that two bids had been received on this project and Killough's had been the low bid, with the other bid submitted by LRM Industries, Inc. in an amount of \$113,356.20. It was further noted that the Engineer's estimate was \$143,290.75. The Commission discussed this issue and agreed to place it on the February 17, 1999, agenda.

Amendment to City Burial Policy

Thereupon, the Commission discussed with Public Works Director Andy Haney changes to the City of Ottawa Cemetery Burial Policy. Thereupon, it was noted that the current policy is somewhat vague as to the number of remains which can be placed in a cemetery lot. However, the practice has been, to allow, (1) one whole remains or, (2) two cremated remains in a single lot. The Commission discussed this issue and asked for cleanup language to be brought to a future meeting.

National Legislative Program

Thereupon, the Commission discussed with Administrative Assistant Sarah Plinsky, their priorities for the National Legislative Program. Which includes: US-59 designation as a ISTEAD demonstration project, the Comprehensive Highway Funding Program, Retail Wheeling, Tax-Exempt bonds on municipal-owned utilities, and Rails-to-Trails Legislation. The Commission discussed these issues and agreed to bring them back at the March 3, 1999, meeting.

Presentation to the Joint Committee on Transportation concerning the State Comprehensive Transportation Program

Thereupon, the Commission discussed the representation of Franklin County to the Joint Committee on transportation concerning the State Comprehensive Transportation Program. Ms. Plinsky noted that the Mayor would start the City's portion of the presentation, followed by Commissioner Ramsey, Mr. Ed York of Intrust Bank, representing the Chamber of Commerce, Mr. Jeff Mourning of Kansas State Bank, and would conclude with Representative Ralph Tanner.

Open Agenda

Thereupon, Commissioner Matthews asked if the City would continue to look into the possibility of a protected left turn at the corner of K-68 and US-59 Highways.

Thereupon, the Mayor asked if someone would look into the traffic light at 17th & Main, noting that the change over may be too abrupt. Thereupon, Commissioner Ramsey and Commissioner Matthews noted that they would not be available for a Study Session on February 8, 1999. Thereupon, the Commission agreed by consensus to cancel the Study Session meeting for February 8, 1999.

Announcements

Thereupon, the Mayor announced:

1. There is a City Commission meeting following this Work Study Session to begin at 7:00 p.m., in the Commission Chambers.
2. There will not be a Work Study Session on February 8, 1999.
3. There will be a Work Study Session on February 15, 1999, at 4:00 p.m. (Strategic Plan. City Manager will be out of town)
4. Mayor's Prayer Breakfast is scheduled for March 10, 1999, at 6:45 a.m. On the second floor of the Ottawa University Student Union.

Ajournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of February 15, 1999

The City Governing Body met in Work Study Session at 4:00 p.m., this date. All members of the Governing Body were present and participating.

The Mayor called the meeting to order at 4:00 p.m., and asked for Public Comments. Thereupon, Mr. Glenn Underwood, of 1206 College expressed concerns regarding traffic signage at 1st & Walnut, stating that he did not believe stop signs were necessary from all three directions at this location. He also asked that parking in streets be restricted. He also suggested that vehicles be allowed to pass on certain portions of Wilson Street.

Review of Work Study Session Minutes

Thereupon, the Commission reviewed and approved the minutes for the Work Study Sessions January 19, 1999, and January 25, 1999.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for February 17, 1999, noting that changes would occur.

Overnight Parking on Main Street

Next to address the Commission was Ms. Jennifer Cravens, 308 ½ S. Main, Apt. 1. Ms. Cravens complained that she had received numerous parking tickets in the downtown area after hours. She further explained she both lives and works in the downtown area and this presents a hardship on her and her family. The Governing Body discussed this issue with Public Works Director Andy Haney, who recommended the overnight parking restrictions in the downtown area be lifted, noting they had been originally placed to accommodate the street sweeper. The Governing Body asked that this issue be brought to the next Commission Meeting.

Parking Request

Thereupon, the Commission discussed a request from USD 290, and the Site Council at Eisenhower School. Thereupon, the City Manager explained Staff's recommendation to prohibit parking, stopping, and standing on the East side of the 1400 block of Ash Street, hours to be determined on school days only to eliminate students

crossing the street at mid-block to arrive at the parents' waiting cars. This would force parents to wait on the West side of the street, closest to the school. He further explained this recommendation differs from the school's request and that neighbors should be contacted for input regarding this issue. Commissioner Tyson asked that the school principal be notified so that she is aware of the loss of the mid-block crosswalk. Mayor Finch asked that the Site Council be solicited for additional comments.

Condemnations

Thereupon, the Commission heard from Program Manager Wynndee Lee, who asked the Governing Body to schedule Public Hearings to consider condemnations of buildings located at 128 S. Willow, 424 S. Poplar, 521 N. Cedar, and 804 N. Mulberry. The Governing Body considered this request and agreed to place resolutions establishing May 5, 1999, as the Public Hearing date on the February 17, 1999, agenda.

Cemetery Burial Policy

Thereupon, the City Manager explained that the Municipal Code had a sentence omitted during codification, and that the cemetery burial policy in keeping with the Governing Body's most current recommendations was in fact, adopted in 1994.

Capital Improvement Program Calendar for the Year 2000

Thereupon, the Governing Body reviewed the Capital Improvement Program Calendar for the Year 2000 and agreed to place this item on the agenda for February 17, 1999.

National Legislative Program

Thereupon, the Commission reviewed their National Legislative Program with Administrative Assistant Sarah Plinsky, and agreed to continue discussion on this issue.

Tax Abatement Policy

Thereupon, the Commission reviewed with the City Manager the City's, Tax Abatement Policy. Thereupon, the City Manager noted that the most recent applicant for Tax Abatement had shown renewed interest and expressed a desire for consideration for job retention. Thereupon, Commissioner Ramsey expressed concern for 100% abatement noting that other communities in the surrounding area were providing abatements for up

to 10 years at 50%. Thereupon, Commissioner Gillette stated his concern was with the competition in the Missouri area which were allowing a 25 year plan. Thereupon, Commissioner Matthews stated he did not have a problem with 100% abatements. The Commission discussed this issue and agreed to direct the City Manager to write a policy which will allow no more than a 95% abatement, with flexibility that will allow the Governing Body to go up to 100% if they see fit. They agreed to bring this back at a future Study Session.

Monthly Financial and Activity Reports

Thereupon, the Commission reviewed the Monthly Financial and Activity Reports.

Open Agenda

Thereupon, Commissioner Gillette brought the Commission's attention to a letter of complaint from Mr. Noise.

Thereupon, Commissioner Ramsey stated he was disappointed the City's Congressman had not seen fit to address the City Contingent in Washington. He asked that a letter from the Mayor be drafted to express the City's concerns.

Thereupon, the Mayor asked for an estimate on the cost of an advisory election regarding the old Middle School.

Thereupon, the Mayor congratulated the Water Plant for 10 (ten) years of exemplary service and asked that the Employees be recognized at an upcoming Regular Meeting.

Thereupon, the Mayor noted a complaint against Multimedia TV and asked if this was being followed up on. Thereupon, the City Manager responded affirmatively.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of February 17, 1999

The City Governing Body met at 9:30 a.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commissioner Matthews present, Commissioner Ramsey present, and Commissioner Gillette present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber, Radio, and Television audience. Thereupon, the Mayor led the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews, to approve the minutes of February 3, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of February 3, 1999, approved as presented.

Public Comment

There were no Public Comments offered at this meeting.

Response to Public Comments

Thereupon, the Mayor noted that during the last Regular Commission Meeting. Mr. Max Attebery of 746 S. Cherry, had addressed the Governing Body to express his views concerning the disposition of the former Ottawa Middle School, and the proposed advisory election.

Thereupon, the Mayor stated that the Governing Body was formulating a cost estimate for such an advisory election.

New Business

US-59/KLINK Project

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson, to accept a bid from Killough Construction Inc. of Ottawa, in the amount of \$95,499.59 for Street Improvement Project No. 1998-1; that is, the overlay of Highway-59. During discussion Commissioner Ramsey asked for further explanation. Thereupon, the City Manager explained this is a 50/50 cause share project and that the Street Rehabilitation Fund will pick up the City's portion of the cost.

Thereupon, Public Works Director Andy Haney explained the dimensions of this project as US 59-Highway, starting at the South side of 17th Street, to the South side of driveways located at McDonald's and Country Kitchen. He noted that this project will join up with the 23rd Street Improvement Project.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the bid from Killough Construction Inc., duly approved in an amount of \$95,499.59.

Condemnation-128 S. Willow

Thereupon, there was presented a resolution fixing the time and place, and providing for notice of a hearing before the Governing Body of the City of Ottawa, pursuant to K.S.A. 12-1750 et. seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on the South 6 feet of lots 26 and all of lots 28, 30, and 32, Block 53, to the City of Ottawa, Franklin County, Kansas, also known as 128 S. Willow, may appear and show cause why said structures should not be condemned and order repaired or demolished.

Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Ramsey, to adopt the resolution. During discussion it was explained that this resolution will fix the time and place for a hearing concerning this single-family structure to be conducted on May 5, 1999, at 7:00 p.m. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1029-99.

Condemnation-424 S. Poplar

Thereupon, there was presented a resolution fixing the time and place, and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et. seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on lots 20, 22, and 24, Block 101, to the City of Ottawa, Franklin County, Kansas, also known as 424 S. Poplar, may appear and show cause why said structures should not be condemned and order repaired or demolished.

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Tyson, to adopt the resolution. During discussion it was explained that this resolution will fix the time and place for a hearing concerning this single-family structure on May 5, 1999, at 7:00 p.m. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1030-99.

Condemnation-521 N. Cedar

Thereupon, there was presented a resolution fixing the time and place, and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on lot 13, and the North ½ of lot 15, Block 26, Bowles, Sheldon & Toppings Addition, in the City of Ottawa, Franklin County, Kansas, also known as 521 N. Cedar, may appear and show cause why said structures should not be condemned and order repaired or demolished.

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews, to adopt the resolution. During discussion it was explained that this resolution will fix the time and place, for a hearing concerning this single-family structure on May 5, 1999, at 7:00 p.m. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1031-99.

Condemnation-804 N. Mulberry

Thereupon, there was presented a resolution fixing the time and place, and providing for notice of a hearing before the Governing Body of the City of Ottawa, Kansas, pursuant to K.S.A. 12-1750, et seq.; at which time the owners, their agents, lien holders of record and any occupants of the structures located on lots 34, and 36, Block 9, Bowles, Sheldon & Toppings Addition, in the City of Ottawa, Franklin County, Kansas, also known as 804 N. Mulberry, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Ramsey, to adopt the resolution. During discussion it was explained that this resolution will set the time and place, for a hearing concerning this single-family structure on May 5, 1999, at 7:00 p.m.

Thereupon, Commissioner Ramsey noted that these four (4) condemnations are a continuation of the Governing Body's efforts to clean up the community. Thereupon, the City Manager noted that the Governing Body has budgeted \$20,000 in 1999, toward this effort. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the resolution was duly adopted and the resolution was duly numbered Resolution 1032-99.

Downtown Parking

Thereupon, there was presented an ordinance deleting the parking restriction on Main Street by deleting Section 13-301 from the Ottawa Municipal Code. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews, to adopt the ordinance. During discussion it was explained that this change had been requested by citizens residing in the downtown area and was considered by the Governing Body during their February 15, 1999, Work Study Session. It was further noted that this change will affect parking on Main Street only in the downtown area, and is hoped to encourage residential occupancy in the downtown area. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly adopted and the resolution was duly numbered Ordinance 3309-99.

Capital Improvements Program Calendar-Year 2000

Thereupon, there was presented a Capital Improvement Program Calendar for the Year 2000. Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette, to adopt the Calendar of Events and set the time table for the development of the City's, Year 2000 Capital Improvement Program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Monthly Financial and Activity Report - December 1998

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson, to approve the Monthly Financial and Activity Report for the month of December 1998. During discussion Commissioner Matthews raised the issue of County Sales Tax and asked for an explanation as to why it is not keeping up with City Sales Tax figures. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for the month of December 1998, duly approved.

Announcements:

Thereupon, the Mayor announced:

1. A USD 290 Candidate Forum on Saturday, February 20, 1999, at the Franklin County Annex Building from 10:00 a.m. until noon.
2. A Work Study Session on February 22, 1999, at 4:00 p.m.
3. A City Commission Candidate Forum on Tuesday, February 23, 1999, at the Franklin County Annex Building from 7:00 p.m. until 9:00 p.m.
4. A Joint City/County/School meeting on February 24, 1999, at 12 Noon, at the Franklin County Jail.
5. The Mayor's Prayer Breakfast scheduled for March 10, 1999, at 6:45 a.m., on the Second Floor of the Ottawa University Student Union.
6. The next Regular Meeting is scheduled for March 3, 1999, at 7:00 p.m.

February 17, 1999

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Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

February 17, 1999

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**Study Session Minutes
Ottawa, Kansas**

Minutes of February 22, 1999

The City Governing Body met at 4:00 p.m., this date. All members of the Governing Body were present and participating.

Review of Minutes

Thereupon, the Commission reviewed and accepted the minutes for February 3, 1999, and February 15, 1999, as presented.

Commission Agenda

Thereupon, the Commission reviewed the tentative agenda for March 3, 1999.

Read Across America Proclamation

Thereupon, the Mayor read a proclamation declaring March 2, 1999, as Read Across America Day, in the City of Ottawa, Kansas. The proclamation was accepted by Lincoln School teacher Teri Howard.

Buckle Up America Proclamation

Thereupon, the Commission reviewed a proclamation commending the efforts of Buckle Up America and Local Law Enforcement Agencies and agreed to place this item on the agenda for March 3, 1999.

Request by USD 290

Thereupon, Cheryl Sylvester, representing the (USD 290) Board of Education for asked the Governing Body to consider a trade of buildings, that is, the former Ottawa Middle School, located at 5th & Main, and the former City Hall located at 123 W. 4th. The Governing Body discussed this issue noting that the title question should be satisfied on February 23, 1999, and agreed to defer this issue to the Joint City/County/School meeting, scheduled for February 24, 1999.

Request from Midwest Competition Works

Thereupon, the Commission reviewed a request from Mr. Shawn Markley of Midwest Competition Works, to reserve a portion of Forest Park and the East Shelter House for May 23, May 31, June 13, August 8, and August 29, 1999, for Car Stereo Shows. The Governing Body approved this request.

KOFO Home and Garden Show Expo

Thereupon, the Commission reviewed a request from Kathy Niehoff, KOFO Radio, requesting a barricade in the parking lot on Hickory Street, from the north east corner of 3rd and Hickory south, to approximately the south east corner for the annual KOFO Home and Garden Expo. The date of the Expo is scheduled for March 5th and 6th. The Commission discussed this issue and agreed to place it on the March 3, 1999, agenda.

Request to use Industrial Park Land-ORC Soccer Program

Thereupon, the Commission heard from Ms. Jane Yancey, Director of the Ottawa Recreation Commission, to use vacant Industrial Park property for soccer games. Ms. Yancey noted that the Ottawa United traveling soccer teams and the Ottawa Recreation Commission had joined forces for the upcoming soccer season and are in need of additional facilities. She noted that the grounds would be kept by the Recreation Commission and recognized that this would be a temporary fix only. The Commission considered this request and agreed to allow the use of undeveloped Industrial Park property as soccer fields.

Bicycle Licensing Program

Thereupon, the Commission reviewed with Police Chief Jeff Herrman, a bicycle licensing program. The Commission reviewed this program and suggested the following changes:

1. A thirty day grace period, rather than fourteen.
2. The fine be changed from \$25 to \$15.
3. The effective date be pushed back to August 1, 1999.
4. The ordinance will have a one year sunset clause.

Thereupon, the Commission agreed, with Commissioners Tyson and Ramsey dissenting, to place this issue on the March 3, 1999, agenda.

Vacation of Third Street

Thereupon, the Governing Body reviewed a request from Mr. Dale Tegtmeyer, and Tommie Ingram, to vacate Third Street, east of Cherry. Thereupon, Mr. Jim Bradley Director of Utilities, recommended this request be denied, noting the right-of-way carries a 15, and an 18 inch sanitary sewer. He noted that the depth of the manholes in this area are 17 ½ to 18 ½ feet. When City utility workers are required to work on this utility, a 27 foot wide trench is required by OSHA. The petitioning property owners suggested that some citizens use this right-of-way to drive through, in order to dispose of unwanted trash. The Governing Body agreed to allow a gate to be placed at the adjoining property owners cost, as long as the City is provided keys.

Executive Session

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews, to recess into Executive Session to discuss Attorney/Client Privilege for pending litigation and Non-Elected Personnel for a period of 20 minutes and to reconvene at 5:10 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Matthews made a motion at 5:10 p.m., seconded by Commissioner Gillette, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Open Agenda

Thereupon, Commissioner Ramsey asked about Senate Bill-217. He also stated he wanted to discuss further the Tax Abatement Policy, and requested the representative of Jefferson Bus Lines be placed in contact with the local Salvation Army.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Candidate Forum on February 23, 1999, at 7:00 p.m., at the Franklin County Annex Building.
2. There will be a Joint City/County/School Meeting on February 24, 1999, at 12:00 p.m., at the Franklin County Jail.
3. There will be a Work Study Session on March 1, 1999, at 4:00 p.m.
4. There will be a Work Study Session on March 3, 1999, at 6:00 p.m.
5. Mayor's Prayer Breakfast is scheduled for March 10, 1999, at 6:45 a.m., on the second floor of the Ottawa University Student Union.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of March 1, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating.

The Mayor called the meeting to order at 4:00 p.m., and welcomed the visitors.

Public Comments

Thereupon, Mr. Joe Blake of Ottawa spoke against the proposed Bicycle Licensing ordinance.

Review of Minutes

Thereupon, the Commission reviewed and accepted the minutes of February 1, 1999, and February 22, 1999, Work Study Session.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for March 3, 1999. Thereupon, Commissioner Ramsey noted the admission of the Buckle Up America Proclamation and Bicycle Licensing ordinance.

Orlis Cox Field Restroom/Concession Stand

Thereupon, the Commission heard from Mr. Earl Devore, Public Works Director Andy Haney, and Ottawa Recreation Commission Director Jane Yancey, regarding the proposed options for a restroom/concession stand facility to be located at the Orlis Cox Complex. The Commission reviewed the various options with Mr. Devore and the proposed cost from two bidders. They agreed to place this item on the Study Session for March 3, 1999.

Crime Stoppers-Request to Waive Fees at Ottawa Municipal Auditorium

Thereupon, the Commission reviewed a request from Wayne Linder, Chairman of the Fund Raising Committee for Crime Stoppers, to waive the fees for the use of the Ottawa Municipal Auditorium. Crime Stoppers intend to use the facility on May 8, 1999, for a special fundraiser for the Crime Stopper Program. The Commission discussed this issue and agreed to waive the rental fee. However, cost for personnel would have to be redeemed and an agreement between Crime Stoppers and Dick Smith, Director of Municipal Auditorium, will have to be worked through.

March 1, 1999

Comment Card

Thereupon, the Governing Body reviewed a citizen comment card related to the Customer Service being developed to provide feed back to the Governing Body.

National Legislative Program

Thereupon, the Commission reviewed the National Legislative Program and agreed to place it on the agenda for March 3, 1999.

Tax Abatement Policy

Thereupon, the Commission agreed to defer this item to a later date.

County Strategic Plan

Thereupon, the Commission received a copy of the Strategic Plan as adopted by the Franklin County Commission, and agreed to place a resolution of their own to adopt a Strategic Plan for support of a qualifying Regional Strategic Plan and requesting the Secretary of Commerce approve the County of Franklin, as a Kansas Enterprise Zone. The Governing Body agreed to place this item on the agenda for March 3, 1999.

Open Agenda

Thereupon, Mayor Finch asked that the City pursue a Youth In Government Program.

Thereupon, the Mayor asked that a parking enforcement officer be hired. During discussion the City Manager suggested that a new hire not be brought on until it is evident this item will be included in a new budget process.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on March 3, 1999, at 6:00 p.m.
2. There will be a City Commission Meeting on March 3, 1999, at 7:00 p.m.
3. There will be a reception at the Ottawa Country Club for Fire Chief Richard Towe on March 3, 1999, from 7:30 p.m. - 9:00 p.m. (invitation only)

4. There will not be a Work Study Session on March 8, 1999, (NLC Conference in Washington, D.C., March 5, 1999 - March 9, 1999).
5. Mayor's Prayer Breakfast is scheduled for March 10, 1999, at 6:45 a.m., on the second floor of the Ottawa University Student Union.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of March 3, 1999

The City Governing Body met in Regular Session at 7:00 p.m., this date. The following members being present and participating to wit: Mayor Blaine Finch present, Commissioner Joan Tyson present, Commissioner Matt Matthews present, Commissioner Gene Ramsey present, and Commissioner Charles Gillette present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor lead the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Commissioner Charles Gillette.

Agenda Approval

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette, to approve the agenda with the deletion of item Number 14, that is, Bill No. 99-14. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved, with changes.

Approval of Minutes

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Ramsey to approve the Minutes of February 17, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of February 17, 1999, approved as written.

Presentations and Recognition

Thereupon, the Mayor read a proclamation commending the efforts of Buckle up America and the Local Law Enforcement Agencies, and encouraged citizens to use safety belts to save lives, reduce injuries, and reduce the cost of unnecessary personal damage.

Recognition of Fire Chief Richard Towe

Thereupon, the Mayor recognized Fire Chief Richard Towe for 31 years of service to the Fire Department and the Community of Ottawa and presented the Chief with a plaque commemorating his tenure with the City of Ottawa. The entire Commission congratulated Chief Towe on his retirement and the Chief expressed his heartfelt appreciation to the City and the Governing Body for allowing him the opportunity to serve this community.

March 3, 1999

1

City of Ottawa

New Business

Franklin County Strategic Plan

Thereupon, there was presented a resolution reconfirming support for the qualifying Regional Strategic Plan and requesting the Secretary of Commerce approve the County of Franklin as a Kansas Enterprise Zone, designated Non-Metropolitan Business Region. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson, to approve the resolution. During discussion it was explained that this is an application for recertification of Franklin County, as a Non-Metropolitan Enterprise Zone. It was further explained that the Franklin County Commission adopted the Strategic Plan on March 1, 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1033-99.

Approval of 1999 National Legislative Program

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews, to adopt the 1999 National Legislative Program. During discussion it was explained that the 1999 National Legislative Program identifies issues of concern to be presented to the Kansas Delegation of the National League of Cities Congress of Cities meeting in Washington D.C. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Acceptance of Proposal for Restroom/Concession Stand Facility at Orlis Cox Field

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews, to accept a proposal submitted by Barcus, Inc. for a metal building, restroom/concession stand facility to be located at Orlis Cox Field. Any additional sewer work to be performed by City Crews, and the budget amount of \$55,000.00 not be exceeded for the entire cost of this project. The motion was considered and upon being put, passed by the following vote. Commissioner Matthews, aye, Commissioner Tyson, nay, Commissioner Ramsey, aye, Commissioner Gillette, aye, and Mayor Finch aye. Thereupon, the Mayor declared the acceptance of proposal from Barcus, Inc. Duly approved by a vote of 4-1.

March 3, 1999

2

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on March 3, 1999, at 7:00 p.m.
2. There will be a reception at the Ottawa Country Club for Fire Chief Richard Towe on March 3, 1999, from 7:30 p.m. - 9:00 p.m. (invitation only).
3. There will not be a Work Study Session on March 8, 1999, (NLC Conference in Washington, D.C., March 1999 - March 9, 1999).
4. Mayor's Prayer Breakfast is scheduled for March 10, 1999, at 6:45 a.m., on the second floor of the Ottawa University Student Union.
5. There will be a City Commission Meeting on March 17, 1999, at 9:30 a.m.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

Study Session Minutes Ottawa, Kansas

Minutes of March 3, 1999

The City Governing Body met in Work Study Session at 6:00 p.m., this date. All members of the Governing Body were present and participating. The Mayor called the meeting to order at 6:00 p.m., and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for March 3, 1999, scheduled for 7:00 p.m., and agreed to pull item Number 14, from the agenda, a proposed ordinance to license bicycles in the City of Ottawa.

MS Walk

Thereupon, the Commission heard from Ms. Kim Weidner, requesting on behalf of the MS Society, to use Forest Park for their annual walk, fund raiser and asked that the Park be closed to automobile traffic during this event scheduled for May 1, 1999. The Commission discussed this issue and agreed to allow the walk to continue. However, the Commission suggested the MS Society post attendance at each gate to ask drivers to be aware of walkers, rather than close the park to traffic.

Downtown Christmas Lighting

Thereupon, the Commission reviewed information prepared by Utilities Director Jim Bradley, who estimated the replacement cost for the downtown Christmas lights at \$44,701.00 including labor and materials. The Governing Body discussed this issue and agreed with Mayor Finch to consult with the Chamber of Commerce, who is also developing alternatives for this project.

Traffic Signal Upgrade at US-59 and K-68

Thereupon, the Commission heard from Public Works Director Andy Haney, who provided information on quotes for the installation of traffic signals at K-68 and US-59. The Commission authorized Mr. Haney to proceed with the protected left-turn movement from West bound K-68, on the South bound US-59, with an approximate cost of \$8,000.00.

Request by Over the Road Gang

Thereupon, the Commission heard from Ralph Finch the President of the Over the Road Gang, who requested the use of Forest Park on September 18th, and 19th, 1999, and the use of downtown Main Street on the evening of the 18th for a cruise night, which will be very similar to the program the Over the Road Gang performed during their most recent car rally. The Commission discussed this issue and agreed to approve the request.

Orlis Cox Restroom/Concession Stand

Thereupon, the Commission heard from Ottawa Recreation Commission Director Jane Yancey, concerning the Orlis Cox Restroom/Concession Stand facility. They also heard from local contractors and Public Works Director Andy Haney. The Commission discussed this issue and agreed to place it on the agenda for 7:00 p.m., this date.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on March 3, 1999, at 7:00 p.m.
2. There will not be a Work Study Session on March 8, 1999, (NLC Conference in Washington, D.C., March 5, 1999, - March 9, 1999).
3. Mayor's Prayer Breakfast is scheduled for March 10, 1999, at 6:45 a.m., on the second floor of the Ottawa University Student Union.
4. There will be a Retirement Open House for Deputy City Clerk Nevalea Magrath and Fire Chief Richard Towe at City Hall in the downstairs Conference Room on March 12, 1999, between 2:00 p.m., and 4:00 p.m., (open to the public).

Adjournment

There being no further business to come before the Commission, Commissioner Matthews made a motion, seconded by Commissioner Gillette, to adjourn the meeting. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the meeting duly adjourned and invited the audience to attend the Regular Meeting scheduled for 7:00 p.m., this date.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of March 15, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating. The Mayor called the meeting to order and welcomed the Chamber Audience.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Commission reviewed and accepted the Work Study Session minutes of March 1, 1999, and March 3, 1999. Thereupon, Commissioner Tyson asked that a change be made on the Regular City Commission meeting minutes, dated March 3, 1999, on page 21, noting that Commissioner Gillette's name had been omitted during roll call.

Review of Agenda

Thereupon, the Commission reviewed the March 17, 1999, agenda noting that changes and additions would occur.

Life Care Walk-a-Thon

Thereupon, the Commission considered a request from Terry Seeger, of Life Care of Ottawa to conduct a Walk-a-Thon on April 24, 1999, at Forest Park from 7:00 a.m. to 1:00 p.m. The Governing Body considered this request noting that the park would not be shut down, and gave their approval.

Friends of Rail Trails

Thereupon, the Commission heard from Mr. Dan Fogle of the Friends of the Rail Trails who asked the Governing Body to consider accepting a \$4,000.00 donation from the Friends, and asked the City to consider contributing more towards a lighting program for the trail. The Governing Body agreed to consider this possibility further and asked that this issue be brought back to the Governing Body on April 26, 1999.

Advisory Ballot

Thereupon, the Commission discussed a proposed advisory ballot regarding the disposition of the former Ottawa Middle School. Thereupon, Commissioner Matthews asked if a contract with the school district could be worded such that the proposed swap of buildings could occur, that is, the old City Hall facility, for the old Middle School facility, and if an advisory election indicated no support for revitalizing the building was in place, then the City could use funds appropriated by the school district to raze the building. Thereupon, City Attorney Bob Bezek noted an advisory election is not a binding election. However, he stated that a contract could be worded such to include additional payments at a later date, if both parties were in agreement. Commissioner Ramsey expressed concern with the wording of the proposed ballot, and stated he was against an advisory election. Commissioner Tyson concurred. The Governing Body agreed to bring this issue back at a later date.

Municipal Investment Pool

Thereupon, the Commission heard from City Clerk, Scott Bird who asked for approval to place a resolution on the March 17, 1999, agenda to increase the number of signatures on the City's banking account with the State Municipal Investment Pool. The Governing Body agreed to place this item on the agenda, but asked that the names be included on the resolution before approval.

Airport Master Plan

Thereupon, the Commission heard from Public Works Director Andy Haney to explain that the City had received an FAA grant offer for the Airport Master Plan in an amount of \$37,000.00. Mr. Haney noted the City's financial obligation for matching these funds would be \$4,111.00. It was further noted the City's match would come from either the General Fund Contingency, or the General Fund, Airport Activity 0143.

January Monthly Financial and Activity Report

Thereupon, the Governing Body considered the January Monthly Financial and Activity Report asking questions regarding areas such as the Police Report, Municipal Court Clerk Report, and the Inspection Report. The Commission agreed to place this item on the agenda for March 17, 1999.

Tax Abatement Policy

Thereupon, the Mayor asked that this issue be deferred to a future meeting since the City Manager was unable to attend this meeting do to illness.

Report on National League of Cities Trip to Washington, D.C.

Thereupon, the Commission discussed their recent trip to Washington, D.C. for the annual National League of Cities conference. Some of the issues Governing Body members discussed, and participated in, were finance, deregulation of electric utilities, transportation, taxation on alternate fuels, and league priorities.

Open Agenda

Thereupon, Mayor Finch noted that some of the trees in the downtown area had been damaged by storms, and asked if the trees could be replaced with dwarf alternatives. Thereupon, Public Works Director, Andy Haney stated that some of the trees in fact have been damaged, however, replacing them with shorter versions will conflict with the City's policy on site triangle. Mr. Haney suggested trees be located mid-block in the downtown area rather than on the corners, and lower growing shrubbery be used in the corner areas. It was agreed to bring this issue back to a future Work Study Session.

Executive Session

The Executive Session was deferred, due to the City Manager's absence.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on March 17, 1999, at 9:30 a.m.
2. There will be a Joint City/County/School Meeting on March 17, 1999, at 12:00 p.m., at the Ottawa Middle School (meet in the Commons Area to be escorted to lunch).
3. There will be a Work Study Session on March 22, 1999, at 4:00 p.m.
4. There will be a Work Study Session on March 29, 1999, at 4:00 p.m.
5. There will be a Work Study Session on April 7, 1999, at 6:00 p.m.
6. There will be a City Commission Meeting on April 7, 1999, at 7:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of March 17, 1999

The City Governing Body met in Regular Session at 9:30 a.m., this date. The following members being present and participating to wit: Mayor Blaine Finch present, Commissioner Matthews present, Commissioner Ramsey present, Commissioner Gillette present, and Commissioner Tyson absent. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag, and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion seconded by Commissioner Matthews to approve the minutes of March 3, 1999, with corrections as recommended at the last Study Session. The motion was considered and upon being put, all present voted aye. Thereupon the Mayor declared the minutes of March 3, 1999, approved with corrections.

Presentations and Recognition

Thereupon, the Mayor recognized employees of the Water Plant for their outstanding performance and commitment to provide safe drinking water to the residents of the City of Ottawa. The Mayor referenced a letter from the Kansas Department of Health and Environment who recognized the excellent performance including (0) zero violations for over (10) ten years. The Mayor and the Governing Body expressed their appreciation to Ron Snethen, the Superintendent at the Water Plant and shook hands with the Water Plant Staff, congratulating them for their exceptional dedication.

March 17, 1999

1

City of Ottawa

New Business

Municipal Investment Pool

Thereupon, there was presented a resolution authorizing the establishment of an account in the name of the City of Ottawa, Kansas, with the State Municipal Investment Pool for the purpose of transmitting local funds for investments for the State in the Municipal Investment Pool.

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews, to adopt the resolution. During discussion it was explained that this resolution establishes City Manager Scott Lambers and City Clerk Scott Bird as authorized agents for the City of Ottawa to transfer funds contained in the Municipal Investment Pool. It was further explained the City has been participating in the Municipal Investment Pool for some time and this cleanup measure adds the City Manager as a transfer agent. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution 1034-99.

Authorization FAA Airport Master Planning Grant

Thereupon, Commissioner Matthews made a motion, seconded by Commissioner Gillette to approve a Master Plan update, and an FAA Grant in the amount of \$37,000.00 to be matched by the General Fund Contingency in the amount of \$4,111.00. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Acceptance of Monthly Financial and Activity Reports

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Matthews to approve the January 1999, Monthly Financial and Activity Reports. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Reports for the month of January 1999, duly approved.

March 17, 1999

2

Advisory Ballot

Thereupon, Commissioner Matthews made a motion to recess to the Study Session room to discuss the possibility of an advisory ballot on the old Middle School. The motion was seconded by Commissioner Ramsey. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Thereupon, the Commission, in Open Session in the Study Session Room, discussed circumstances surrounding the old Ottawa Middle School. Some of the issues discussed were: property tax increases due to come on the City tax rolls due to bonds which have been issued in the last few months; the possibility of expending between 4-6 million dollars on the old Middle School if an advisory election so warrants; the possibility of private source of funding; and the consideration of both public and private corporations. Commissioner Ramsey noted the cost of the advisory election would be between 10-15 thousand dollars and he does not agree with this expenditure at this time. However, Commissioners Matthews, Gillette, along with Mayor Finch agreed to continue to pursue the advisory election for feedback from the community. The Governing Body discussed this issue and agreed to bring it up at the Joint City/County/School meeting at noon, this date. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Matthews to reconvene in the Regular Meeting Room in Open Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on March 17, 1999, at 12:00 p.m. at the Ottawa Middle School. (Use North side entrance to be escorted to luncheon.)
2. There will be a Work Study Session on March 22, 1999, at 4:00 p.m.
3. There will be a Work Study Session on March 29, 1999, at 4:00 p.m.
4. Next Regular Meeting will be April 7, 1999, at 7:00 p.m.

March 17, 1999

3

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of March 22, 1999

The City Governing Body met at 4:00 p.m. this date, with the following members being present and participating. Mayor Finch present, Commissioner Gillette present, and Commissioner Matthews present. The Mayor called the meeting to order at 4:00 p.m. and welcomed the Chamber Audience.

Public Comments

Thereupon, Mr. Mike Detwiler, 1425 S. Main, spoke to the Commission regarding the general condition of the Ottawa Airport. Mr. Detwiler expressed concern that the facility has been allowed to deteriorate and interested industry has been denied development at the Airport in light of the upcoming Master Plan.

Thereupon, the City Manager stated there is a lot of interest in development at the airport. However, the airport is a very finite resource and before development occurs an updated Master Plan should be in place to ensure the best utilization of this facility.

Commissioner Ramsey and Commissioner Tyson arrived at 4:01 p.m., and 4:02 p.m., respectively.

Thereupon, Mr. Robert Bowers of CC&R, Ottawa Incorporated, 4902 Louisiana Road, stated he had developed plans for a new hanger at the airport, and was awaiting word from the City to proceed. He asked the City to respond within a week as to whether or not they were interested in building the hanger. Thereupon, the Mayor stated a response would be forthcoming.

Next to address the City Commission was Ms. Freone Hollinger, speaking on behalf of the old Ottawa Middle School, and asked the Governing Body to consider the options presented by the school district. She noted she had attended other local meetings. However, she did not agree with the advisory ballot and asked who will be voting on this issue.

Next to address the Commission were members of the Ottawa Franklin County Economic Development Corporation; Mr. Lonnie King, Mr. Lou Atherton, and Mr. Jeff Mourning. Thereupon, Mr. King noted that OFCED is made up of 43 members who contribute \$300/yr. each to promote economic development within the City. He noted discussion is still taking place about the ownership of the railroad spur within Industrial Park. He stated resolution of this problem needs to occur. The Commission discussed this issue and agreed to bring it back for discussion at a future meeting.

March 22, 1999

1

Review of Minutes

Thereupon, the Commission reviewed and accepted the minutes of March 15, 1999. However, Commissioner Ramsey asked a correction be made on Page 35, noting that the issue of downtown trees be brought back at a future Work Study Session.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for April 7, 1999.

Sale of Property- 1051 Burrough

Thereupon, the Commission reviewed a letter from Mr. Norman Watts who proposed selling property located at 1051 Burrough, to the City. The Commission discussed this issue and decided the City had no interest in the property at this time.

Main Street Program

Thereupon, the Commission heard from Mr. Harold Mayes, Charlie Scoville, and Shawn Kelsey regarding the Main Street Program. Thereupon, Mr. Kelsey explained the Chamber is working to firm up details for the Main Street Program and asked the City for a letter of intent to not only fund \$30,000 for 1999, but to continue funding for the next 5 years. He noted it is important for the City and Local Businesses to show support for this program in order for the State to name Ottawa as its Main Street Program for this year. He further noted the City is competing with approximately 7 other cities for this designation and plans are being made to secure similar letters of commitment from the private sector. Thereupon, the Mayor asked if Mr. Kelsey, Mr. Scoville, and Mr. Mayes would return in May, with a report on the progress of this project.

Extension of Electrical Services

Thereupon, the Commission heard from Director of Utilities Jim Bradley who explained the cost of extending electric service to new development, and new commercial facilities. Mr. Bradley proposed the charging of \$250 to help recover City costs for the extension of residential service. He further suggested the Governing Body consider a policy of charging 50% of transformer costs, to commercial, and industrial customers. The Commission reviewed this issue and asked that a policy be drafted, and brought

back to them for consideration at the April 21, 1999, meeting. However, they asked that an effective date not be put in place, until approximately September 1, 1999.

Tax Abatement

Thereupon, the Commission deferred this issue.

Open Agenda

Thereupon, Commissioner Ramsey asked that a time be established to discuss the airport concerns. Thereupon, the Mayor asked for a letter of support be drafted to express the Governing Body's support for a comprehensive transportation plan, more specifically, US-59. The Governing Body agreed by consensus to direct staff to draft such a letter.

Thereupon, the Mayor asked about the City's utility billing program regarding level payment, and automatic bill payment. Thereupon, City Clerk Scott Bird explained that these two programs work fine independently; however, they cause problems when both are implemented for a single customer. Therefore, customers are allowed choices of one or the other. He further explained this is a programming problem, and will be addressed in order of priority. However, Y2K is taking priority for the programmer at this time.

Thereupon, the Mayor asked if the City had a permitting process for utility companies who work in city streets. Thereupon, the City Manager stated the City does not have a permitting process at this time; however, a policy could be developed within approximately 45 days.

Executive Session

Thereupon, the Mayor announced the Executive Session had been canceled for this date.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on March 29, 1999, at 4:00 p.m.
2. There will be a Work Study Session on April 7, 1999, at 6:00 p.m.
3. There will be a City Commission Meeting on April 7, 1999, at 7:00 p.m.
4. There will be a City Commission Meeting on April 21, 1999, at 7:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of March 29, 1999

The Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Commission reviewed and accepted the minutes of March 22, 1999, and the corrected minutes of March 15, 1999, Work Study Session, with two minor corrections on the minutes of March 22.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for April 7, 1999.

Proposed Tax Exemption

Thereupon, the Commission reviewed the notice of Public Hearing, for consideration of a proposed tax exemption for Ottawa Truck. The Commission agreed to proceed with this Public Hearing.

Special Use Zoning Ordinance

Thereupon, the Commission heard from Ms. Wynndee Lee, Program Manager regarding an ordinance to amend the established conditions and standards for construction of all Telecommunication Towers. The Commission agreed to place this item on the April 7th agenda.

Ordinance to Amend Appendix A -Telephone Communications

Thereupon, the Commission heard from Ms. Wynndee Lee, regarding an ordinance to amend Appendix A of the City Zoning Ordinance by establishing telephone communications as permitted use in C-2, C-S, I-1, and I-2 zones. The Commission agreed to place this item on the April 7th agenda.

March 29, 1999

1

Amendment to Appendix A - Zoning Ordinance

Thereupon, the Commission heard from Ms. Wynndee Lee regarding an amendment to Appendix A, non permitted use, to special use in C-2, and from a special use to permitted use in I-1. The Commission agreed to place this item on the agenda for April 7, 1999.

Advisory Election

Thereupon, the Commission reviewed tentative changes to an advisory election ballot regarding the old Ottawa Middle School building. The Commission discussed this issue and agreed to proceed with it and to bring it to discussion with both the school district and the Franklin County Commission, with Commissioners Ramsey and Tyson descending on this decision.

KDOT Agreements

Thereupon, Public Works Director Andy Haney explained he had two agreements, one regarding the I-35 improvement with the Kansas Department of Transportation and the other one regarding the upcoming KLINK project. The Commission agreed to place these items on the agenda for April 7, 1999.

Stop Signs at 1st & Walnut

Thereupon, the Commission heard from Public Works Director Andy Haney regarding a citizen complaint about the 4- way stop at 1st & Walnut. Mr. Haney recommended no change be made at this time. The Commission agreed by consensus with the recommendation.

Parking Between 14th & 15th on S. Ash

Thereupon, the Commission discussed a proposal by the Eisenhower Grade School Site Committee to limit parking on Ash Street, and a Staff recommendation that a no parking restriction be placed on the East side of Ash Street with parking restrictions being imposed from 2:00 - 4:00 p.m., Monday through Friday, while school is in session. The Commission agreed to place this ordinance on the agenda for April 7, 1999.

11th Street Parking

Thereupon, the Commission discussed a citizens complaint on 11th Street, between Cedar and Mulberry, favoring restricted parking on the South side of 11th Street. The Commission agreed to place an ordinance concerning this issue on the agenda for April 7, 1999.

Tax Abatement Policy

Thereupon, the Commission discussed a change to the tax abatement policy. Commissioner Ramsey suggesting the benchmarks change as follows: A 50% abatement allowed for new job creation of between 10 and 30 employees; 75% abatement between 31 and 50 new employees, and 100 % abatement for new job creation in excess of 50 employees. Thereupon, Mayor Finch suggested some type of pay scale be included in this program to give consideration to companies bringing higher paying jobs to the community. Several ideas were shared and the City Manager was asked to bring back further suggestions.

Phase III Airport Improvement

Thereupon, the Commission heard from Public Works Director Andy Haney who asked the City Commission to approve Phase III of the Airport Apron Improvement, noting that the FAA had requested approval by the 31st of this month. The Commission agreed by consensus. The City of Ottawa's financial obligation for this project is \$6,700.00.

Executive Session

Thereupon, Commission Ramsey made a motion, seconded by Commissioner Matthews to recess into Executive Session to discuss Attorney/Client Privilege (pending litigation) and Non-Elected Personnel for a period not to exceed 10 minutes and to reconvene in open session in the same room at 5:13 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 5:13 p.m., Commissioner Gillette made a motion, seconded by Commissioner Matthews, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on April 7, 1999, at 6:00 p.m.
2. There will be a City Commission Meeting on April 7, 1999, at 7:00 p.m.
3. There will be a Work Study Session on April 12, 1999, at 4:00 p.m.
4. There will be a Work Study Session on April 19, 1999, at 4:00 p.m.
5. There will be a Joint City/County/School Meeting on April 21, 1999, at 12:00 p.m., in the downstairs conference room at City Hall.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of April 7, 1999

The City Governing Body met in Regular Session at 7:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commissioner Ramsey present, Commissioner Gillette present, and Commissioner Matthews absent. The Mayor welcomed the Chamber Audience and led the Pledge of Allegiance to the American Flag. The Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette to approve the agenda with the addition of Item 20A; that is, the reappointment of Utility Director Jim Bradley, to the KMEA Board of Directors. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved with additions.

Approval of Minutes

Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to approve the minutes of March 17, 1999, Regular City Commission meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of March 17, 1999, duly approved.

Presentations

Thereupon, Mayor pro tem Joan Tyson read a proclamation declaring April 8, 1999, as Equal Pay Day in the City of Ottawa, Kansas. The proclamation was received by BPW representative Ms. Barb Gibson, who thanked the Commission for the proclamation.

Census 2000

Thereupon, the Mayor read a proclamation encouraging the Citizens of Ottawa to participate fully in Census 2000, noting its importance to the City and the Community.

April 7, 1999

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City of Ottawa

Public Hearing

Thereupon, the Mayor opened a Public Hearing to consider a tax abatement for Ottawa Truck. Thereupon, City Manager Scott Lambers explained this is a correction as a result of a request from the Board of Tax Appeals. This issue will be brought back at the regular meeting April 21, 1999. There being no one else to speak to this issue, the Mayor closed the Public Hearing.

Parking Restrictions

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian restrictions within the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that this ordinance amendment will restrict parking on Ash Street from 14th to 15th Street, on the East side of Ash during the afternoon while school is in session. This ordinance amendment further prohibits parking on the South side of 11th Street, from Cedar to Mulberry, and in both instances, the property owners are aware of the proposed parking restriction.

Thereupon, Commissioner Ramsey noted that both requests, came at the Public's request and the one on Ash Street will be reexamined in the future.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance 3310-99.

Zoning Ordinance-Amending Appendix A

Thereupon, there was presented an ordinance amending Appendix A, of Ordinance No. 2933-90, the Zoning Ordinance for Ottawa, Kansas. Thereupon, Commissioner Tyson made a motion, seconded by Commissioner Gillette, to adopt the ordinance.

During discussion it was explained that the Planning Commission reviewed SIC #345, manufacture of screws, nuts, bolts, rivets, and washers. The Planning Commission held a public hearing and made a recommendation to the City Commission, by a vote of 6-0, to

approve the amendments to Appendix A, which will change SIC #345, Non-permitted Use, to a Special Use in C-2 zoning, and from a Special Use to a Permitted Use in (I-1) industrial.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance No. 3311-99.

Zoning Ordinance -Telecommunication Towers

Thereupon, there was presented an ordinance amending Section 4, Article XXXIII, Special Uses Ordinance No. 2933-90, the Zoning Ordinance for the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson to adopt the ordinance.

Thereupon, it was explained that the Planning Commission reviewed the amendments and held a public hearing. The Planning Commission recommended to the City Commission the approval of the amendment to Section 4, Article XXXIII, Special Uses, which will establish conditions and standards for the construction of all telecommunication towers within the City of Ottawa, Kansas.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance duly numbered Ordinance No. 3312-99.

Zoning Ordinance - Telecommunications Towers-continued

Thereupon, there was presented an ordinance amending Article A, of Ordinance No. 2933-90, the Zoning Ordinance for the City of Ottawa, Kansas. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that the Planning Commission amended Appendix A, along with the previous amendment, so all areas of telecommunications will be addressed. Telephone Communications will be permitted in C-2, C-S, I-1, and I-2 zones. Telecommunication towers will be allowed by Special Use permit only in I-1 and I-2 districts. It was further noted this includes towers and antenna's on existing buildings and parallels the County's resolution.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance No. 3313-99.

Advisory Election

Thereupon, there was presented a resolution regarding the placing of a non-binding Advisory Ballot to the electors of Franklin County concerning the disposition of the former Ottawa Middle School. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey to adopt the resolution.

During discussion it was explained that this resolution will endorse the purposed ballot language requesting the County Commission to submit the ballot to all voters in Franklin County, and requesting the County Commission to direct the County Election Officer to place the ballot measure before the electors of Franklin County, and requests USD 290 School Board to endorse the ballot measure being placed before the electors of Franklin County. The resolution establishes Tuesday, May 25, 1999, as the day to present the ballot measures to the electors of Franklin County.

During discussion Commissioners Ramsey and Tyson explained their opposition to this issue; however both noted they believe the electors of the community should have an opportunity to express their wishes regarding this structure.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution duly numbered Resolution No. 1035-99.

Federal Aid - Highway Construction Resolution

Thereupon, there was presented a resolution relating to benefits attainable by Cities under Programs for Federal Aid on Highway Construction.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson, to adopt the resolution. During discussion it was explained this resolution authorizes the Mayor and City Clerk to execute on behalf of the City an agreement between the City of Ottawa and Kansas Department of Transportation for construction of a project with the improvement of I-35, known as Project No. (I)35-30 K-5641-01 (IMO35-3 (382)).

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1036-99.

Connecting Links - Highway Resolution

Thereupon, there was presented a resolution relating to State Aid for the Improvement of City Connecting Links on the State Highway System. Thereupon, Commissioner Gillette made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution will authorize the Mayor and City Clerk to execute on behalf of the City of Ottawa KLINK Resurfacing Supplemental No. 1 Agreement No. 36-97, between the City of Ottawa and the Kansas Department of Transportation for the construction of a project for resurfacing of US-59 known as Project No. (US) 59-30 U-1618-01.

During discussion it was explained this resolution will provide for the improvement of US-59, by providing an overlay on US-59, and would coordinate and connect with the 23rd Street Intersection Project.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1037-99.

KMEA Appointment

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Gillette, to appoint Utility Director Jim Bradley, as the City's residential representative to the KMEA Board of Directors. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted.

Announcements

1. There will not be a Work Study Session on April 12, 1999, at 4:00 p.m.
2. There will be a Work Study Session on April 19, 1999, at 4:00 p.m.
3. There will be a Joint City/County/School Meeting on April 19, 1999, at 12:00 p.m. at City Hall in the downstairs conference room.
4. There will be a Work Study Session on April 26, 1999, at 4:00 p.m.
5. Next Regular Meeting, April 21, 1999, at 7:00 p.m.

April 7, 1999

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Ajournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of April 7, 1999

The City Governing Body met at 6:00 p.m. this date, with the following members present and participating: Mayor Finch present, Commissioner Ramsey present, Commissioner Gillette present, Commissioner Tyson present, and Commissioner Matthews absent.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Commission reviewed and accepted the Work Study Session Minutes of March 29, 1999, as written.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for the 7:00 p.m. Regular Meeting and asked that Item Number 20A be added; that is, the appointment of Utility Director Jim Bradley, to the KMEA Board of Directors.

Equal Payday Proclamation

Thereupon, the Commission reviewed a proclamation from the local chapter of BPW and agreed to place this item on the agenda. It was further agreed Mayor Pro tem Joan Tyson would read this proclamation.

Census 2000

Thereupon, the Commission reviewed a proclamation recognizing the efforts being made for Census 2000. The Commission agreed to place this item on the agenda.

Purchase of Storm Warning Sirens

Thereupon, the Commission reviewed a letter from Mr. J.B. Hall, Franklin County Emergency Management Director, requesting the City purchase a new siren with moneys budgeted this year for such purpose, and further suggested the old siren be located outside of the city limits to cover areas in the county which are otherwise unprotected. The Governing Body discussed this issue and agreed to proceed with the request.

April 7, 1999

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KMEA Board of Directors

Thereupon, the Commission reviewed a recommendation to re-appoint Mr. Jim Bradley to the KMEA Board of Directors, and agreed to place this item on the regular meeting agenda.

Municipal Auditorium By-Laws

Thereupon, the Commission reviewed with Mr. Scott Wasser, President of the Ottawa Municipal Auditorium Board, changes suggested to the Auditorium By-Laws. The Commission asked that this issue be brought back to the April 21, 1999, meeting.

Lease of Former City Hall

Thereupon, the Commission reviewed a request from USD 290 to lease the old City Hall for an additional year at a proposed cost of \$1,000.00 per month. It was suggested this amount be accepted providing it is a net figure; that is, after City costs are considered.

Handicapped Parking - Hope House

Thereupon, the Commission reviewed a letter from Hope House Coordinator Mary Lois Yates, requesting two parking stalls be designated as handicapped parking to ease access to Hope House for both clients and volunteers. The Commission reviewed this issue with Public Works Director Andy Haney, and asked that it be brought back to the April 19, 1999, Work Study Session.

Quarterly Update Report

Thereupon, the Commission reviewed with the City Manager Scott Lambers the 1999 Quarterly Update Report.

Open Agenda

Thereupon, the Mayor called upon approximately 25 visitors, represented by Mr. Scott Harrison, a student at Ottawa High School, who requested the Governing Body proceed with a Skate Park. Mr. Harrison stated he had been in contact with Mr. Haney and with the Ottawa Recreation Commission, and asked that this project proceed.

Thereupon, the Mayor stated this issue would be discussed during the upcoming budget process, for the Year 2000 budget. The Mayor further thanked the group of interested young people, and commended them for their perseverance.

Thereupon, Commissioner Ramsey inquired about the chip and seal project at Orliis Cox Field. Thereupon, Mr. Haney stated warm weather was the best time for this to occur, but the City could prepare the parking lot whenever the County is ready to apply the surface.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on April 7, 1999, at 7:00 p.m.
2. There will not be a Work Study Session on April 12, 1999, at 4:00 p.m.
3. There will be a Work Study Session on April 19, 1999, at 4:00 p.m.
4. There will be a Joint City/County/School Meeting on April 21, 1999, at 12:00 p.m., in the downstairs conference room at City Hall.

Adjournment

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Tyson to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor invited the Audience to join the Commission in the Commission Chambers for the Regular Meeting, at 7:00 p.m.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of April 19, 1999

The City Governing Body met at 4:00 p.m. this date; the following members present and participating to wit: Mayor Finch present, Commissioner Ramsey present, Commissioner Gillette present, Commissioner Tyson present, and Commissioner Matthews absent. Also in the audience, Commissioner elect Jackson present, and Commissioner elect Fleer present.

Call to Order

The Mayor called the meeting to order at 4:00 p.m. and welcomed the Chamber Audience.

Public Comments

Thereupon, Mr. Bob Marsh and Ms. Mattie Perry representing Friends of Historic Buildings addressed the Commission regarding the former Ottawa Middle School. Thereupon, Mr. Marsh thanked the Governing Body for their approach to the advisory election but asked the City to take the lead in the old Ottawa Middle School building issue, and asked the City to acquire the property in question.

Thereupon, Mayor Finch asked where the funding would come from for the improvement to the buildings in question, and noted the Commission had in fact taken a lead position when they proposed an advisory election to determine the disposition of the old middle school building. He further explained the County did not want to participate in an advisory election. The Mayor stated, in my opinion the issue is dead. The Mayor did invite the "Friends" to attend the Joint City/County/School meeting scheduled for Wednesday at noon.

Review of Minutes

Thereupon, the Commission reviewed and accepted the Work Study Session minutes for April 7, 1999.

Commission Agenda

Thereupon, the Commission reviewed the tentative agenda for the April 21, 1999, Regular meeting, noting that changes would occur.

April 19, 1999

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Ottawa Truck- Tax Abatement

Thereupon, the Commission reviewed an ordinance granting Ottawa Truck, Inc. a tax abatement on improvements made in 1997. Thereupon, it was explained this abatement has been pending due to a ruling by the Board of Tax Appeals for a more complete cost benefit analysis. It was further explained this abatement had been originally granted by the Governing Body in 1997 and this is a cleanup measure. The Commission agreed to place this item on the agenda for April 21, 1999.

Neighborhood Block Party Request

Thereupon, the Commission reviewed a letter from Rev. Steve VanOstran and Ms. Wynndee Lee requesting permission to close Mulberry Street between 8th and 9th, from 5:30 p.m. - 9:30 p.m., on Sunday, May 2, 1999, to conduct a neighborhood block party. The Governing Body reviewed this request and granted its approval.

Veterans Day Parade Request

Thereupon, the Commission reviewed a letter from Ms. Sherry Wright, representing the Franklin County Veterans Memorial Committee, requesting permission to have a Veterans Day Parade on November 19, 1999, at 1:30 p.m. Ms. Wright noted the route requested would be the same as previous years; starting at Forest Park, proceeding to Main, down Main Street to the South end of City park. The Commission approved this request.

Proclamation for Youth Temperance Education

Thereupon, the Commission reviewed a proclamation declaring April 25 through May 1, 1999, as Youth Temperance Education Week in the City of Ottawa, Kansas. The Commission agreed to place this item on the agenda for April 21, 1999.

Proclamation for Arbor Day

Thereupon, the Commission reviewed a proclamation declaring April 30, 1999, as Arbor Day in the City of Ottawa, Kansas. The Commission reviewed this proclamation and agreed to place it on the April 21, 1999, agenda.

Clydesdale Parade

Thereupon, the Commission reviewed a request from Mr. Kirk Lambright representing Classic Eagle Distributing, requesting permission to conduct a parade with the world famous Clydesdale's on May 23, 1999, from 1:00 - 4:00 p.m. Thereupon, Commissioner Ramsey noted this is the same date as the Ottawa High School graduation and suggested this conflict would detract from Ottawa's own. Thereupon, it was suggested an alternate date be found if possible.

Ottawa Recreation Commission - Lease Agreements

Thereupon, the Commission reviewed a proposed lease agreement with the Ottawa Recreation Commission for the Don Woodward Center. It was explained this agreement is intended to specify that ORC shall provide general liability insurance as part of their responsibilities for operating the Woodward Center. It was further noted the ORC is currently providing Liability Insurance for the facility, but the lease agreement is necessary to establish such requirements for the future. The Commission reviewed this agreement and agreed to place it on the agenda for April 21, 1999.

Former Ottawa Middle School

Thereupon, the Mayor explained he and the City Manager had approached the County Commission with the proposed advisory election regarding the disposition of the former Ottawa Middle School. The Franklin County Commission had voted 5-0 not to participate. Therefore, the Mayor presented the Governing Body with a draft letter expressing to the school board that the City has no interest in the old buildings. Thereupon, it was suggested the letter be addressed to all members of the school board.

Financial and Activity Reports

Thereupon, the Commission reviewed the monthly Financial and Activity Reports for the month of February and agreed to place it on the agenda for April 21, 1999.

Reorganization

Thereupon, the Commission invited Commissioners elect Jackson and Fler to participate in the discussion of reorganization. Thereupon, Commissioner Ramsey suggested Commissioner Gillette become the next Mayor, and all Commissioners and Commissioners elect agreed by consensus to Commissioner Ramsey's suggestion. Thereupon, Mayor Finch asked if that would place Commissioner Ramsey in a position of Mayor pro tem. Thereupon, it was suggested that Commissioner Ramsey become Mayor pro tem next year which would allow the Governing Body to return to a normal cycle of having the second highest vote recipient become Mayor in a subsequent election year. Commissioner Ramsey stated he would be receptive to this idea, and therefore suggested Richard Jackson become Mayor pro tem at the next Regular meeting. The Commission agreed by consensus to this suggestion.

In summary:

Commissioner Gillette will be nominated for the position of Mayor.

Commissioner Jackson for the position of Mayor pro tem.

Commissioner Ramsey will be in line to become Mayor pro tem, a year from this meeting.

Open Agenda

Thereupon, the Mayor invited Police Chief Jeff Herrman to visit with the Commission regarding the need for a police van. The Chief explained he had unspent money in a capital expenditure line item and asked the Commission for approval to expend \$6,000 on a replacement vehicle. The Commission granted their approval by consensus to the Chief's proposal.

Announcements

1. There will be a Joint City/County/School Meeting on April 21, 1999, at 12:00 p.m., in the downstairs conference room at City Hall.
2. There will be a City Commission Meeting on April 21, 1999, at 7:00 p.m.
3. There will be a Work Study Session on April 26, 1999, at 4:00 p.m.
4. There will not be a Work Study Session on May 3, 1999.
5. There will be a Work Study Session on May 5, 1999, at 6:00 p.m.
6. There will be a City Commission Meeting on May 5, 1999, at 7:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of April 21, 1999

The City Governing Body met at 7:00 p.m., this date. The following members being present and participating to wit: Mayor Finch present, Commissioner Tyson present, Commissioner Ramsey present, Commissioner Gillette present, and Commissioner Matthews absent. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. The Invocation was given by Rev. Leroy Rayson.

Reorganization

Thereupon, out going Commissioner Mayor pro tem Joan Tyson, was presented a plaque recognizing her service as City Commissioner in the City of Ottawa since 1991. Commissioner Tyson, thanked the Governing Body, Staff, and the Citizens of Ottawa for the assistance and faith shown during her tenure.

Thereupon, the Mayor recognized in absentia, Commissioner Matthews for his service since 1993.

Thereupon, the Commission entertained remarks from Mayor Blaine Finch, who thanked the Citizens of Ottawa, recognizing that he had accepted the honor of being Mayor one year ago. The Mayor noted the past year had been good to the City of Ottawa, and took little credit for the accomplishments made during that period. He extended his appreciation to prior City Commissions, previous Mayors, and the current City Commission for their efforts to make Ottawa what it is. He thanked each City Commissioner, City Manager Scott Lambers, and City Staff for direction. He thanked God, his family, and the press for their guidance and support. He noted he would be passing the gavel to Commissioner Gillette, and once again thanked the people of Ottawa.

Thereupon, the Mayor called upon the City Clerk to read the results of the most recent City election as certified by Franklin County Clerk, Shari Perry. Thereupon, the City Clerk read the following results:

Charles E. Gillette	1,143
Gene Ramsey	1,103
Richard Jackson	1,030
Raquel (Rocky) Flear	963

Thereupon, the City Clerk asked the four newly elected Commissioners to come forward and administered the Oath of Office.

Election of Mayor

Thereupon, Commissioner Ramsey made a motion to nominate Commissioner Gillette as the next Mayor of the City of Ottawa. The motion was seconded by Commissioner Jackson. The motion was considered and upon being put, passed by a 4-0 vote, with Commissioner Gillette abstaining. Thereupon, the Mayor declared Commissioner Gillette as the new Mayor. Thereupon, the Oath of Office was administered by the City Clerk.

Election of Mayor pro tem

Thereupon, Commissioner Finch made a motion to nominate Commissioner Jackson to the position of Mayor pro tem for the upcoming year. The motion was seconded by Commissioner Fleer. The motion was considered and upon put, passed by a 4-0 vote, with Commissioner Jackson abstaining. Thereupon, the Mayor declared Commissioner Jackson as Mayor pro tem. Thereupon, the oath of office was administered.

Thereupon, Mayor Gillette presented to outgoing Mayor Finch, a plaque and gavel recognizing the Mayor for his service from 1998 to 1999.

Agenda Approval

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to approve the agenda as presented. The motion was considered and upon being put, all presented voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the minutes of April 7, 1999, Regular Meeting as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of April 7, 1999, duly approved as written.

Presentations and Recognition's

Thereupon, Mayor Gillette read a proclamation declaring the week of April 25, 1999, through May 1, 1999, as Youth Temperance Education Week. The proclamation was received by Ms. Anne Sommer.

Arbor Day

Thereupon, the Mayor read a proclamation declaring April 30, 1999, as Arbor Day in the City of Ottawa, Kansas. Accepting the proclamation was Mr. Jim Grogan representing Tree City USA, and the Ottawa Chamber of Commerce. Thereupon, Commissioner Ramsey noted this proclamation was the start of Tree City USA, which had been incubated under the leadership of the Chamber.

Public Hearings

Thereupon, the Mayor opened a Public Hearing to consider the City of Ottawa Capital Improvement Program. Thereupon, the City Manager stated this is the first of two hearings on the Capital Improvement Program, and would start the budget process by allowing citizens the opportunity to address long term issues. Thereupon, Mr. Jim Grogan, 720 S. Poplar asked if sidewalks had been addressed in the Capital Improvement Program. Thereupon, the City Manager responded affirmatively. There being no further comments, the Mayor closed the Public Hearing.

New Business

Municipal Auditorium By-Laws

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to adopt the amended by-laws for the Ottawa Municipal Auditorium. The motion was consider and upon being put, passed by the following vote. Commissioner Finch aye, Commissioner Jackson abstained, Commissioner Fleer abstained, Commissioner Ramsey aye, and Mayor Gillette aye. Thereupon, the Mayor declared the amended by-laws to the Municipal Auditorium duly approved by a vote of 3-aye and 2 -abstained.

Don Woodward Center

Thereupon, there was presented an acceptance of lease agreement between the City of Ottawa, and the Ottawa Recreation Commission for the Don Woodward Building. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch to approve the agreement. During discussion it was explained there was no current agreement with the Ottawa Recreation Commission for the Don Woodward Center. This agreement is intended to specify the ORC to provide general liability insurance as part of the responsibility for operating the center. The ORC is currently providing liability insurance for this facility.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the lease agreement between the City of Ottawa, and the Ottawa Recreation Commission duly approved.

Ottawa Truck Tax Abatement

Thereupon, there was presented an ordinance exempting certain property from ad valorem taxation for economical development purposes in the City of Ottawa, Franklin County, Kansas. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained that Ottawa Truck's initial application had been refused by the Board of Tax Appeals due to a change in requirements regarding the Cost Benefit Analysis. Ottawa Truck updated their Cost Benefit Analysis and the Governing Body held a Public Hearing on April 7, 1999.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance duly numbered Ordinance No. 3314-99.

Monthly Financial and Activity Reports

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Flear to adopt the monthly financial and activity reports for the month of February 1999. During discussion it was explained the inspection department had provided a revised page for this report.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the monthly financial and activity reports for the month of February 1999, duly approved.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on April 26, 1999, at 4:00 p.m.
2. There will **not** be a Work Study Session on May 3, 1999.
3. There will be a Work Study Session on May 5, 1999, at 6:00 p.m.
4. There will be a City Commission Meeting on May 5, 1999, at 7:00 p.m.
5. There will be a Work Study Session on May 10, 1999, at 4:00 p.m.
6. There will be a Work Study Session on May 17, 1999, at 4:00 p.m.
7. There will be a City Commission Meeting on May 19, 1999, at 9:30 a.m.

**THE NEXT REGULAR MEETING IS SCHEDULED FOR MAY 5, 1999,
AT 7:00 P.M.**

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird
City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of April 26, 1999

The City Governing Body met at 4:00 p.m. this date, the following members present and participating to wit: Mayor Charles Gillette present, Commissioner Blaine Finch present; Commissioner Gene Ramsey present; Commissioner Richard Jackson present; and Commissioner Raquel Fler present.

Public Comments

The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comments.

Thereupon, Mr. Lonnie Davis of Princeton, Kansas representing “Youth Impact” asked permission to have his organization pick up a portion of the highway within City Limits in what is referred to as the Y, South of 17th Street. Thereupon, Public Works Director Andy Haney, noted while Kansas Department of Transportation did have a safety program for these types of activities outside of City Limits, the City did not have such a safety program and Mr. Davis’s group would be assuming liability. The Commission discussed this issue, and agreed to approve the trash pickup in this area.

Review of Minutes

Thereupon, the Commission reviewed and accepted the Work Study Session Minutes for April 19, 1999.

Review of Commission Agenda

Thereupon, the Commission reviewed the tentative agenda for May 5, 1999.

Handicapped Parking

Thereupon, the Commission heard from Mary Lois Yates and Lonnie Smith representing Hope House, who asked for 2 handicapped parking stalls and a loading zone on the North side of their facility, located at 3rd and Walnut. The Commission discussed this issue, and agreed to pay half of the cost if Hope House could pay the other half of the approximately \$800 estimated cost.

April 26, 1999

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City of Ottawa
Study Session Minutes

Friends of the Prairie Spirit Trail

Thereupon, the Commission heard from Mr. Andy Haney regarding lighting along the Prairie Spirit Rail Trail. However, Mr. Dan Fogle who made this request on behalf of the Friends of the Prairie Spirit Rail Trail was unable to attend. The issue was deferred to a later date.

KMEA Board Appointment

Thereupon, the Commission reviewed a request from the Kansas Municipal Electric Agency Board of Directors to appoint a Governing Body member to the Board of Directors to fill the unexpired position of Joan Tyson. Thereupon, Commissioner Ramsey suggested Commissioner Fleer be nominated to accept this appointment. The Commission discussed this issue, and agreed to place it on the agenda for May 5, 1999.

Extension of Electrical Services

Thereupon, the Commission heard from Utility Director Jim Bradley. Mr. Bradley explained that in areas of new construction, the City incurs cost of approximately \$500 for each new residence. The \$25 connection fee does not begin to cover these costs. He recommended a resolution to implement fees designed to recover part of the cost involved in extension of services be charged as follow:

New Residential	\$250 (approximately 50% of cost of new service)
New Commercial/Industrial	50% of the cost of the new transformer
Upgrade Commercial/Industrial	50% of the difference in cost between the existing transformer and the new transformer

The Commission discussed this issue and agreed to place it on the May 5, 1999, agenda.

Condemnations

Thereupon, the City Governing Body reviewed with Program Manager Ms. Wynndee Lee, recommendations for condemnation of 128 Willow; 424 S. Poplar; 521 N. Cedar; and 804 N. Mulberry. Ms. Lee noted the property at 521 N. Cedar was recommended for condemnation by neighborhood petition. The Governing Body considered this issue and agreed to place it on the agenda for May 5, 1999.

Permit Fees

Thereupon, the Commission reviewed a resolution to change permit fees by reducing the permit fee for certain planning and zoning permits. The Planning Department, in a memo from Gary Skiles recommended permit cost for:

- A. Signs in both commercial and residential zoned areas to be reduced to 50% of the regular commercial fee.
- B. A no charge permit requirement for manufactured homes.
- C. A reduction of fees for storage sheds.
- D. A no charge permit for concrete pads and patios.
- E. A reduction from \$50 to \$20 for above ground swimming pools.
- F. A reduction in fees for sign permits.

The Governing Body reviewed these items and agreed to place it on the Regular Meeting agenda scheduled for May 5, 1999.

Public Hearing- Mac Fasteners

Thereupon, the Commission reviewed a Public Hearing to consider a tax abatement for Mac Fasteners of Ottawa. The Governing Body agreed to place this item on the May 5, 1999, agenda.

Board and Commission Appointments

Thereupon, the Commission reviewed a list of board appointments anticipated to be made in June. The Governing Body agreed to advertise for the open positions and to bring this issue back to their June 2, 1999, meeting.

Open Agenda

Thereupon, representatives of the Budweiser Clydesdale's spoke to the Governing Body regarding their proposed parade scheduled for May 23, 1999. The Governing Body agreed to allow the Clydesdale's to use Forest Park for both display and parade. The representatives thanked the Governing Body.

Thereupon, Ms. Wynndee Lee noted that Girl Scouts would be planning shrubbery and trees in the new North Park area.

Thereupon, Commissioner Ramsey suggested the City send a representative to the McPherson Community Tour scheduled for June 29, 1999. Thereupon, Commissioner Fleer stated she, Richard Jackson, and Mayor Gillette had attended a local conference concerning the KOCH Crime Commission and was pleased with the information provided.

Thereupon, Commissioner Jackson asked the Governing Body to consider reducing utility late fees being imposed and also asked to provided incentives to those who pay on time.

Announcements

Thereupon, the Mayor announced:

1. There will **not** be a Work Study Session on May 3, 1999.
2. There will be a Work Study Session on May 5, 1999, at 6:00 p.m.
- 3. There will be a City Commission Meeting on May 5, 1999, at 7:00 p.m.**
4. There will be a Work Study Session on May 10, 1999, at 4:00 p.m.
5. There will be a Work Study Session on May 17, 1999, at 4:00 p.m.
- 6. There will be a City Commission Meeting on May 19, 1999, at 9:30 a.m.**

Adjournment

There being no further business to come before the Commission, Mayor Gillette declared the meeting duly adjourned.

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of May 5, 1999

The City Governing Body met at 7:00 p.m. this date, the following members being present and participating to wit: Mayor Charles Gillette present, Commissioner Richard Jackson present, Commissioner Gene Ramsey present, Commissioner Raquel Flerer present, and Commissioner Blaine Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the audience in the Pledge of Allegiance to the American Flag and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the agenda with the addition of a proclamation to declare May 15th as **“Police Week”**. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved with additions.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to approve the minutes of April 21, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of April 21, 1999, duly approved as written.

Public Comments

Thereupon, Mr. Michael Haney, 513 S. Oak, representing approximately ten (10) youth skateboarders asked the Governing Body to continue to pursue a skateboard park. He stated his group has been working with Ottawa Recreation Commission Director Jane Yancey to develop plans over the old tennis courts located at Forest Park.

Thereupon, the Governing Body asked Mr. Haney and supporters to please be patient and reminded them, the City Commission will be considering their request during the upcoming Capital Improvement Program and budget process.

Thereupon, Mr. Tony DeLaTorre, 811 N. Poplar spoke to the Commission suggesting that the Star Team budget for the Year 2000, could be cut in lieu of other possibilities. More specifically the skateboard park, and possibly a teen youth center. The Mayor thanked Mr. DeLaTorre for his comments.

Presentations and Recognition's

Proclamation -Police Week

Thereupon, the Mayor read a proclamation declaring May 15, 1999, through May 21, 1999, as "**Police Week**" in the City of Ottawa, Kansas. The proclamation was received by Police Chief Jeff Herrman who expressed his appreciation on behalf of the Police Department.

Public Hearings

Condemnation of property located at 128 S. Willow

Thereupon, the Mayor opened a Public Hearing to consider the condemnation of property located at 128 S. Willow. There being no one wishing to speak to this issue, the Mayor closed the Public Hearing.

Condemnation of property located at 424 S. Poplar

Thereupon, the Mayor opened a Public Hearing to consider the condemnation of property located at 424 S. Poplar. There being no one wishing to speak to this issue, the Mayor closed the Public Hearing.

Condemnation of property located at 521 N. Cedar

Thereupon, the Mayor opened a Public Hearing to consider the condemnation of property located at 521 N. Cedar. There being no one wishing to speak to this issue, the Mayor closed the Public Hearing.

Condemnation of property located at 804 N. Mulberry

Thereupon, the Mayor opened a Public Hearing to consider the condemnation of property located at 804 N. Mulberry. There being no one wishing to speak to this issue, the Mayor closed the Public Hearing.

Tax Abatement - Mac Fasteners

Thereupon, the Mayor opened a Public Hearing to consider a tax abatement application submitted by Mac Fasteners, Inc. of Ottawa. Thereupon, City Clerk Scott Bird stated that Mac Fasteners, Inc. of Ottawa, had applied for a 50% tax abatement for building and personal property to be located in the new Industrial Park area. Thereupon, Mayor

Gillette stated that Mac Fasteners, Inc. would be the first company to be located in the new Industrial Park addition. There being no further comments, the Mayor closed the Public Hearing.

Capital Improvement Program

Thereupon, the Mayor opened a Public Hearing to consider the Year 2000, Capital Improvement Program. There being no one to speak to this issue, the Mayor closed the Public Hearing.

New Business

KMEA Board Appointment

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to appoint Commissioner Fler to the KMEA Board of Directors to fill the unexpired term of Commissioner Joan Tyson, as the Governing Body member to the board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointment of Raquel Fler to the KMEA Board of Directors duly approved.

Extension of Electric Service Fees

Thereupon, there was presented a resolution, finding the advisability of, and ordering the adoption of applicable fees, and conditions and advisability of the services rendered by the electric department of the City of Ottawa, Kansas, in establishing an effective date therefore, and providing for the enforcement thereof, and rescinding prior resolutions.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fler, to adopt the resolution. During discussion the proposal was explained as follows:

New Residential	\$250 (approximately 50% of cost of new service)
New Commercial/ Industrial	50% of the cost of the new transformer
Upgrade Commercial/ Industrial	50% of the difference in cost between the existing transformer and the new transformer

May 5, 1999

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The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey nay, Commissioner Fleer aye, Commissioner Finch aye, Commissioner Jackson nay, and Mayor Gillette aye. Thereupon, the Mayor declared the resolution duly adopted by a 3-2 vote, and the resolution was duly numbered Resolution No. 1038-99.

Building Permit Fees

Thereupon, there was presented a resolution establishing fees for the issuance of building permits in the City of Ottawa, Kansas, to be effective as provided in Ordinance No. 3206-96, 3239-97, 2876-87, and the Municipal Code, 1997 Edition. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson to adopt the resolution.

During discussion it was explained the resolution will change permit fees by reducing the fees for storage buildings and swimming pools in residential zones. It also addresses the need for no charge permits regulating the placement of manufactured homes. Finally, it addresses concerns on the cost of sign permits, lowering the maximum cost to not exceed \$250.

The motion was considered and upon being put, passed by the following vote: Commissioner Fleer nay, Commissioner Finch aye, Commissioner Jackson aye, Commissioner Ramsey aye, and Mayor Gillette aye. Thereupon, the Mayor declared the resolution duly adopted by a 4-1 vote, and the resolution was duly numbered Resolution No. 1039-99.

Acceptance of Dogwood Street

Thereupon, there was presented a resolution accepting Dogwood Street within the Arrowhead Addition to Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution. During discussion it was explained this acceptance is necessary in order for the developer to obtain building permits with such permits being restricted to the eastern portion of the street until all public improvements have been accepted by the City.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1040-99.

Sale of Property to Mac Fastener's

Thereupon, there was presented a resolution authorizing an agreement between the City of Ottawa and Mac Fastener's, Inc. for the purpose of conveying real estate property described as Lots 18, 19, 20, 21, 22, and 23 of Block B North East Ottawa, Franklin County, Kansas, containing 2.51 acres more or less. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to adopt the resolution.

During discussion it was explained this resolution will authorize the sale of property in Ottawa, in the Ottawa Industrial Park, second addition to Mac Fasteners. Mr. Bob McDonald had indicated a desire to locate his new facility in the Industrial Park area. Thereupon, Commissioner Ramsey noted this property would be sold for \$12,500 an acre, making the price \$31,375.00.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution duly numbered Resolution No. 1041-99.

Reports by Mayor

Thereupon, the Mayor reminded the audience Thursday, May 6, 1999, is the 48th National Day of Prayer, and asked for participation.

Announcements

Thereupon, the Mayor announced:

1. There will a Work Study Session on May 10, 1999, at 4:00 p.m.
2. There will be a Work Study Session on May 17, 1999, at 4:00 p.m.
3. There will be a Joint City/County/School Board Meeting on May 19, 1999, at 12:00 p.m. at the Franklin County Jail.
4. There will be a Work Study Session on May 24, 1999, at 4:00 p.m.
5. There will **not** be a Work Study Session on May 31, 1999, due to Memorial Day Holiday.

**THE NEXT REGULAR MEETING IS SCHEDULED FOR MAY 19, 1999,
AT 9:30 A.M.**

May 5, 1999

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City of Ottawa
City Commission
Regular Meeting
May 5, 1999

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

May 5, 1999

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**Study Session Minutes
Ottawa, Kansas**

Minutes of May 5, 1999

The City Governing Body met at 6:00 p.m. this date. The following members present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Jackson present, Commissioner Fleer present, and Commissioner Ramsey present. A quorum was present.

The Mayor called the meeting to order at 6:00 p.m. and welcomed the audience.

Public Comments

There were no public comments offered at this meeting.

Review of Minutes

Thereupon, the Commission reviewed and accepted the minutes of April 26, 1999.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for the Regular Meeting scheduled at 7:00 p.m., on May 5, 1999.

Concert at the Park

Thereupon, the Commission heard from Mr. Donald Corey, requesting permission to hold a concert at City Park on June 6, 1999, from 5:00 to 7:00 p.m. The Commission agreed to this request if the Park is available.

Executive Session

Thereupon, Commissioner Finch made a motion to recess into Executive Session to discuss pending litigation for a period of 10 minutes and to reconvene in Open Session at 6:15 p.m. in the same Work Study Session room. Thereupon, the motion was seconded by Commissioner Ramsey and all present voted aye. Thereupon, the Mayor declared the meeting duly recessed at 6:05 p.m.

Reconvene

Thereupon, at 6:15 p.m. Commissioner Finch made a motion, seconded by Commissioner Ramsey, to reconvene in Open Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

May 5, 1999

Hawthorne School Track Meet

Thereupon, the Commission reviewed a letter from Principal Darwin Alexander, of Hawthorne Elementary School. He requested Poplar Street in front of the school be closed on May 28, 1999, from 9:00 a.m. until 11:00 a.m., during the school annual track meet. The Commission discussed this issue and agreed to its approval.

Downtown Trees

Thereupon, the Commission heard from Mr. Roger Bell, local Arborist, who suggested the Bradford Pear trees in the downtown area be replaced with smaller ornamentals, such as Flowering Crabs, of various varieties or Washington Hawthorne. The Commission discussed this issue with Mr. Bell, and Director of Public Works Andy Haney, and suggested they bring back a recommendation at a future Study Session.

Bicycle/Walking Trail

Thereupon, the Commission heard from Dr. Olin G. Wollen who offered to provide the City an easement across his property. The property is located west of the city limits and north of K-68 Highway. The Commission agreed to authorize staff to proceed to develop necessary documentation for a property easement on Mr. Wollen's property.

D & S Sanitation

Thereupon, the Commission discussed with Director of Utilities Jim Bradley, a request from Mr. Fred Hornbaker, owner of D & S Sanitation to discharge septage, and to the City sanitary sewer system. Mr. Bradley suggested this not be allowed in accordance with the current ordinances. Permits would be needed and more appropriate and more attainable after the waste water facility is constructed. The Commission agreed to defer this issue to a later date.

Orlis Cox Parking

Thereupon, the Commission discussed with Public Works Director Andy Haney, the possibility of chip and seal on the Orlis Cox Parking lot sometime in August. Thereupon, Commissioner Ramsey stated he did not want this to fall through the cracks and wanted to make sure this item is taken care of no later than August. Thereupon,

Commissioner Jackson asked why, chip and seal? Thereupon, the Mayor responded due to cost. Thereupon, Mr. Jackson asked if this item could not be included in the Capital Improvement Program for a better long term solution. Thereupon, the Mayor asked the Public Works Director for a cost estimate.

Acceptance of Dogwood Street for Arrowhead Addition No. II

Thereupon, the Commission considered a request that the City accept Dogwood Street in order for Mr. Dave Barkley to proceed with the construction of duplexes on the eastern portion of the street. The Commission considered this request and agreed to place it on the Regular Meeting Agenda for this date.

Mac Fasteners, Inc.

Thereupon, the Commission considered a request from Bob McDonald to purchase Lots 18, 19, 20, 21, 22, and 23, in Block B, of Ottawa Industrial Park, Second Addition at a price of \$12,500 an acre, or \$31,325. The Commission considered this and agreed to place it on the Regular Meeting Agenda for this date.

Open Agenda

Thereupon, Commissioner Finch asked that a letter be sent to the Chamber of Commerce suggesting it pursue locating another grocery store in Ottawa. The Commission agreed to this suggestion.

Adjournment

There being no further business to come before the Commission, it was moved and seconded to adjourn. Thereupon, the Mayor declared the meeting duly adjourned and invited the audience to join the Governing Body in the Commission Chambers for the Regular Meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of May 10, 1999

The City Governing Body met at 4:00 p.m. this date with all members of the Governing Body present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present.

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

Public Comments

Thereupon, Alice Joy Lewis representing the Suzuki Strings, and Jeannette Lowry, representing the Ottawa Community Arts Council, spoke to the Governing Body and asked the City agree to allow these organizations to replace the existing air conditioner serving the 2nd Floor of the Carnegie Building at a cost of approximately \$12,695.00, and the City consider reimbursing Suzuki Strings and the Arts Council for this expense at a future date. They further asked, in order to accomplish the installation in a timely manner, this be done as soon as possible. Finally, they asked, in order to utilize the City's tax exemption status, the money be granted from these organizations to the City up front in order that the City might make the installation themselves. The Governing Body considered these issues and authorized the City Manager to pursue them and to secure a contract with the two entities at his discretion.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for May 19, 1999.

Mac Fasteners, Inc.

Thereupon, the Commission reviewed the cost benefit analysis for a tax abatement request by Mac Fasteners, Inc. Thereupon, the Governing Body asked for additional information regarding this issue, more specifically the cost of the building and personal property to be located on the Mac Fasteners, Inc. site. The Commission agreed to place this item on the May 19, 1999, agenda.

Capital Improvement Program Update

Thereupon, the Commission discussed the Capital Improvement Program for the Year 2000.

Budget Calendar

Thereupon, the Commission reviewed the tentative budget calendar for the Year 2000 budget and agreed to place it on the May 19, 1999, agenda.

Financial and Activity Report

Thereupon, the Commission reviewed the Financial and Activity Reports for the month of March noting that sales tax revenues were off again, and asked for clarification on the revenue and expense report transfers.

Open Agenda

Thereupon, Commissioner Ramsey expressed his appreciation to the City Manager, and Commissioner Finch for their efforts on the State Transportation Bill. Thereupon, the Mayor and Commissioner Finch expressed their gratitude to Commissioner Ramsey for spear heading this effort.

Thereupon, Mayor Gillette asked the City Governing Body to reconsider the City's residency requirement, noting that he believes the City may be missing some good opportunities. The Mayor further asked the Governing Body to consider waiving fees associated with the Veteran's Memorial to be located on the grounds of the Franklin County Courthouse.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss non-elected personnel for a period of 10 minutes and to reconvene in Open Session at 5:04 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to reconvene the meeting at 5:04 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Executive Session

Thereupon, Commissioner Ramsey made a motion to again recess into Executive Session to discuss non-elected personnel for a period of 9 minutes and to reconvene in Open Session at 5:15 p.m. in the same Work Study Session room. The motion was seconded by Commissioner Jackson. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

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

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on May 17, 1999, at 4:00 p.m.
2. There will be a City Commission Meeting on May 19, 1999, at 9:30 a.m.
3. There will be a Joint City/County/School Meeting on May 19, 1999, at 12:00 p.m. at the Franklin County Jail.
4. There will be a Work Study Session on May 24, 1999, at 4:00 p.m.
5. There will **not** be a Work Study Session on May 31, 1999, due to Memorial Day Holiday.

Adjournment

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

**Study Session Minutes
Ottawa, Kansas**

Minutes of May 17, 1999

The City Governing Body met at 4:00 p.m. this date in the Study Session room at City Hall. All members of the Governing Body being present and participating.

Public Comment

Thereupon, Mr. Curtis Hildebrandt representing Heritage Motors stated that over the last seven years he had between \$50,000 - \$60,000 in criminal damage at his business and accused the Police Department of being unable to solve crimes related to these losses. He further stated when criminals are caught they often times are not brought to justice and stated "we need to take law into our own hands." Thereupon, the Mayor asked Mr. Hildebrandt if he would express his concerns in writing and address them to the Mayor specifically and they will be shared with the rest of the Governing Body.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of May 5, 1999, and May 10, 1999, as written.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for May 19, 1999.

Zimmerman Investments - Resolution of Support

Thereupon, the Governing Body heard from Mr. James Moore, Zimmerman Investments, LLC., who requested the City support his company's application for an apartment complex development to be financed with tax credit financing. Thereupon, Mr. Moore explained his company is located in Springfield, Missouri; they develop hotel, motels, restaurants and apartments; they own their own construction company and manage their properties. He further explained, they are a subsidiary of Sun American of California and they propose building in Ottawa, a 48 unit apartment complex of one, two, and three bedroom apartments. The one bedroom apartments will be 760 square feet at \$375 a month rent, two bedroom apartments will be 960 square feet at \$435 a month, and three bedroom apartments 1190 square feet at \$540 a month. He stated their research indicated there is a market for apartments in this category for household incomes between \$16,000 and \$27,000 annually. He further stated similar apartments are being built in Iola, Liberal, and Hugoton. No market rate housing will be developed until the original

48 are in place and full. He further explained the project is anticipated to be located on a 5 acre parcel at the intersection of 17th and Osage Streets, with access from Osage. Upon development of the western half of this area, Twyman Street will be improved. The Governing Body discussed this issue and agreed to place a resolution of support on the agenda for May 19, 1999.

Mac Fasteners, Inc. - Tax Abatement

Thereupon, the Commission reviewed information related to a tax abatement request by Mac Fasteners, Inc. of Ottawa. Thereupon, they agreed to place this item on the May 19, 1999, agenda.

Air Technologies - Special Warranty Deed

Thereupon, the Commission reviewed a letter from Bond Council Dottie Riley regarding a Special Warranty Deed to convey property financed with Industrial Revenue Bonds 1992-A and 1992-B Series from the City, to Air Technologies. Thereupon, the City Manager explained this warranty deed had been executed by the Mayor and City Clerk and asked that this item be placed for affirmation on the May 19, 1999, agenda. The Governing Body agreed to this recommendation.

Main Street Program

Thereupon, the Commission heard from Mr. Bob Greenwood, representing the Chamber of Commerce Downtown Development Committee, asking for a resolution of support for the Main Street Program. The Governing Body discussed this issue with Mr. Greenwood and asked additional information be provided before Wednesday, May 19, 1999.

Alcoholic Beverages - G. Willikers

Thereupon, the Commission reviewed a letter from Mr. Brian Cappello, Manager/Partner of G. Willikers Restaurant, 306 S. Main, requesting permission to allow customers to consume alcohol in the sidewalk dining area. The Commission discussed this issue and agreed unanimously to deny the request.

Appointments to Boards & Commissions

Thereupon, the Commission reviewed the applicants for various boards and commissions and agreed to discuss this issue further.

Capital Improvement Program

Thereupon, the Commission reviewed the Year 2000 Capital Improvement Program with the City Manager.

Open Agenda

Thereupon, Commissioner Ramsey suggested that a 4:00 p.m. meeting time, is not allowing the Governing Body enough time to discuss issues of general importance and asked the meeting time be moved to 3:00 or 3:30 p.m., noting items such as the Capital Improvement Program and Budget are upcoming. Thereupon, the City Manager suggested the meeting time be moved to 3:30 p.m. until budget discussions open, and at that time move the meeting to 3:00 p.m. The Governing Body agreed by consensus to this recommendation.

Thereupon, Commissioner Jackson asked that a proclamation be written to recognize one of Ottawa's ninety year old citizens. He further suggested a proclamation be developed to recognize birthday's, anniversary's, etc. The Governing Body agreed to this suggestion.

Thereupon, Commissioner Jackson noted the Housing Assistance Council will be hosted by ECKAN this Friday.

Thereupon, Mayor Gillette noted there will be no building fees for the Veterans Memorial and withdrew his request from the previous meeting.

Thereupon, Commissioner Fleer stated she had attended the KMEA Conference at Hutchinson and was very impressed with the need for the City to be involved with this organization.

Announcements

Thereupon, the Mayor announced:

1. **There will be a City Commission Meeting on May 19, 1999, at 9:30 a.m.**
2. There will be a Joint City/County/School Meeting on May 19, 1999, at 12:00 p.m. at the Franklin County Jail.
3. There will be a Work Study Session on May 24, 1999, at 3:30 p.m.
4. There will **not** be a Work Study Session on May 31, 1999.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of May 19, 1999

The City Governing Body met in Regular Session at 9:30 a.m. this date, the following members being present and participating to wit: Mayor Charles Gillette present, Commissioner Richard Jackson present, Commissioner Gene Ramsey present, Commissioner Raquel Fler present, and Commissioner Blaine Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the audience in the Pledge of Allegiance to the American Flag and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye.

Approval of Minutes

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson to approve the Regular Meeting minutes of May 5, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of May 5, 1999, approved as written.

Public Comments

There were no Public Comments offered at this meeting.

Response to Public Comments

Thereupon, the Mayor noted, Mr. Michael Haney representing himself and 9 other youth had spoke to the Governing Body at the previous meeting and asked the Governing Body to continue to pursue a proposed skate park. Thereupon, the Mayor explained that this item will be considered during the budget process for Year 2000.

Thereupon, it was noted that Mr. Tony DeLaTorre had addressed the Governing Body concerning funding options for the upcoming budget. Thereupon, the Mayor noted Commissioner Fler had expressed her appreciation and support for Mr. DeLaTorre's position, and the Governing Body thanked Mr. DeLaTorre for his comments.

May 19, 1999

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Presentations and Recognition

Thereupon, the Mayor read a Police Commendation to recognize outstanding work by Sgt. Randy Allan, Reserve Officer Jim Lewis, Reserve Canine Officer Aaron, Officer Dan Stewart, and Officer Rick Howard.

Proclamation - Gladys Wilson

Thereupon, the Mayor recognized Ms. Gladys Wilson on her 90th birthday and congratulated her for long term citizenship in the City of Ottawa.

Year 2000 Operating Budget

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the Calendar of Events for the development and approval of the City's 2000 Operating Budget.

During discussion Commissioner Ramsey noted there will be two Public Hearings, one on June 2, 1999, and one on June 16, 1999.

Thereupon, Commissioner Finch asked that organizations requesting money, do so as early as possible. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Calendar of Events for Operating Budget 2000 approved.

Mac Fasteners, Inc.

Thereupon, there was presented a resolution authorizing an agreement with Mac Fasteners, Inc. of Ottawa, Kansas, granting a tax exemption pursuant to Article 11, Section 13, of the constitution of the United States.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion Mr. Bob MacDonald of Mac Fasteners, Inc., explained he had arrived in Ottawa approximately 10 years ago with an idea for a company, and had it not been for Kansas State Bank and the City of Ottawa, he would not be in the position he is in today with a \$3.4 million a year industry, 10 employees, and looking to grow into the Industrial Park area.

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The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1042-99.

Mac Fasteners, Inc. - Tax Abatement

Thereupon, there was presented an ordinance exempting certain property from ad valorem taxation for economic development purposes in the City of Ottawa, Franklin County, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained, this ordinance is required upon approval of the resolution authorizing an agreement with Mac Fasteners, Inc. for property tax relief.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance No. 3315-99.

Contract - Mac Fasteners, Inc.

Thereupon, there was presented a proposed contract between the City of Ottawa, Kansas and Mac Fasteners, Inc. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the contract.

During discussion, Commissioner Ramsey pointed out this was the first industry to be located in the new addition to Industrial Park. It was further explained this contract provides for 50% tax abatement to Mac Fasteners, Inc., from January 1, 2000, until December 31, 2110.

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

Resolution of Support - Zimmerman Investments, L.L.C.

Thereupon, there was presented a resolution of support by the City Commission of Ottawa, Kansas for the application of Housing Tax Credits by Zimmerman Investments, L.L.C. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the Resolution.

May 19, 1999

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During discussion Mr. James Moore of Zimmerman Investments, L.L.C. explained the tax credits Zimmerman Investments, L.L.C. received will be sold to a syndicator at 60-70 cents on the dollar, and provides relief which allows projects such as these to be financially possible.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1043-99.

Air Technologies-Special Warranty Deeds

Thereupon, there was presented an affirmation of the execution of a Kansas Special Warranty Deed for Air Technologies, Inc. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the affirmation.

During discussion it was explained that Air Technologies, Inc. had recently redeemed outstanding Industrial Revenue Bonds, and the Mayor and City Clerk had taken action to release a Special Warranty Deed related to these bonds.

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

Main Street Program

Thereupon, there was presented a resolution endorsing participation in the Kansas National Main Street Program. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained the Ottawa Chamber of Commerce, Main Street Application Committee had requested the City Commission adopt a resolution of support for the application. Mr. Shawn Kelsey explained that donations and participation in this program was as expected, and most participants are pledging for the five (5) year period.

He further asked to be placed on the June 14, 1999, agenda so the Governing Body can hear the presentation which will be made in Topeka.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1044-99.

Monthly Financial and Activity Report - March

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to adopt the Monthly Financial and Activity Report for the month of March.

Thereupon, Commissioner Fleer asked about the total of transfers in the March report compared to the February Report. Thereupon, City Clerk/Finance Director Scott D. Bird, explained the February report had been picking up a balance from 1998, and the March Report had been corrected. Corrected reports for January and February will be forthcoming.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for the month of March duly approved.

Reports by City Commission

Thereupon, Commissioner Fleer passed around information to the Governing Body and the City Manager, and suggested that issues at the Police Department need to be fixed.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Board Meeting on May 19, 1999, at 12:00 p.m. at the Franklin County Jail.
2. There will be a Work Study Session on May 24, 1999, at 3:30 p.m.
3. There will **not** be a Work Study Session on May 31, 1999.
4. There will be a Work Study Session on June 2, 1999, at 6:00 p.m.
5. There will be a Work Study Session on June 7, 1999, at 3:30 p.m.

NEXT REGULAR MEETING: JUNE 2, 1999, AT 7:00 P.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

May 19, 1999

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**Study Session Minutes
Ottawa, Kansas**

Minutes of May 24, 1999

The City Governing Body met in Work Study Session at 3:30 p.m. this date. All members of the Governing Body being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present.

The Mayor called the meeting to order at 3:30 p.m., noting the City Manager's absences and wishing him a speedy recovery from heart surgery over the weekend.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for June 2, 1999.

Public Comment

Thereupon, the Governing Body heard from Ms. Maxine Baker, who complained about licensing requirements for builders in the City of Ottawa, suggesting that requirements in Ottawa are too restrictive and other areas, more specifically Johnson and Shawnee Counties are not as restrictive. Thereupon, the Governing Body asked Planning Director Jim Shaw, for additional information on this issue.

Next to address the Commission was Mr. Kenneth Chapman representing the Veterans Memorial, stating that the memorial was ready to be built and asked for permission to tie up parking spots on the North side of 4th Street, in order to park vehicles, dump sand, or other items during construction. Public Director Andy Haney, stated this should not pose any problems to his knowledge. The Governing Body gave tentative approval for this request.

New Business

Summer Streetfest - Ottawa Recreation Commission

Thereupon, the Commission reviewed a request from the Ottawa Recreation Commission to close one block of second street, on the evenings of June 8th, June 15th, and August 19th between Main and Hickory on Second, for the Summer Streetfest program. The Commission discussed this issue and agreed to its approval. However, stating the street would only be closed between Main and the Alley, between Main and Hickory.

Skunk Run Request

Thereupon, the Commission reviewed a request from Jeanette Lowry representing the Skunk Run Steering Committee requesting City Park be reserved for the Skunk Run Festival between June 11, 1999, through June 13, 1999, and that Park Street, South of City Park, and Hickory Street, between 5th and 7th be closed from 6:00 a.m. to 6:00 p.m. on Saturday and Sunday, June 12th and 13th, 1999.

The Governing Body reviewed these request and approved same. However, the request for continued police presence during the Festival was turned down with Police Chief Jeff Herrman, stating that he would have officers in the park as much as possible during these times. There was a further request from the Optimist to perform their annual “Duck Race” down Skunk Run, with the assistance of the Fire Department to pump water into Skunk Run drainage to allow this race to proceed. This request was met with approval by the Governing Body. Thereupon, Commissioner Finch asked that the graffiti in the Skunk Run area be removed prior to this Festival.

Celebration of Lights

Thereupon, the Commission reviewed a request from the Franklin County Foundation for a Celebration of Lights, scheduled for June 26, 1999, from 6:00 p.m. to 10:00 p.m., and City Park and the Gazebo area be reserved for this event. The Governing Body reviewed this request. Public Works Director Andy Haney, noted the Gazebo has already been reserved for both June 26th and the backup date of July 10, 1999, and the Governing Body approved this request.

Chautauqua Days

Thereupon, the City Governing Body reviewed a request from the Ottawa Jaycees and heard from Mr. Harold Mayes representing the Jaycees, to use Forest Park for their annual Chautauqua Days, Fourth of July Festival for both July 3rd and July 4th. The Governing Body reviewed the request and the activity slated for these two days, noting a portion of the park would be closed, and the Jaycees would be requesting a \$1.00 admission fee for these areas. The Governing Body with some reluctance on the admission fee, agreed to the request, for one year.

Neighborhood Block Party

Thereupon, the Commission reviewed a request from Ms. Tammy Brown, to hold a neighborhood block party on June 6, 1999, from 3:00 - 7:00 p.m., in the 900 Block of South Sycamore. The Governing Body considered this request and agreed by consensus.

G. Willikers - Second Anniversary

Thereupon, the Commission reviewed a request from Ms. Jennifer Cravens and Mr. Brian Cappello of G. Willikers to allow a group known as Acoustic Feedback to perform from 6:00 - 8:00 p.m. on the sidewalk and parking area immediately outside G. Willikers Restaurant and Allegre's Pharmacy. It was noted that Mr. Allegre had been contacted and was not opposed to this activity, scheduled for June 4, 1999. The Governing Body considered this request and agreed by consensus.

Main Street Parking - update

Thereupon, the Commission heard from Ms. Cathy Sutton representing the Retail Committee of the Chamber of Commerce, who asked that something be done about the parking restrictions on Main Street, which prohibits vehicles longer than the parking lanes from utilizing parking spaces downtown. The Retail Committee suggested the angle of the parking spaces be altered so longer vehicles could be accommodated. However, the Retail Committee did not want to lose too many parking spaces in process. The Commission heard from Mr. Andy Haney who submitted a memo which projects space angles at 40, 35, and 30 degrees. Mr. Haney stated he would ask the City Engineer to review his data, and make recommendations prior to implementation. The Governing Body asked to have this issue brought back in one month.

Downtown Christmas Lights

Thereupon, the Commission heard from Cathy Sutton again representing the Chambers Retail Committee, submitted information regarding Christmas lighting displays in the downtown area. Ms. Sutton stated she had received a bid from Creative Displays and

Adams Tree Service for the installation of approximately 12,500 feet of lighting for Blocks 1-5 on Main Street. She additionally had information on lighting the old City Hall, and Ottawa Municipal Auditorium as follows:

Lights for Blocks 1-5	\$12,500
12,500 feet @ \$1.00 using 463 amps	
Labor	\$12,500
(Includes installation, removal and year around storage)	
Lights for The Old City Hall	\$750
750 feet @ \$1.00 using 32 amps	
Labor	\$750
(Includes installation, removal and year around storage)	
Lights for Ottawa Municipal Auditorium	\$450
450 feet @ \$1.00 using 19 amps	
Labor	\$450
(Includes installation, removal and year around storage)	

Ms. Sutton noted the labor cost would be incurred each year as these lights would be taken down after the Christmas season each year and she recognized this would be a continual cost to the City. She further stated, she believed some funds could possibly be raised, maybe up to \$12,000 - \$13,000.

Thereupon, Commissioner Finch recommended the City continue to use City crews and replace the materials one time, thereby avoiding annual cost on this project. Thereupon, Commissioner Ramsey asked that the Main Street Program would possible include this improvement. Thereupon, Ms. Sutton responded in the affirmative.

Thereupon, the Governing Body asked that additional information be brought back, more specifically, the amount of private dollars which could be counted upon to aid in this project.

May 24, 1999

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Construction of Beech Street

Thereupon, the Commission reviewed a letter of request from Mr. David Barkley of Barkley/Salb Construction, requesting Beech Street be allowed to run from 13th to South of the property line of Arrowhead Addition, to allow the turn around for Beech Street to run South of the property line of Arrowhead Addition. Mr. Barkley provided easement approvals from adjacent property owners. The Governing Body discussed this issue and agreed to it providing any additional cost be bore by the developer.

Final Plat for Bob Granger Subdivision

Thereupon, the Commission reviewed the proposed final plat accepting easements and right-of-ways for Bob Granger Subdivision. The Commission reviewed this proposal noting an irrevocable letter of credit had been received for 125% of the engineers estimate per the policy and procedures manual. The Governing Body agreed to place this item on the agenda for June 2, 1999.

USD 290

Thereupon, the Commission reviewed a proposed contract with USD 290 to rent the former City Hall Building for \$500 per month for one year. The Governing Body discussed this issue and asked that it be deferred to a later date when the City Manager, who negotiated this contract could be in attendance.

Boards & Commissions

Thereupon, the Commission tentatively agreed to the following list of persons to fill vacancies on City Boards and Commissions:

LIBRARY BOARD

Anne Ramsey
Betty Norwood

PLANNING COMMISSION

Theresa Cummings
Max Attebery

AUDITORIUM

Sandy Howard
Karen McKenzie-McAdoo
Marjorie Bernhardt
Betty Birzer
Barb Humm

UNIFORM PLUMBING BOARD OF APPEALS

Charlie Adamson
Jerry Servatius
Pat McNeil

**NATIONAL ELECTRIC CODE
BOARD OF APPEALS**

Jim Bass Sr.
Gary Colbern
Rick Carlson

**BUILDING CODE BOARD
BOARD OF APPEALS**

Bob Marsh
Ralph Taylor
Tim Mages
Earl Devore
John Wise

BAND COMMITTEE

Terry Schoenfeld
Cathy Sutton
Bill Farrow

**UNITED WAY OF
FRANKLIN COUNTY**

Teresia Templeton
Doris Grogan

Monthly Financial and Activity Reports

Thereupon, the Commission reviewed the Monthly Financial and Activity Reports for the month of April 1999, and agreed to place this item on the June 2, 1999, meeting.

Year 2000 CIP

Thereupon, the Commission agreed to defer this issue until the City Manager is available.

Open Agenda

Thereupon, Mayor Gillette asked that the Governing Body authorize a contest to name the "North Side Park" with tickets to the auditorium as prizes for the winning entrant. Thereupon, the City Clerk was directed to prepare a contestant form to be published in the local newspapers.

Thereupon, Commissioner Jackson noted the Housing Authority had been in town last Friday, and asked that an article regarding housing in the Midwest be prepared for the upcoming issue of their magazine.

Thereupon, Commissioner Ramsey extended his appreciation to Barb Nelson for her efforts during the City Managers absence.

Adjournment

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

Scott D. Bird, City Clerk

May 24, 1999

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City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of June 2, 1999

The City Governing Body met in Regular Session at 7:00 p.m. this date, the following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Commissioner Blaine Finch.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to approve the agenda with the following amendments: Removal of Bill No. 99-37, that is, the Capital Improvement Program; Item No. 16 to include the names of Karen McAdoo for a three year term, Sharon Geiss, Barb Humm, and Betty Birzer for one year terms to the Auditorium Authority; and to include the names of Brent Wheeler, and Josh Howard on Item No. 20, that is, Appointments to the Band Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved with changes.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to approve the minutes of May 19, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of May 19, 1999, duly approved.

Public Comments

Thereupon, Mr. Tony DeLaTorre, representing the Ottawa Recreation Commission, reported to the Governing Body that the new restroom facilities at Orlis Cox Field were completed and had been used during the recent weekend tournaments. Mr. DeLaTorre thanked the Governing Body for allowing this improvement to be made.

Next to address the Commission was Mr. Harold Mayes, representing the Ottawa Jaycees, who asked the Governing Body to consider allocating \$2,500 for next years Chautauqua Days celebration.

New Business

Bob Granger Subdivision

Thereupon, there was presented a resolution accepting the dedication of rights-of-way and easements within Bob Granger Subdivision, Ottawa, Kansas. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1045-99.

Public Hearing

Thereupon, the Mayor opened a Public Hearing to consider the Year 2000 Operating Budget. Thereupon, Commissioner Ramsey noted the request from the Ottawa Jaycees for \$2,500 and asked that it be included in the record of this Public Hearing. There being no further comments the Mayor closed the Public Hearing.

Appointments to Library Board

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to appoint Betty Norwood and Anne Ramsey to each serve a four year term on the Library Board.

During discussion Commissioner Finch expressed his appreciation for the number of applicants for this and other boards and commissions.

The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Fleer aye, Commissioner Finch aye, Commissioner Ramsey abstained, and Mayor Gillette aye. Thereupon, the Mayor declared the motion duly approved by a 4-0 vote with one abstention.

Appointments to the Planning Commission

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to name Theresa Cummings and Max Attebery to serve three year terms on the Planning Commission. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointments to the Auditorium Board

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to appoint Sandy Howard to serve a three year term; Karen McAdoo to serve a three year term; and Sharon Geiss, Barb Humm, and Betty Birzer each to serve a one year term on the Auditorium Authority. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointments to the Uniform Plumbing Board of Appeals

Thereupon, Commissioner Fleeer made a motion, seconded by Commissioner Ramsey, to appoint Charley Adamson, Jerry Servatius and Pat McNeil each to serve a one year term on the Uniform Plumbing Board of Appeals. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointments to the National Electric Code Board of Appeals

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to appoint Jim Bass Sr., Gary Colbern, and Rick Carlson each to serve a one year term on the National Electric Code Board of Appeals. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointments to the Building Code Board of Appeals

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to appoint Bob Marsh, Ralph Taylor, Tim Mages, Earl Devore, and John Wise each to serve a one year term on the Building Code Board of Appeals. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointment to the Band Committee

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to appoint Terry Schoenfeld, Cathy Sutton, Bill Farrow, Brent Wheeler, and Josh Howard each to serve a two year term on the City Band Committee. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Appointments to the United Way Board of Franklin County

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to appoint Doris Grogan, and Teresia Templeton each to serve a two year term on the United Way Board of Franklin County. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Monthly Financial and Activity Report for April, 1999

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the Monthly Financial and Activity Report for the month of April 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for April 1999, duly approved.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on June 7, 1999, at 3:30 p.m.
2. There will be a Work Study Session on June 14, 1999, at 3:30 p.m.
3. There will be a Work Study Session on June 21, 1999, at 3:30 p.m.
4. There will be a Work Study Session on June 28, 1999, at 3:30 p.m.
5. There will **not** be a Work Study Session on July 5, 1999.
6. There will be a Work Study Session on July 7, 1999, at 6:00 p.m.
7. There will be a City Commission Meeting on July 7, 1999, at 7:00 p.m.

NEXT REGULAR MEETING - JUNE 16, 1999, AT 9:30 A.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk
June 2, 1999

**Study Session Minutes
Ottawa, Kansas**

Minutes of June 2, 1999

The City Governing Body met in Work Study Session at 6:00 p.m., this date. All members of the Governing Body being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present.

The Mayor called the meeting to order at 6:00 p.m., and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Commission reviewed the minutes of May 17, 1999, and May 24, 1999. Thereupon, Commissioner Ramsey asked that the Work Study Session minutes of May 24, 1999, be amended to include the requirement that the admission charge for the Chautauqua Days be tried on a one year basis. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to approve the minutes as amended. The motion was considered and upon being put, all present voted aye.

Review of Agenda

Thereupon, the Mayor asked that Bill No. 99-37 be removed from the Regular Meeting agenda; Josh Howard and Brent Wheeler be included on the Band Committee; Sandy Howard be appointed to fill a three year term on the Auditorium Authority Board, along with Karen McAdoo; Sharon Geiss, Barbara Humm, and Betty Birzer be appointed to one year terms on the Auditorium Authority.

Vacation of Rights-of-ways

Thereupon, the Commission reviewed memo's from City Clerk Scott Bird, and Planning Director Jim Shaw, recommending a change in the policy of Public Rights-of-ways. The Governing Body reviewed this recommendation and asked that both the old policy, and new policy be brought to a future Study Session for further review.

Neighborhood Revitalization Program

Thereupon, the Commission reviewed a memo from Program Manager Wynndee Lee, and former Administrative Assistant Sarah Plinsky, regarding the annual update of the

Neighborhood Revitalization Program. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Flear, to re-appoint Commissioner Finch as the City's representative on this program. The motion was considered and upon being put, all present voted aye.

Sanitary Sewer Plant - Gear Reducer

Thereupon, the Commission reviewed a request from Jim Bradley to expend contingency monies to purchase a gear reducer as a reserve unit in the amount of \$9,200 instead of repairing the existing gear reducer.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve this request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request for \$9,200 to purchase a gear reducer for the Waste Water Plant out of the Waste Water Plant contingency fund reserve, approved.

Residency Requirements

Thereupon, Mayor Gillette suggested the Governing Body reconsider the City's residency requirement which requires City employees to move within the county limits within one year of the date of hire. Commissioner's Ramsey, and Jackson spoke against this change, with Commissioner's Finch, Flear, and Mayor Gillette speaking in favor. A draft ordinance was requested from City Staff.

Open Agenda

Thereupon, Commissioner Finch asked that the Strategic Plan be brought back to the Governing Body and copies of the old plan be provided to the new Commissioner's.

Thereupon, Commissioner Finch inquired of the progress on the Rock Street Program. Thereupon, Public Works Director Andy Haney, stated that given the frequent rains, the project is proceeding as well as can be expected.

Thereupon, Commissioner Ramsey inquired of the repairs being made by the Gas Service Co. within City, rights-of-ways. Thereupon, Mr. Haney stated the City has no permitting process for such activity. However, a procedure to authorize such improvements on rights-of-way would be brought to the Governing Body in the near future.

Thereupon, Public Works Director Andy Haney stated the preparation for the overlay on Highway 59, South of 15th Street, was underway.

Thereupon, Commissioner Ramsey inquired of the 23rd Street project. Thereupon, Mr. Haney explained the construction calendar is growing short and a pre-bid conference is expected to be held in the near future. However, this project may be deferred until next year.

Thereupon, Mayor Gillette stated that he had concerns regarding violence in schools and asked City Staff to research this issue as to the City's responsibility.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss Attorney/Client Privilege for a period of 15 minutes and reconvene in Open Session at 6:44 p.m., in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 6:44 p.m.. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Recess

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to recess the meeting for 5 minutes to discuss Attorney/Client Privilege and to reconvene in Open Session at 6:50 p.m., in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvened

Thereupon, at 6:50 p.m., it was moved and seconded to reconvene the meeting into Open Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of June 7, 1999

The City Governing Body met in Work Study Session at 3:30 p.m., this date. All members of the Governing Body being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present.

The Mayor called the meeting to order at 3:30 p.m., and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for June 16, 1999.

Renewal of Cable TV Franchise

Thereupon, the Commission reviewed a request from Multimedia Cablevision Area Manager Drew Fleming. The Governing Body discussed this issue and suggested the Governing Body form a Committee to develop strategy for the Cable TV franchise. The Committee will consist of a City Commission Member, City Manager, and the City Attorney. Thereupon, Mayor Gillette offered to serve on this committee as a representative of the City Commission. All members of the Commission agreed by consensus to have Mayor Gillette serve on this committee.

Utility Late Fee

Thereupon, a memo and spreadsheet by former Administrative Assistant Sarah Plinsky was reviewed. During discussion the Governing Body requested City Staff provide numbers comparing 1997 to 1998 delinquencies.

2000 CIP

Thereupon, the Governing Body reviewed with City Manager Scott Lambers the proposed Capital Improvement Plan year 2000.

Open Agenda

Thereupon, Mayor Gillette shared with the Commission information he had received that Ottawa has been awarded the Sampler Festival for the years 2000 and 2001. The Festival will be held in the month of October.

June 7, 1999

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Thereupon, the Mayor announced the Depot Museum will open the weekend of July 4. The Chamber of Commerce will have a ribbon cutting on Friday, July 2nd at 6:00 p.m., to kick off the opening of the Museum.

Thereupon, Commissioner Finch stated a citizen had recently visited with him about licensing of contractors within the City. He thanked Planning Director Jim Shaw, for his efforts in collecting information on licensing contractors, stating it was very helpful.

Thereupon, Commissioner Finch discussed with the Commission the Government Access Channel. Commissioner Finch stated he would like to see the Character Generator up and going again so information could be shared with viewers.

Thereupon, Commissioner Jackson reminded the Commissioners about Bicycles Across Kansas. About 1,000 bicyclist will be arriving in Ottawa Friday evening. Commissioner Jackson will meet and greet them as Mayor Gillette will be out of town. The Bicyclist will be spending the night at Ottawa High School and leaving the area early Saturday.

Thereupon, Commissioner Ramsey discussed briefly the Franklin County Cancer Foundation's request to place an information board along main street. City Manager Scott Lambers stated this item is on the June 14, 1999, Work Study Session agenda for further discussion.

Thereupon, Mayor Charles Gillette shared with the Governing Body that he had received several letters from young adults in the community requesting additional activities for youth in the community. Mayor Gillette is working with the City Clerk's office to prepare informative letters in response.

Executive Session

Thereupon, Mayor Gillette stated no Executive Session needed at this time.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on June 14, 1999, at 3:30 p.m.
2. **There will be a City Commission Meeting on June 16, 1999, at 9:30 a.m.**
3. There will be a Joint City/County/School Meeting on June 16, 1999, at 12:00 p.m. - USD 290 hosting in the 6th grade pavilion.
4. There will be a Work Study Session on June 21, 1999, at 3:30 p.m.
5. There will be a Work Study Session on June 28, 1999, at 3:30 p.m.

Adjournment

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

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of June 14, 1999

The City Governing Body met at 3:30 p.m. this date in the Work Study Session room. All members of the Governing Body being present and participating to wit: Mayor Gillette present, Commissioner Fleer present, Commissioner Jackson present, Commissioner Ramsey present, and Commissioner Finch present. A forum was present.

The Mayor called the meeting to order at 3:30 p.m., and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for June 16, 1999.

Restricted Parking

Thereupon, the Commission discussed a request from Mr. Bob Shields and Mr. Bob Hill that the no parking signs not be placed on 11th Street, between Cedar and Mulberry until after August 1, 1999, but before August 10, 1999, and during the summer months some accommodation be made that parking be allowed on the South Side of the Street. It was noted that the Governing Body had responded to the citizens request that no parking restrictions be put in place in this area, and removal of signs would create ineffective use of labor and inequity regarding other no parking areas. The Governing Body suggested that when residents expected visitors which would desire to park on this side of street that they contact the Police Department and asked that the restriction be waived during those times.

Restricted Parking Request - East 8th, From Hickory to Cedar

Thereupon, the Commission considered a request from Mr. Jack Porter, who requested restricted parking on East 8th, between Hickory and Cedar on the South side of the street, noting that tenants at Kensington Square are experiencing difficulty backing out of their off street parking. The Governing Body discussed this issue noting residents in this area had little choice but to park in the street. Thereupon, the Governing Body denied this request.

Ottawa University Homecoming Parade

Thereupon, the Commission discussed a letter from Adrienne Allen, Student Activities Coordinator, Ottawa University. Ms. Allen requested the Ottawa University Homecoming Parade be held Thursday, October 14, 1999, at 6:30 p.m., the Governing Body considered this request and agreed to its approval.

Sign Placement in City Park

Thereupon, the Commission considered a request from Ms. Karen Niehoff, Chair of the Special Projects Committee, Franklin County Cancer Foundation. Ms. Niehoff requested permission to place a sign in the City Park, Main Street right-of-way, to advertise upcoming events for the Franklin County Cancer Foundation. The Governing Body denied this request, however offered other suggestions to Ms. Niehoff.

United Way Request

Thereupon, the Commission heard from Ms. Judy Hasty, President, United Way Board of Directors, to place the United Way tote board sign in City Park where it would be visible from Main Street. The Governing Body denied this request and offered possible solutions to this concern.

North Side Park Contest

Thereupon, the Commission reviewed a form which will be place in the local newspapers to conduct a contest to name the "North Side Park". The Governing Body agreed to proceed with this contest and suggested the information be post marked no later than September 1, 1999, to be included in the contest. The Governing Body agreed to proceed with this contest, noting the winners of the contest would win two season tickets to the auditorium.

Lease Agreement -USD 290

Thereupon, the Commission discussed with the City Manager, a possible lease agreement with USD 290 for the old City Hall Building. The City Manager explained his intention to make sure the City had a positive net on this agreement. However, he explained the tax implications regarding this issue. He further explained it is his intention the City not get stuck without a facility to hold Municipal Court, should a move be required from the Franklin County Courthouse. The Governing Body discussed this issue and asked that it be brought back, but suggested that a triple net solution might be the answer.

June 14, 1999

2

Downtown Trees

Thereupon, the Commission discussed with Public Works Director Andy Haney, and local nurseryman Roger Bell, the possibility of removing the Bradford Pear trees in the downtown area and replacing them with other trees which will not be as obstructive. Thereupon, the Governing Body asked for a cost estimate for removal and a cost estimate for mid-block planters, in addition to the possibility of shrubbery at the corners.

Condemnations

Thereupon, the Commission reviewed a recommendation from Program Manager Wynndee Lee to condemn 424 S. Poplar, 128 S. Willow, 804 N. Mulberry, and 521 N. Cedar. Ms. Lee noted, no persons spoke during the Public Hearing regarding these structures, and recommended the Governing Body condemn each by placing appropriate resolutions on the next Regular Meeting. The Governing Body agreed to this recommendation, and placed a resolution for each location on the agenda for June 16, 1999.

Youth Employment Program

Thereupon, the Governing Body heard from Human Resources Director Judy Hasty, who recommended the poverty guidelines be used at 125% of JTPA poverty guidelines to include more youth in the program. The Governing Body agreed to this request and placed this issue on the Regular agenda.

Strategic Plan

Thereupon, the Governing Body reviewed the City's Strategic Plan and looked at a model of Lynchburg City Councils, Strategic Plan and agreed to set a date for an evening retreat where the Strategic Plan can be discussed in detail on its own. The City Manager stated he will bring a calendar of events for Strategic Planning to the City Commission after the Budget process.

Open Agenda

Thereupon, Commissioner Jackson invited the Governing Body to participate in the Summer Lunch Program, being conducted at the Don Woodward Center, between Noon and 12:30 p.m. each day this summer. Commissioner Jackson noted the Police and Fire Department are participating in this program.

Thereupon, Commissioner Jackson stated he had welcomed the Bike Across Kansas group of about 1,000 bicyclist last Friday night on behalf of the City of Ottawa.

Thereupon, Commissioner Fler questioned the enforcement of City Code regarding trailer houses on the North side. The City Manager noted the Planning Commission had accepted the owners, engineers certified report regarding this issue, and the facilities had not been maintained as suggested by the engineer.

Thereupon, Commissioner Ramsey inquired of the Police Bicycle Patrol. Thereupon, Police Chief Jeff Herrman stated bike patrols had begun this past weekend, participating in the Skunk Run event, and the Bike Across Kansas reception.

Thereupon, Commissioner Ramsey asked about electric rates and late fees. Commissioner Ramsey asked if this information could be part of next weeks Study Session agenda.

Thereupon, Commissioner Finch asked Utility Director Jim Bradley, for rate comparisons.

Thereupon, the Mayor asked if the Governing Body had any items they wished to discuss during the Joint Meeting scheduled for June 16th. Thereupon, Commissioner Ramsey suggested the lease of the old City Hall and the dirt pile behind the old Middle School.

Ajournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of June 16, 1999

The City Governing Body met in Regular Session at 9:30 a.m. this date, the following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the Regular Meeting Minutes of June 2, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Minutes of June 2, 1999, duly approved as written.

Response to Previous Public Comments

Thereupon, the Mayor noted that Mr. DeLaTorre had spoke during the Regular meeting, June 2, 1999, on behalf of the Ottawa Recreation Commission to inform the Governing Body that the new restroom facility at the Orlis Cox Field had been completed and was currently being used.

Presentations and Recognition

Thereupon, the Mayor recognized Mr. Don Fischer for his 29 year tenure at the Ottawa Power Plant, noting that Mr. Fischer had been a long time loyal employee with the City, and a cornerstone at the Power Plant. The Mayor presented Mr. Fischer with a plaque to commemorate his service.

June 16, 1999

1

City of Ottawa

Public Hearing

Thereupon, the Mayor opened a Public Hearing to consider the Year 2000 Budget. Thereupon, Mr. Scott Harrison spoke to the Governing Body on behalf of the development of a skate park in Ottawa, and asked the Governing Body to continue to consider this issue on its upcoming budget period.

New Business

Condemnation - 128 S. Willow

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 128 S. Willow, in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that a Public Hearing had been previously held on May 5, 1999, and that no Public Comments has been offered during this hearing. However, City Staff has been contacted by the owner who indicated a willingness to remove the existing house. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1046-99.

Condemnation - 804 N. Mulberry

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located 804 N. Mulberry, in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Flear to adopt the resolution.

During discussion it was explained that a Public Hearing had been held at the Regular City Commission meeting on May 5, 1999, regarding this property. No Public Comments were made during this meeting. However, City Staff has been contacted by the owner who indicated the property will be placed for sale.

Thereupon, Commissioner Jackson noted that this property has been scrutinized by City Staff for at least four (4) years. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1047-99.

June 16, 1999

2

Condemnation - 424 S. Poplar

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 424 S. Poplar in the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained that a Public Hearing had been held by the Governing Body on May 5, 1999, regarding this property and no Public Comments had been made during this meeting. City Staff has not had contact from the owners. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1048-99.

Condemnation - 521 N. Cedar

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 521 N Cedar in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that a Public Hearing had been held by the Governing Body on May 5, 1999, and no Public Comments had been offered at this meeting. No contact has been made from the owners regarding this property. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution duly numbered Resolution No. 1049-99.

Youth Employment Program

Thereupon, there was presented an updated income guideline for the Youth Employment Program. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the update.

During discussion it was explained that the Governing Body had discussed this issue at their Study Session, June 14, 1999, and it had been recommended the Youth Employment Program use the ECKAN poverty guidelines representing 125% of Federal Guidelines for the Program to establish household income level amounts for the City's Youth Employment Program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by the City Commission

Thereupon, Commissioner Ramsey stated he was glad to see the City Manager back after having been off with a recent illness.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on June 16, 1999, at 12:00 p.m.- USD 290 Hosting.
2. There will be a Work Study Session on June 21, 1999, at 3:30 p.m.
3. There will be a Work Study Session on June 28, 1999, at 3:30 p.m.
4. There will be a Work Study Session on July 7, 1999, at 6:00 p.m.
5. There will be a Work Study Session on July 12, 1999, at 3:30 p.m.

NEXT REGULAR MEETING: JULY 7, 1999, AT 7:00 P.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of June 21, 1999

The City Governing Body met in Work Study Session at 3:30 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present.

Public Comment

Thereupon, the Commission heard from Ms. Peg McClay who complained about the large trucks using Cedar Street, at a rate of speed which she believes to be excessive. Police Chief Jeff Herrman stated he was aware of this situation and an officer had been posted in the area in question to run radar and observe.

Thereupon, City Manager Scott Lambers presented a letter from the Ottawa Country Club requesting to be allowed to put on a Fireworks display on the Fourth of July, noting the City of Ottawa would be named as additionally insured for \$1 million dollars of liability insurance. The Governing Body approved this request contingent upon the insurance.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of June 2nd, June 7th, and June 14th Work Study Session.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for July 7, 1999.

Main Street Program

Thereupon, the Governing Body heard from Mr. Shawn Kelsey, representing the Ottawa Chamber of Commerce, Downtown Development Committee who provided a report on the Main Street Committee's presentation to the State Main Street Selection Committee, in Topeka. Mr. Kelsey stated he believed Ottawa had put on a very good presentation and in fact wowed them. Mr. Kelsey further stated the results should be known by the first week in July. Thereupon, the Mayor expressed his appreciation to Mr. Kelsey and the committee for their hard work.

Franklin County Historical Society Request

Thereupon, the Commission reviewed a memo from Deborah Barker, Director of the Franklin County Historical Society, who stated the Historical Society had purchased a metal building in the Southeast corner of W. Wilson and N. Hickory and had cleaned the property up from the mess left by its former tenant. Ms. Barker requested the City haul away the last few piles of brush for the Historical Society. The Governing Body reviewed this request with Commissioner's Ramsey, Jackson, and Fleer recommending denial. Thereupon, the Governing Body denied this request.

Capital Improvement Program

Thereupon, the Governing Body discussed the City's Capital Improvement Program. Thereupon, Commissioner Ramsey suggested \$500,000 be transferred from the Electric Fund to help support the Capital Improvement Program and to reduce taxes. Thereupon, the City Manager offered a suggestion to transfer funds on an annual basis rather than at a one time transfer, as a leveler for the Capital Improvement Program. Thereupon, Commissioner Finch suggested rather than transfer money, these funds be used to pay the upcoming substation development in cash. The Governing Body asked for additional information to be brought back regarding the possibility of an electric fund transfer.

Budget Discussion

Thereupon, the Governing Body discussed the Year 2000 General Fund budget and received an overview of the General Fund from City Manager Scott Lambers. During discussion the City Manager stated he anticipated a 2% cost of living in January 2000, a 3% merit adjustment at evaluation time, and a 2% market adjustment in July 2000.

Residency Requirement

Thereupon, the Governing Body discussed the possibility of changing the residency requirements for City Employees from strictly living within Franklin County to a 45 minute response time. Thereupon, Commissioner Finch stated the City could ill afford to loose good employees. Thereupon, Commissioner Ramsey suggested that City Employees are paid with local tax dollars and should be required to remain local. The Mayor asked Personnel Director, Judy Hasty to track this issue and bring back additional information sometime in the future.

Utility Warehouse Drive

Thereupon, the Governing Body heard from Director of Utilities, Jim Bradley who requested \$4,000 from each of the Utility Contingency Funds to replace and improve the driveway at the utility warehouse. It was explained, the drive needs to be replaced and at the same time this work can be coordinated with the new Public Works Facility improvements.

Open Agenda

Thereupon, Commissioner Finch stated he had met with Don Waymire and Jeannette Lowry as part of the neighborhood revitalization program and that a request would be coming forward in the near future.

Thereupon, Commissioner Jackson passed out information on the Make a Promise Program.

Thereupon, Commissioner Fleer asked that Mr. Michael Everhart be recognized and commended for his bravery in the recent fire rescue.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to recess into Executive Session to discuss Attorney/Client Privilege for a period of 20 minutes and to reconvene in Open Session at 4:44 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed and asked that the room be cleared.

Reconvene

Thereupon, at 4:44 p.m., Commissioner Finch made a motion, seconded by Commissioner Ramsey to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on June 28, 1999 at 3:30 p.m.
2. There will be a Work Study Session on July 7, 1999 at 6:00 p.m.
- 3. There will be a City Commission meeting on July 7, 1999 at 7:00 p.m.**

4. There will be a work Study Session on July 12, 1999 at 3:30 p.m.
5. There will be a Work Study Session on July 19, 1999 at 3:30 p.m.
6. There will be a City Commission meeting on July 21, 1999 at 9:30 a.m.
7. There will be a Joint City/County/School meeting on July 21, 1999 at 12:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of July 7, 1999

The City Governing Body met at 7:00 p.m. this date, the following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag. The Invocation was given by Rev. Leroy Rayson.

Thereupon, the Mayor expressed his appreciation to the Community and to the various City Departments for efforts made during the recent storm which devastated City Park and the surrounding area.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to approve the minutes of June 16, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of June 16, 1999, duly approved as written.

Presentations and Recognition

Thereupon, the Mayor read a Proclamation recognizing the employees of Wal-Mart Distribution Center No. 6035, for achieving 2,000,000 safe hours and currently exceeding all other Wal-Mart Distribution Centers in safe work hours. Receiving the Proclamation was Mr. John Cessna, Manager of the local Distribution Center. Mr. Cessna thanked the Governing Body and the Associates who have made this possible.

Recognition of Mr. Michael Everhart and Police Officers

Thereupon, the Mayor recognized Officer Shane Muhl, Reserve Officer Bourke Hutchinson, and Mr. Michael Everhart for assisting a partially disabled citizen in the 800 Block of East 7th Street whose home was lost to fire on June 14, 1999.

New Business

Capital Improvements Program

Thereupon, there was presented the City's Capital Improvement Program for the Year 2000 for budget planning purposes. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt CIP. During discussion it was explained while this Capital Improvement Program extends beyond the Year 2000 it is only a commitment for the Year 2000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Capital Improvement Plan for Year 2000 duly approved.

Amendment to the Zoning Ordinance

Thereupon, there was presented an ordinance amending Appendix A of Ordinance No. 2933-90, the Zoning Ordinance for Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained the City Planning Commission had held a Public Hearing on June 9, 1999, and made a recommendation to the Governing Body by a vote of 5-0 to approve the zones amendment to Appendix A, which allows SIC #8732 as a permitted use in O & I and C-2 and as an underlying use in ED, and prohibited in all other zoning districts.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3316-99.

Rezone -1148 Underwood

Thereupon, there was presented and ordinance rezoning an area within the City of Ottawa, Kansas, and repealing the corresponding section of the zoning map which is a

part of Ordinance No. 2933-90 of the zoning ordinance for Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the ordinance.

During discussion it was explained that the City Planning Commission held a Public Hearing on June 9, 1999. The Planning Commission recommended to the City Commission the approval of the rezone for 1148 Underwood, by a vote of 4-0, with one abstention.

Thereupon, City Manager Scott Lambers, responding to questions posed by Commissioner Ramsey, explained this area was being rezoned from single family to multifamily and created a good transition between an industrial area.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3317-99.

Rezone - 1203 N. Cherry

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

During discussion it was explained the City Planning Commission held a Public Hearing on June 9, 1999, and recommended to the Governing Body the approval of the rezone of 1203 N. Cherry by a vote of 4-1.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3318-99.

Announcements

Thereupon, the Mayor announced:

1. There will be Work Study Session on July 12, 1999, at **3:00 p.m.**
2. There will be a Work Study Session on July 19, 1999, at **3:00 p.m.**
3. There will be a Joint City/County/School Meeting on July 21, 1999, at 12:00 p.m.
4. There will be a Work Study Session on July 26, 1999, at **3:00 p.m.**
5. There will be a Work Study Session on August 4, 1999, at 6:00 p.m.
6. There will be a City Commission Meeting on August 4, 1999, at 7:00 p.m.

NEXT REGULAR MEETING: JULY 21, 1999, AT 9:30 A.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of July 7, 1999

The City Governing Body met at 5:30 p.m. this date in the Work Study Session room. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Finch present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present. The Mayor called the meeting to order at 5:30 p.m.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of June 21, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative Regular Meeting Agenda for 7:00 p.m., this date.

Wal-Mart Proclamation

Thereupon, the Governing Body reviewed a Proclamation recognizing Wal-Mart Distribution employees for 2,000,000 safe hours of work. The Governing Body discussed this issue and agreed to place it on the July 7, 1999, Regular Meeting Agenda.

Recognition of Officers Shane Muhl, Reserve Officer Bourke Hutchinson and Mr. Michael Everhart

The Governing Body reviewed this incident of heroism and agreed to place this item on the Regular Meeting Agenda for July 7, 1999.

Sidewalk Sale Request - Chamber of Commerce

Thereupon, the Governing Body reviewed a request from Lou Atherton, Ottawa Area Chamber of Commerce to hold an annual summer Sidewalk Sale on Saturday, July 31, 1999, from 8:00 a.m. to 5:00 p.m. The Governing Body reviewed this request and agreed to its approval.

Chamber of Commerce - Retail Recruitment Task Force

Thereupon, the Governing Body reviewed a letter from John Montgomery, Vice Chair of Business Development who requested the Governing Body participate in a Retail Recruitment Task Force to foster discussion on retail recruitment. Thereupon, Commissioner Finch volunteered to serve on this committee, along with City Manager Scott Lambers.

Lease Agreement - 290

Thereupon, the Governing Body discussed with City Manager, Scott Lambers a negotiation of a lease agreement with USD 290, for the old City Hall Building. Mr. Lambers explained he had been in contact with the County Appraisers Office, Steve Brown who estimated the tax liability approximately \$500 per month or \$6,000 per year.

Thereupon, the Governing Body agreed the lease amount should be \$1,000 a month with the School District responsible for Utilities and Cosmetic Maintenance. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson. The motion was considered and upon being put, all present voted aye.

23rd Street and US-59 Intersection Improvement

Thereupon, the Governing Body heard from City Engineer John Roane who explained that on June 29, 1999 the City had received and opened bids for the improvement to 23rd Street and US-59 Intersection. Mr. Roane noted the low bid had been received by M.J. Fahey Construction Co. in an amount of \$1,982,793.83. He further noted this exceeded the Engineers estimate of \$1,756,640.14. Mr. Roane explained the possible reasons as to why the contractor had come in over \$200,000.00 higher than the Engineer estimate, noting the time constraints and traffic control requirements. Mr. Roane recommended a nobid acceptance at this time and later this year the project be rebid. Thereupon, Mr. Roane fielded questions from the Governing Body.

Thereupon, Mr. Steve Casper and Mr. Kevin Connell, of M.J. Fahey Construction Co. requested the opportunity to work with City Staff and determine if this projects costs could be brought down and construction schedule be met. Thereupon, at the recommendation of the City Manager, the Governing Body agreed to this request providing they return with their recommendation by July 15, 1999, to the City Manager and this information be brought to the Governing Body on July 19, 1999.

Amendment of Zoning Ordinance

Thereupon, the Governing Body discussed with Planning Director, Jim Shaw an amendment the City's zoning ordinance. The Governing Body considered this amendment and agreed to place it on the Regular Meeting Agenda, for July 7, 1999.

Rezone 1128 Underwood and Rezone of 1203 N. Cherry

The Governing Body discussed these issues with Planning Director, Jim Shaw and agreed to place them on the Regular Meeting Agenda, for July 7, 1999.

Wal-Mart Sanitary Force Main

Thereupon, the Governing Body discussed with the City Attorney, Bob Bezek the possible acquisition of the Sanitary Sewer Force Main from Wal-Mart Distribution Center. It was noted the City would only be acquiring that portion of the Force Main, which extended from the City Sewer System, to I-35. The Governing Body agreed this could be an asset to the City with the development of the K-68 corridor and agreed to proceed with these negotiations.

Capital Improvement Program

Thereupon, the Governing Body reviewed the City Capital Improvement Program with the City Manager. The City Manager noted the assessed evaluation for the Year 2000 had in fact come in higher than anticipated and new calculations had been projected through out the Capital Improvement Program. He further noted transfers from the electric utility to ease the tax burden of the Capital Improvement Program were included in the latest version and recommended the Capital Improvement Program be adopted for budget planning purposes.

Year 2000 Budget

Thereupon, the City Manager asked for direction on the Year 2000 budget and noted the preliminary figures indicate a 1 mil increase. Thereupon, Mayor Gillette asked that the Historical Society be allotted \$5,000 for Year 2000 noting it had become necessary for the Historical Society to acquire warehouse space to store exhibits when they are not in use. Thereupon, Commissioner Ramsey asked how much the County contributed to the Franklin County Historical Society. Thereupon, Commissioner Gillette responded with \$18,000.

Thereupon, Commissioner Finch suggested that items such as the Chamber donation, and the Human Society donation be frozen until the County contributions came up to meet the City's in these two areas.

Thereupon, Commissioner Ramsey stated he believed the City should set aside monies for the maintenance of the Carnegie Building and the old City Hall Building. Commissioner Ramsey also mentioned for consideration the lights on the Rail Trail.

Thereupon, Commissioner Finch noted a need for a Parking Enforcement Officer in the downtown area.

Thereupon, Commissioner Jackson stated he would like to see money set aside for a Skate Park, Cox Field parking lot, and noted the Jaycees had requested \$2,500 for the Chautauqua Days Festival.

Thereupon, the possibility of replacement of Christmas Lighting was discussed and Commissioner Fleer asked about the condition of the Forest Park swimming pool.

Thereupon, Public Works Director, Andy Haney recommended that Larkin and Associates be retained to make assessments on the pool.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to recess into Executive Session to discuss Attorney/Client Privilege - Potential Litigation for a period of 20 minutes and to reconvene in Open Session at 6:58 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed and asked that the room be cleared.

Reconvene

Thereupon, at 6:58 p.m., Commissioner Jackson made a motion, seconded by Commissioner Finch to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Thereupon, the Mayor noted the time was short and invited everyone present to join the Governing Body in the Regular Meeting, scheduled for 7:00 p.m.

Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of July 12, 1999

The City Governing Body met in Work Study Session at 3:00 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of June 21, 1999.

Review of Agenda

Thereupon, the Commission reviewed the tentative agenda for July 21, 1999, noting that changes would occur.

City Park Request

Thereupon, the Governing Body reviewed a request from Ms. Janie Deegan, Coordinator, Franklin County Youth Impact, who requested Youth Impact be allowed to sponsor a Neighborhood Block Party at City Park on Sunday, July 25, 1999, from 2:00 - 4:00 p.m. The Governing Body reviewed this request and granted its approval.

Stop Sign Request

Thereupon, the Governing Body reviewed a request from Gary and Karen Dodd, 807 Lincoln, and Nick and Andrea Wolken, of 749 Lincoln, for stop signs to be located at the corner of 8th & Lincoln. The City Commission reviewed this request, noting the stop sign issue is broader and needs to be addressed. They asked the Public Works Director to bring a draft ordinance which would address these concerns. The City Manager stated this would be brought back on August 4, 1999.

Government Access Channel

Thereupon, the Governing Body reviewed a proposed resolution to establish programming policies and procedures for the Government Access Channel of the City of Ottawa and agreed to place it on the agenda for July 21, 1999.

Ottawa Truck

Thereupon, the Governing Body reviewed a proposed ordinance concerning the Ottawa Truck tax abatement. Thereupon, City Clerk Scott Bird, explained this ordinance will state the Governing Body made a factual determination that the property in question will be used for manufacturing as specified in Section 13, Article 11 of the Kansas Constitution and this will help meet requirements for this tax abatement to proceed. The Governing Body agreed to place this item on the July 21, 1999 agenda.

Main Street Parking

Thereupon, the Governing Body discussed with Public Works Director Andy Haney, various proposals to alter the degree of parking in the downtown area. Mr. Haney explained if the angle were changed, the stalls would accommodate vehicles up to 7 inches longer, however, the downtown area would lose approximately 34 or 35 spaces. Thereupon, Commissioner Finch asked where the money would come from to make this change. Thereupon, the City Manager stated that either General Fund or Street Rehabilitation Contingency Funds.

Thereupon, Commissioner Ramsey inquired of the handicapped stalls and what that would do to the number of parking spaces in the downtown area. Thereupon, Mr. Haney responded there should be no loss, however, he recommended one ADA accessible stall on each side of each block. Thereupon, it was suggested the Chamber of Commerce be included in these discussions and the local advisory group for Americans With Disabilities be notified as to any proposed changes.

Right-of-way Access Permit

Thereupon, the Governing Body reviewed with Public Works Director Andy Haney, a street and alley excavation permit application. It was noted the City currently has no application process for street and alley excavation. The tracking and follow up on such activity will be enhanced by the implementation of such a permit.

Rights-of-Way Vacation Procedure

Thereupon, the Governing Body reviewed a proposed ordinance to amend the vacation of rights-of-way procedure. The City Manager explained the current process which includes Public Hearings at both the Planning and City Commission levels. One step could be eliminated, leaving only the City Commission to hold a Public Hearing. The Governing Body agreed to place this item on the agenda for July 21, 1999.

Policy for Moving Homes

Thereupon, the Governing Body reviewed a proposed policy to charge for time and materials used to assist the movement of houses. Director of Utilities Jim Bradley, explained a recent relocation of a house at 1408 S. Main, cost the City approximately 46 hours in manpower and 23 hours of truck time. The cost to the City was approximately \$1,586. Mr. Bradley recommended the City charge \$100 for each half day of estimating such a move, and then recover the cost after the move actually occurs. The Governing Body discussed this issue and agreed it should proceed.

Financial and Activity Reports for the Month of May

Thereupon, the Governing Body reviewed the Financial and Activity Reports for the month of May and agreed to place them on the agenda for July 21, 1999.

Open Agenda

Thereupon, Commissioner Finch asked that the Forest Park sign be updated and upgraded, and the City allow some budgetary amounts for local beautification for items such as fire hydrants, etc.

Thereupon, Commissioner Ramsey asked if the next agenda could include an item to discuss issues for the Joint City/County/School meeting.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on July 19, 1999, at 3:00 p.m.
2. There will be a Work Study Session on July 21, 1999, at 9:00 a.m. (**Special Meeting - Budget**)

3. There will be a City Commission meeting on July 21, 1999, at 9:30 a.m.
4. There will be a Joint City/County/School meeting on July 21, 1999, at 12 p.m., in the downstairs conference room at City Hall.
5. There will be a Work Study Session on July 26, 1999, at 3:00 p.m.
6. There will be a Work Study Session on August 4, 1999, at 6:00 p.m.
7. There will be a City Commission Meeting on August 4, 1999, at 7:00 p.m.

Adjournment

There being no further business to come before the Governing Body, Commissioner Finch made a motion, seconded by Commissioner Ramsey to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 4:30 p.m.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of July 19, 1999

The City Governing Body met at 3:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

Thereupon, the Governing Body heard from Mary Ann Whiteford and Marty McQuarie. Mr. McQuarie proposed his band be allowed to play at the Gazebo in City Park on July 27, 1999, starting at 6:00 p.m. and running until dark or approximately 9:30 p.m. Mr. McQuarie and Ms. Whiteford suggested a celebration of sorts be held to commend those who helped the City and their neighbors clean up the storm debris after the damage occurred on June 28, 1999.

Thereupon, the City Manager stated he had intended on recognizing volunteers who helped the City, and would like to take Mr. McQuarie's proposal one step further, he suggested the City set up a couple of grills and serve hot dogs and drinks as part of the celebration. The Governing Body considered these suggestions and agreed to move forward with a celebration on July 27, 1999.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes for July 7, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for July 21, 1999, noting that changes would occur.

Request from the National Guard Armory

Thereupon, the Governing Body heard from Staff Sergeant Steve Geiss who requested the Guard be allowed to use Forest Park for orienteering work. Mr. Geiss explained the park would remain open to the public and urged the citizens to come and watch and requested one of the shelter houses for a family support group picnic.

The Governing Body reviewed this request and agreed to its approval for the use of the Park on August 13th, 14th, and 15th, 1999.

July 19, 1999

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Thereupon, Mr. Geiss reviewed with the Governing Body a request submitted by Matthew W. Twombly for permission to fire a PAC 75 howitzer on July 30, 1999, in support of the Senior State Babe Ruth Baseball Tournament. It was noted the howitzer's would be fired during the opening ceremony and during the playing of the 1812 overture. The Governing Body inquired if this had ever been done before. Sergeant Geiss explained it had been done in Lawrence numerous times and it had performed at City Park in Ottawa. The Governing Body agreed to this request.

Request from Mr. and Mrs. Bill Smell and Mr. and Mrs. Roger Bell

Thereupon, the Governing Body reviewed a request from Bill and Carol Smell and Roger and Dorothy Bell who asked the Governing Body to install a drainage tube under Rockwood Lane to alleviate water problems on the road service and requested a solution to a problem caused by City Employees servicing a lift station in the Rockwood Lane area. The Governing Body discussed the improvement proposed to Rockwood Lane, noting there are similar concerns and improvements which need to be made throughout the community. Public Works Director Andy Haney stated he has a list of improvement needs. The Governing Body asked that a policy be developed to address these needs rather than proceed on a first come, first serve basis.

Thereupon, the Mayor asked for a ballpark estimate regarding this particular improvement and the City Manager suggested a timetable be set up for requests. He further suggested a two year street rehab program be developed. The Governing Body asked that this information be brought back to a future meeting.

Repair of Carnegie Building

Thereupon, the Governing Body reviewed with Risk Manager Judy Hasty, a recommendation that the roof and windows at the Carnegie Building be replaced. Ms. Hasty noted that Mr. Earl Devore had inspected the roof damage at the Carnegie Building resulting from the storm of June 28, 1999. The City has a \$5,000 deductible but the damage needs to be repaired. She further explained that Mr. Phil Theimer, with GAB Robins North America, Inc., an insurance adjuster had also inspected the roof and concurred with Mr. Devore's assessment of the roof. The City Manager stated information would be brought back to the Governing Body regarding this needed repair. City Clerk Scott D. Bird stated the roofers had been called in to do additional repairs after the initial replacement had been made and Mr. Devore had also indicated the built in guttering probably was in need of repair. However, the insurance adjuster had not been willing to accept this as part of the damages.

Vacation of Right-of-Way - 500 Block of Burrough

Thereupon, the Governing Body reviewed with Planning Director Jim Shaw, a proposed movement of right-of-way for the 500 Block of Burrough. Mr. Shaw noted this request had been made by Mr. S.G. Howell, who anticipated upgrading his Mobile Home Park to maintain 80 foot mobile units. The Governing Body agreed to place this item on the agenda for a Public Hearing for July 21, 1999.

Condemnation Ordinance

Thereupon, the Governing Body reviewed a draft ordinance to condemn property along the K-68 corridor in order to place a Sanitary Sewer wetwell for the Sewer Line Improvement. The Governing Body agreed to place this item on the agenda for January 21, 1999.

Neighborhood Revitalization Program

Thereupon, the Governing Body reviewed a memo from Program Manager Wynndee Lee, who recommended the Governing Body approve the applications of 727 Pine, 826 W. 7th, and 1008 N. Hickory, to the Neighborhood Revitalization Program. Ms. Lee noted two of the properties; that is, 727 Pine, and 826 W. 7th, will receive the maximum rebate available for the West 2nd Area, of 100% Year One, 75% Year Two and Three, and 50% for Year Four and Five. The property located at 1008 N. Hickory will receive the maximum rebate available for the Central Business District, of 100% for Five Years. All of this is authorized by Kansas Statute 12-17, 118.

The Governing Body discussed this issue and agreed to place it on the agenda for July 21, 1999.

Heavy Duty Lifts for New City Garage

Thereupon, the City Governing Body heard from Public Works Director Andy Haney, who stated the project cost for the Shop facility had come in lower than anticipated and requested additional money be spent on a heavy duty vehicle lift. Mr. Haney explained the Shop did not have capabilities of lifting its largest trucks for the Fire Department vehicles. He further noted, project savings from the original contract was approximately \$29,894 and a four column lift system capable of fulfilling the City's current need is \$24,450. The Governing Body discussed this request and agreed to its approval.

23rd Street/US-59 Highway Improvements

Thereupon, the Governing Body reviewed a memo from Public Works Director Andy Haney, and a letter from City Engineer John Roane, who explained that J. M. Fahey Construction had attempted to renegotiate the recent bid on the US-59/23rd Street intersection project but was unable to meet the City's timetable and expenditure estimates. Mr. Roane recommended the City not accept either of the submitted bids and further evaluations of alternatives be completed during the calendar year to allow for rebidding the project in the Fall of 1999. The Governing Body reviewed this recommendation and agreed to place this issue on the agenda for July 21, 1999.

Orlis Cox Parking Lot

Thereupon, the Governing Body reviewed a quote of \$78,000 to overlay the parking lot at Orlis Cox Field. It was noted, the chip and seal project for the same area would cost somewhere between \$8,000 and \$10,000. It was agreed to hold this issue until budget discussions later this month.

1999 Quarterly Project Progress Update Report - Second Quarter

Thereupon, the Governing Body reviewed with City Manager Scott Lambers, the 1999 Quarterly Project Progress Report.

Joint City/County/School Agenda

Thereupon, the Governing Body requested items for the Joint City/County/School Agenda be as follows:

1. Systems Enhancement - Roads for resurfacing which include Eisenhower Road, K-68, to I-3; K-68 Highway from the City Limits to I-35, and K-68 West.
2. Neighborhood Revitalization Program.
3. Make a Difference Day.
4. A Partnership between the City and the School District for Tennis Courts and Soccer Fields.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to recess into Executive Session to discuss pending litigation for a period of 10 minutes and to reconvene in the same Work Study Session room at 4:43 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed and asked the room to be cleared.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to reconvene the meeting at 4:43 p.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on July 21, 1999, at 8:30 a.m. (Special Meeting - Budget)
2. There will be a City Commission meeting on July 21, 1999, at 9:30 a.m.
3. There will be a joint City/County/School meeting on July 21, 1999, at 12:00 p.m. in the City Commission Chambers at City Hall.
4. There will be a Work Study Session on July 26, 1999, at 3:00 p.m.
5. There will be a Work Study Session on August 4, 1999, at 6:00 p.m.
6. There will be a City Commission Meeting on August 4, 1999, at 7:00 p.m.

Adjournment

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

Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of July 21, 1999

The City Governing Body met at 9:35 a.m. this date, the following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Fler present, Commissioner Finch present, and Commissioner Ramsey absent. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag. The Invocation was given by Rev. Leroy Rayson. Thereupon, Commissioner Ramsey arrived at 9:37 a.m.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the minutes of July 7, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved.

Public Comments

There were no Public Comments offered during this meeting.

Public Hearing

Thereupon, the Mayor opened a Public Hearing to consider the vacation of a right-of-way in the 500 Block of Burrough Street. There being no one to speak to this issue, the Mayor closed the Public Hearing. Thereupon, City Manager Scott Lambers noted this issue would be brought back to the Governing Body on July 26, 1999.

New Business

Government Access Channel

Thereupon, there was presented Bill No. 99-57, a resolution establishing programming policies and procedures for a Government Access Channel in the City of Ottawa, Kansas.

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution. During discussion it was pointed out this resolution would set programming policies for the Government Access Channel.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1050-99.

Vacation of Public Land

Thereupon, there was presented an ordinance establishing the procedure for vacating Public Lands and Public Right-of-Way, and repealing Ordinance No. 3043-92. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance. During discussion it was pointed out this ordinance speeds up the process and reduces the number of Public Hearings by one.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3319-99.

Ottawa Truck Tax Abatement

Thereupon, there was presented an ordinance making a factual determination on a tax abatement request from Ottawa Truck. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch to, adopt the ordinance. During discussion it was explained this ordinance is required by the Board of Tax Appeals in order for the Ottawa Truck Abatement request to be considered.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3320-99.

Condemnation K-68 Sanitary Sewer

Thereupon, there was presented an ordinance providing for the acquisition by eminent domain of certain private property, consisting of easements and fee simple title for the purposes of constituting sewer improvements for the City of Ottawa, Kansas, directing that lands be acquired for such purposes and directing the City Attorney to file a petition in the District Court of Franklin County, Kansas, for acquisition of easements and fee simple title therein and providing for the payment of costs thereof. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the City has been unsuccessful in negotiating the purchase of a small piece of property, to locate the sanitary sewer wetwell for the sewer line improvement on K-68. This ordinance is required in order for condemnation proceedings to be initiated.

The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey aye, Commissioner Finch aye, Commissioner Jackson aye, Commissioner Flear abstained, and Mayor Gillette aye. Thereupon, the Mayor declared the ordinance duly adopted by 4-0-1 vote and the ordinance was duly numbered Ordinance No. 3321-99.

Neighborhood Revitalization Program

Thereupon, there was presented a request that applications for properties located at 727 Pine, 826 W. 7th, and 1008 N. Hickory be included in the Neighborhood Revitalization Program. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Jackson to approve the request.

During discussion it was explained the Neighborhood Revitalization Program Review Committee had approved these three properties for the Neighborhood Revitalization Program and the properties located at 727 Pine, 826 W. 7th, and 1008 N. Hickory had met program requirements, and will be submitted to all three Governing Bodies for approval. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

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US-59/23rd Street Intersection Bid

Thereupon, it was noted, bids for US-59/23rd Street intersection project had been received, by the City and opened by City Engineer John Roane, on June 29, 1999. Only two bids were received, both of which significantly exceeded the Engineers estimate. The low bidder, J.M. Fahey Construction, indicated a desire to work with the Engineer to meet the City timeline and the City's expected cost. However, in a letter dated July 15, 1999, Mr. Roane indicated J.M. Fahey Construction had not been able to revise their bid and, therefore, recommended the Governing Body not accept any of the submitted bids at this time.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson that the City not accept bids on this project, and the City rebid this project at a future date. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Acceptance of the Monthly Activity and Financial Report for May, 1999

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to accept the Monthly Activity and Financial Report for the month of May, 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss Non-Elected Personnel for a period of 15 minutes and to reconvene in Open Session at 10:05 a.m. in the same City Commission Chambers. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the meeting duly recessed and asked the Chambers to be cleared.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to reconvene the meeting at 10:05 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on July 21, 1999, at 12:00 p.m. in the downstairs Conference Room at City Hall.
2. There will be a Work Study Session on July 26, 1999, at 3:00 p.m.
3. There will be a Work Study Session on August 4, 1999, at 6:00 p.m.
4. There will be a Work Study Session on August 9, 1999, at 3:00 p.m.
5. There will be a Work Study Session on August 16, 1999, at 3:00 p.m.
6. There will be a City Commission Meeting on August 19, 1999, at 9:30 a.m.
7. There will be a Joint City/County/School Meeting on August 19, 1999, at 12:00 p.m. at the Franklin County Jail.

NEXT REGULAR MEETING: AUGUST 4, 1999, AT 7:00 P.M.

Thereupon, Commissioner Ramsey reminded that the Governing Body had agreed to meet on August 2, 1999, at 3:30 p.m. to discuss the budget.

Thereupon, the Mayor announced the City would be hosting a Celebration to commend those who helped during the storm clean up and suggested the Governing Body participate in the facilitation of this activity, scheduled for July 27, 1999, at City Park, from 6:00 - 9:00 p.m.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

July 21, 1999

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City Commission
SPECIAL
Meeting Minutes
Ottawa, Kansas

Minutes of July 21, 1999

The City Governing Body met in Special Session this date in the Work Study room at City Hall. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Jackson present, Commissioner Finch present, and Commissioner Fleer present. The Mayor called the meeting to order at 8:30 a.m. stating the purpose of this meeting was to discuss the budget.

Thereupon, the Governing Body spent the next 60 minutes discussing the Year 2000 budget with the City Manager and Department Heads in a general overview of various funds and activities.

Adjournment

Thereupon, it was moved and seconded to adjourn the meeting at 9:30 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned and invited all present to join him in the Regular Meeting room for the regularly scheduled City Commission meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of July 26, 1999

The City Governing Body met in Work Study Session at 3:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Finch present, Commissioner Jackson present, and Commissioner Fleer absent.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of July 12, 1999, as presented.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for August 4, 1999, noting changes would occur.

Flag Pole Request

Thereupon, the Governing Body reviewed a request from VFW Post No. 5901, to relocate the old Courthouse lawn flag pole to the new North Side Ottawa City Park. Thereupon, the Governing Body considered this request and agreed to remand it to Staff.

Traffic Control Ordinance

Thereupon, the Governing Body reviewed a traffic control ordinance with Public Works Director Andy Haney. This ordinance will establish vehicular rights-of-way throughout the City. Mr. Haney explained the draft revision would delete all 4-way stops previously proposed on Cedar Street, between 1st and 15th. The Governing Body reviewed this request and asked that it be brought back to the meeting of August 4th, 18th, and possibly the 23rd. Thereupon Commissioner Fleer arrived at 3:10 p.m.

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City of Ottawa
Study Session Minutes

Request from Harold Wingert

Thereupon, the Governing Body reviewed a request from H. W. Development; that is, Harold Wingert, Box 549, of Ottawa, Kansas, who asked the City to allow his company to haul waste water from his Car Wash to the City Sewer System for a period of up to 6 months, until the City Sewer can be extended to his property. The Governing Body reviewed this request and agreed to its approval.

Ordinance to Rezone - 1600 Osage Drive

Thereupon, the Governing Body reviewed with Planning Director Jim Shaw, a request to rezone 1600 Osage Drive from Residential Suburban to R-3 Multi-Family Dwelling District. The Governing Body agreed to place this item on the agenda for August 4, 1999.

Annexation of 2424 E. Logan

Thereupon, the Governing Body reviewed a request to annex a parcel at the southwest corner of K-68 and I-35 highways, also know as 2424 E. Logan. Planning Director Jim Shaw noted this voluntary annexation and the City is preparing to serve this area.

Thereupon, Commissioner Finch asked the Governing Body to consider annexing the entire corridor of K-68, out to I-35. City Manager Scott Lambers explained the Governing Body should consider annexations. Eisenhower Road being another consideration. The Governing Body agreed to discuss annexations and approved for this request to be placed on the August 4, 1999, agenda.

System Enhancement Project

Thereupon, the Governing Body reviewed a Systems Enhancement Project Letter of Intent, drafted by Public Works Director Andy Haney, to include a project of K-68 Highway to the East City Limits, and Eisenhower Road from K-68 to I-35 as two possible projects on the State's System Enhancement Program. The Governing Body agreed to pursue these matters.

Press Release-Limb Collection

Thereupon, the Governing Body reviewed a news release from Public Works Director Andy Haney, noting the storm cleanup, resulting from the June 28th wind storm

had been substantially cleaned up. The City will continue to pick up branches until July 30th, and at that time Public Works Crews will discontinue curb side pickup. The Governing Body approved this Press Release to go forward.

Middle School Task Force

Thereupon, Mayor Gillette and Commissioner Ramsey both proposed Commissioner Jackson be appointed to serve on a task force regarding the disposition of the former Ottawa Middle School. Commissioner Jackson accepted to this appointment.

KMGA Board of Directors

Thereupon, the Governing Body agreed to re-appoint Director of Utilities Jim Bradley, for a two-year term to the Kansas Municipal Gas Agency Board of Directors. They further agreed it would be appropriate to appoint Power Plant Superintendent Richard Holland as an alternate Director.

Y2K Compliance

Thereupon, the Governing Body heard a report from City Clerk Scott Bird, as to the City's preparedness for Year 2000.

Open Agenda

Thereupon, Mayor Gillette noted the City is experiencing a Regional Heat Wave and is paying additional costs for purchased power as a result of the fire at Kansas City, Kansas, Board of Public Utilities generating station at Newman Creek Station.

Thereupon, Commissioner Ramsey asked the trees at the corner of 9th and Lincoln be looked at for a possible sight triangle problem. He further asked if the weeds and trees could be trimmed along the Rock Creek guard rail.

Adjournment

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

Scott D. Bird, City Clerk
July 26, 1999

City Commission
SPECIAL CALL
Meeting Minutes
Ottawa, Kansas

Minutes of July 27, 1999

The City Governing Body met in Special Call Session at 6:00 p.m., this date to meet with the Public in appreciation of the storm cleanup efforts after the June 28, 1999 storm devastated City Park. All members of the Governing Body were present and participating.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 2, 1999

The City Governing Body met at 3:30 p.m. in Work Study Session this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Flier present. The Mayor called the meeting to order and asked for Public Comments.

Thereupon, the Mayor heard from Mr. Duane Dickerson and Cecil and Jewel Spratt, representing the Power of Past Antique Engine and Tractor Show. They requested to be allowed to exhibit a banner over Main Street and to display antique tractors in a high traffic area within the City, on City property to advertise this year's show scheduled for September 10th, 11th, and 12th.

Thereupon, it was suggested they display their tractors at the K-68 and Main Street intersection, and perhaps at the Trail Head of the Prairie Spirit Rail Trail where it is visible to south bound traffic. It was further agreed their banner would be allowed to be displayed, however, coordination with the other September events would have to occur. The Mayor thanked Mr. Dickerson and the Spratt's for their work on this show.

2000 Budget

Thereupon, the City Manager explained he had included \$2,500 in the City Budget for the Fourth of July fireworks display, as per the Jaycees request, noting the Governing Body has the final say.

Thereupon, the Governing Body heard from Police Chief Jeff Herrman and Police Department Office Manager Karen Chase, who explained that Eagle Lift Equipment Company of Kansas City, Kansas, currently has a Cushman scooter at a reduced price of \$8,500, compared to \$10,500 for a comparable unit. The Chief explained this particular unit is brand new in the box, and ready for delivery. The Governing Body discussed this issue agreeing that it was necessary if the parking officer is to added, and agreed to the approval of its purchase immediately.

Thereupon, Chief Herrman and Ms. Chase explained the need for a new fax machine, software, and a maintenance agreement on the fax machine. The Governing Body discussed this issue and agreed to reduce the \$1200 request in the 2000 budget, to \$1000.

Thereupon, the Governing Body heard from Fire Chief Jeff Carner regarding a proposed purchase of a copier and agreed to leave budgetary figures as it was originally presented.

Thereupon, the City Manager explained that the inclusion of a vehicle for the Fire Chief for \$6000 over the next 4 years as lease payment amount.

Thereupon, the Governing Body spent the next 60 minutes discussing the year 2000 budget with the City Manager and Staff.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on August 4, 1999 at 6:00 p.m.
2. There will be a City Commission Meeting on August 4, 1999 at 7:00 p.m.
3. There will be a Work Study Session on August 9, 1999 at 3:30 p.m.
4. There will be a Work Study Session on August 16, 1999 at 3:30 p.m.
5. There will be a City Commission Meeting on August 18, 1999 at 9:30 a.m.
6. There will be a Joint City/County/School Meeting on August 18, 1999 at 12:00 p.m. at the Franklin County Jail.
7. There will be a Work Study Session on August 23, 1999 at 4:00 p.m.
8. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.
9. **COMMISSION PHOTOS WILL BE TAKEN AUGUST 18TH, AT 9:00 A.M.**

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of August 4, 1999

The City Governing Body met in Regular Session at 7:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Fleer present, Commissioner Finch present, and Commissioner Ramsey absent. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to approve the Regular Minutes of July 21, 1999, and the July 27, 1999, Special Call meeting as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved.

Public Comments

Thereupon, the Governing Body heard from Ms. Freone Hollinger, 3090 Neosho Road, who spoke against the possibility of Island Annexation on the K-68 Corridor, stating she had been the victim of progress when Interstate 35 cut across her farm ground 40 years ago.

Next to address the Governing Body was Mr. Ronnie Johnson of Olathe, property owner of 1035 N. Oak. Mr. Johnson spoke to the Governing Body regarding the directional signal at 1st & Main, stating that it stays on an excessive amount of time. He also stated he had concerns about the stop sign issue; however, he had visited with the City Manager and felt this was resolved in his mind.

Public Hearing

Thereupon, the Mayor opened a Public Hearing to consider through streets and stop signage. There being no one to speak to this issue, the Mayor closed the

August 4, 1999

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Public Hearing. Thereupon, the City Manager stated this will be advertised and again heard at a future meeting.

New Business

Re-Zone of 1600 Osage Drive

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

During discussion it was explained, Planning Commission had reviewed this re-zone, held a Public Hearing, and recommended to the Governing Body the approval of the re-zone for 1600 Osage Drive by a vote of 4-1.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3321A-99.

Annexation

Thereupon, there was presented an ordinance annexing land to the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch to adopt the ordinance.

During discussion it was explained, ordinance allows annexation of a parcel at the southwest corner of K-68 and I-35, also known as 2424 E. Logan. The owner submitted a request for annexation voluntarily. Thereupon, Commissioner Finch pointed out that he supported this ordinance and wanted to look at a broader consideration for annexation throughout the K-68 corridor.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3322-99.

Arrowhead Addition II - Acceptance of Improvements

Thereupon, there was presented a resolution accepting public improvements within Arrowhead Addition II, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained, the acceptances of these improvements will allow the builder to obtain building permits for the rest of the development, and the passage of this resolution will formally accept the remaining public improvements.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution 1050A-99.

System Enhancement Program

Thereupon, there was presented a request for affirmation of an application for the System Enhancement Program. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve this affirmation.

During discussion it was explained, the City's application for System Enhancement's to the Eisenhower Road Corridor and the K-68 Corridor had been sent to the state for consideration of inclusion in the System Enhancement Program.

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

Appointments to KMGGA

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Finch, to appoint Director of Utilities Jim Bradley to the Board of Directors of the Kansas Municipal Gas Agency and to appoint Power Plant Superintendent Richard Hollon to serve as an Alternate Director to the same Board of Directors. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointments duly approved.

Permit Fees for House Moving

Thereupon, there was presented an ordinance requiring a permit, establishing an estimating fee, and providing for reimbursement of all actual expenses incurred by the City, by any person or firm requesting permission to move a house or other building from one location within the City limits of Ottawa, Kansas, to any other location either within or outside the City limits. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained, this ordinance is being established to allow the City to recover costs with regards to the movement of homes in or through the City. The City Manager explained the City incurs a significant cost for traffic control and utility movement when such activities occur.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3323-99.

Approval of CMB Licenses

Thereupon, there was presented a request for cereal malt beverage license in the name of Marken Industries, doing business as Midway Oil, located at 216 E. 23rd. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the application.

During discussion it was explained, the Police, Fire, and Legal Departments have reviewed this application and recommended its approval.

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

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on August 9, 1999 at 3:30 p.m.
2. There will be a Work Study Session on August 16, 1999 at 3:30 p.m.

August 4, 1999

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3. Commission Photo Session on August 18, 1999 at 9:00 a.m.
 4. There will be a Joint City/County/School Meeting on August 18, 1999 at 12:00 p.m. at the Franklin County Jail.
 5. There will be a Work Study Session on August 23, 1999 at 4:00 p.m.
 6. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.
- NEXT REGULAR MEETING: AUGUST 18, 1999 AT 9:30 A.M.**

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 4, 1999

The City Governing Body met in Work Study Session at 6:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Jackson present, Commissioner Fleer present, and Commissioner Ramsey absent. A quorum was present. The Mayor called the meeting to order at 6:00 p.m. and welcomed those in the audience.

Public Comments

There were no Public Comments offered at this meeting.

Work Study Session Minutes

Thereupon, the Governing Body considered and accepted the Work Study Session minutes of July 19, 1999 and July 21, 1999.

Review of August 4, 1999, Agenda

Thereupon, the Governing Body reviewed the tentative agenda for this date at 7:00 p.m.

Presentation of Financial Statements for the City of Ottawa and the Firemen's Relief Association.

Thereupon, the Governing Body heard from Keith Gaeddert of Agler & Gaeddert, the City's Auditor. Mr. Gaeddert reviewed with the Governing Body the 1998 Financial Statements and Audit, noting the opinion given was the highest opinion possible. Mr. Gaeddert noted there were very few exceptions, those found were minor and had been discussed with the Finance Director. He stated this was a fine audit. Thereupon, the Mayor expressed his appreciation to the City Clerk/Finance Director and the Finance Staff. Thereupon, City Clerk Scott Bird expressed his appreciation to the Finance Staff for their hard work throughout the year to make this audit possible.

Tree City USA Program

Thereupon, the Governing Body reviewed a letter from Mr. Jim Grogan, representing the Chamber of Commerce, who suggested a Tree City Board of Directors be developed to implement the Tree City USA Program. Thereupon, the City Manager stated an

ordinance would be drafted and brought to the first meeting in September to follow up on this request.

CMB License

Thereupon, the Governing Body reviewed a Cereal Malt Beverage application from Marken Industries, Inc., of 216 E. 23rd Street. The Governing Body agreed to place this item on the August 4, 1999, Regular Meeting Agenda.

Arrowhead Phase II

Thereupon, the Governing Body reviewed a recommendation from Planning Director Jim Shaw to accept the Public Improvements in the Arrowhead Phase II Addition, which will allow the Developer to obtain building permits for the rest of the development. The Governing Body agreed to place this item on the Regular Meeting Agenda.

Utility Fees

Thereupon, the Governing Body reviewed with City Clerk Scott Bird, a memo which outlined the various Utility Fees imposed by the Electric & Water Departments. Mr. Bird explained these fees are imposed by various resolutions, more specifically Resolution No.'s 616-92, 819-94, and Ordinance 3119-94. He further explained that upon a disconnection of service due to nonpayment an electric reconnect fee is \$25, unless it occurs after hours when the Service Representative is on overtime. This creates a \$35 reconnect fee. If the water has been disconnected the reconnect fee is \$20 unless after hours, at which time it is \$30.

Open Agenda

Thereupon, the Mayor stated he had attended the D.A.R.E. camp picnic, and was pleased to see everyone having a good time. Thereupon, City Manager Scott Lambers stated he had attended a meeting in Topeka where Don Moller had spoke regarding the transportation issue, noting that Franklin County anticipates receiving strong consideration.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on August 4, 1999 at 7:00 p.m.
2. There will be a Work Study Session on August 9, 1999 at 3:30 p.m.
3. There will be a Work Study Session on August 16, 1999 at 3:30 p.m.
4. Commission Photo Session on August 18, 1999 at 9:00 in the City Commission Chambers.
5. There will be a City Commission Meeting on August 18, 1999 at 9:30 a.m.
6. There will be a Joint City/County/School Meeting on August 18, 1999 at 12:00 p.m. at the Franklin County Jail.
7. There will be a Work Study Session on August 23, 1999 at 4:00 p.m.
8. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 9, 1999

The City Governing Body met in Work Study Session at 3:30 p.m. this date. All members of the Governing Body being present and participating.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes of July 26, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed a tentative agenda for August 18, 1999, noting that changes and additions would occur.

Carnegie Building Reimbursement Request

Thereupon, the Governing Body heard from Mrs. Alice Joy Lewis to request reimbursement from the City for the expenditure incurred by the Suzuki Strings organization, in an amount of \$11,875 for the purchase and installation of an air conditioning system for the upper level of Carnegie Building. The Governing Body discussed this issue with the City Manager who indicated that \$5,000 is included in next year's budget for improvements at the Carnegie Building.

Thereupon, Commissioner Finch stated he believed the reimbursement needed to be planned for, and asked that contingency funds be expended towards the end of the year to cover at least half of this request.

Request from Ottawa Horseshoe Club

Thereupon, the Governing Body reviewed a request from the Ottawa Horseshoe Club to host the Kansas State Horseshoe Tournament in Forest Park during the weekend of September 4th, 5th, and 6th. The Governing Body considered this request and agreed to its approval.

No Parking Zones in Cutting Addition

Thereupon, the Governing Body heard from Public Works Director Andy Haney, who recommended the code be modified to include parking restrictions in Cutting Addition. The Governing Body considered this recommendation and agreed to place it on the agenda for August 18, 1999.

500 Burrough Street - SG Howell

Thereupon, the Governing Body reviewed a request for a street right-of-way shift for Mr. S.G. Howell. The Governing Body had considered this at an earlier Public Hearing. The Governing Body agreed to proceed with this request; however, to retain a storm water easement in this right-of-way at Mr. Haney's request.

Sanitary Sewer Force Main- Wal-Mart

Thereupon, the Governing Body reviewed a letter from Mr. Kelvin Dedner, Project Manager for Wal-Mart, and an executed dedication agreement. The agreement dedicates a portion of Sanitary Sewer Force Main originally installed by Wal-Mart to the City's system. The portion dedicated to the City extends generally from I-35 and K-68 Highway back to the City Limits.

The Governing Body also discussed a request from Wal-Mart for reduced Water and Sewer rates and agreed to place the dedication of the Sewer onto the meeting of August 18, 1999. Commissioner Ramsey made a motion the rate reduction request be moved to a future date. The motion was seconded by Commissioner Finch, and upon being put, all present voted aye.

Grant Application North Side Park

Thereupon, the Governing Body reviewed, with Program Manager Wynndee Lee, a grant application for \$15,000 for a playground system, swings, bouncers, rides, sandbox, benches, trash receptacles, and lighting for the North Side Park Project. It was noted the City would be matching these funds from its General Contingency Fund. The Governing Body agreed to move forward with this application.

Monthly Financial and Activity Report for June, 1999

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of June. Thereupon, Commissioner Ramsey inquired as to the lack of a report from the Municipal Court Clerk. Thereupon, Captain Ron Puterbaugh responded that the Court Clerk had had surgery and been off for several weeks.

2000 Operating Budget

Thereupon, the Governing Body heard from the Humane Society Board of Directors who explained the Humane Society discovered through their own efforts that Miami County has been bringing numerous animals to this shelter. Therefore, the Humane Society asked Miami County to include \$7,000 in next year's budget for operations of the shelter. Mr. Shawn Kelsey reported they expected to receive \$5,000 from Miami County. They further expect to receive donations from Pomona, Williamsburg, and Richmond. It was noted the Franklin County Commission had been asked for \$27,000.00, however, it looks as if \$23,000 will be allocated. Thereupon, City Manager Scott Lambers suggested Paola also be approached since it is a large community and probably a large part of the Miami County influx.

Thereupon, the Governing Body discussed other items regarding the operation budget, that is, for the Police fax machine from \$1200 to \$1000. The change in description for Capital Improvements from the Special Parks and Recreation Fund and the Franklin County 911 Budget.

Thereupon, the Governing Body gave its approval for the budget to be published and further gave its approval that an ordinance be placed on the agenda which demonstrates the City's expectations that the Tax Dollars will increase over 1999.

Open Agenda

Thereupon, Commissioner Jackson asked for a proclamation on next Wednesday's agenda to recognize Bethany Chapel and their 132 years of service to the Community.

Thereupon, Commissioner Finch asked Captain Puterbaugh if the skate boarders at Haley Park had been addressed. Thereupon, Captain Puterbaugh responded affirmatively.

Adjournment

Thereupon, there being no further business to come before the Commission, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adjourn the meeting. The motion was considered and upon being put, all present voted aye.

Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 16, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of August 2nd and August 4th.

Review of Commission Agenda

Thereupon, the Governing Body reviewed the August 18th Regular Meeting Agenda, noting items would be added.

Request from Carnegie Cultural Center

Thereupon, the Governing Body reviewed a request from Ms. Angela Perryman, representing the Ottawa Community Arts Council, requesting the Arts Council be allowed to serve wine at the Arts Award Banquet on October 3, 1999 and that other events may be occurring which would be requested likewise.

The Governing Body discussed this issue and agreed to make a change in the Municipal Code to allow alcoholic beverages to be served only, not sold, at activities at the Carnegie Cultural Center. The City Manager suggested a revised ordinance be brought before the Governing Body.

Back to the 60's Profile Cruise

Thereupon, the Governing Body reviewed a request to allow Main Street to be blocked from 1st to 7th Street, between 5:00 and 10:00 p.m., on Saturday, September 18, 1999, in conjunction with the Old Mary River Run Cruise Night.

The Governing Body discussed this issue with Public Works Director Andy Haney, and Police Chief Jeff Herrman and agreed to its approval.

August 16, 1999

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Tree Advisory Board

Thereupon, the Governing Body reviewed a draft ordinance from Public Works Director Andy Haney, suggesting changes and asked Mr. Haney to place this on the agenda for August 18.

Request from ORC- Emergency Preparedness Plan

Thereupon, the Governing Body reviewed a letter from Ms. Jane Yancey, Director of the Ottawa Recreation Commission, asking for implementation of an emergency preparedness plan in the event of severe weather during baseball season, noting that the Orlis Cox Complex has experienced difficulties when vehicles attempt to evacuate on short notice.

The Governing Body discussed this issue and asked that members of the Recreation Commission set down at the table with them to discuss this issue. It was further suggested that Public Works Director Andy Haney, Police Chief Jeff Herrman, City Manager Scott Lambers, and the City Engineer review this situation.

Lights at Orlis Cox Complex

Thereupon, the Governing Body reviewed a letter of request from the Recreation Commission to have lighting installed by City Crews around the Orlis Cox Complex. Utility Director Jim Bradley noted this could occur; however, it would be on an ability to serve basis by his crews. The Governing Body agreed to this request.

CDBG Application

Thereupon, the Governing Body reviewed a request for a Public Hearing notice to hold a Public Hearing on August 25, 1999, at 9:30 a.m., in City Hall at 101 S. Hickory for the purpose of considering an application to be submitted to the Kansas Department of Commerce and Housing, for small cities, community development block grants, under the Economic Development category. The specific project application to be discussed is Heartland China, located at 1510 Davis Avenue.

Thereupon, Mr. Lou Atherton explained this facility is in competition with a facility in California and it is hoped that this will bring additional jobs to Ottawa as a result of plant expansion. The Governing Body agreed to hold the Public Hearing and consider this request at the August 25th Special Meeting.

Open Agenda

Thereupon, Mayor Gillette noted that Nearman Creek Station intended on being on line in a partial capacity today, and full capacity later in the week. The City Manager explained the City is still buying energy at a higher cost; however, these cost are not as extreme as had been experienced earlier.

Announcements

Thereupon, the Mayor announced:

1. Commission Photo Session on August 18, 1999 at 9:00 a.m. in the City Commission Chambers.
2. There will be a City Commission Meeting on August 18, 1999 at 9:30 a.m.
3. There will be a Joint City/County/School Meeting on August 18, 1999 at 12:00 p.m. at the Franklin County Jail.
4. There will be a Work Study Session on August 23, 1999 at 4:00 p.m.
5. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of August 18, 1999

The City Governing Body met at 9:30 a.m. in Regular Session this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved as presented.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the minutes of August 4, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved.

Response to Public Comments

Thereupon, the Mayor stated Mrs. Freone Hollinger, 3090 Neosho Road, had addressed the Commission regarding the annexation of property on K-68 Highway. There were no Staff comments.

Thereupon, the Mayor noted Mr. Ronnie Johnson had addressed the Commission regarding the left turn signal at First and Main stating the signal should operate more frequently than is currently scheduled. Thereupon, the Mayor responded that Mr. Johnson had been advised the turn signal is currently operated only during rush hour traffic.

Presentations and Recognition

Thereupon, the Mayor read a proclamation recognizing the 132nd Anniversary of Bethany Chapel Baptist Church. Thereupon, Commissioner Jackson received the Proclamation and invited all interested to this Sunday's celebration service at Bethany Chapel, starting at 9:00 a.m.

Public Hearing - Through Streets

Thereupon, Mr. Joel Nordeen of 1604 Apple Lane, addressed the Governing Body and encouraged them to refrain from locating stop signs on Cedar Street. Thereupon, the Mayor advised Mr. Nordeen that changes to Cedar Street would be excluded from this proposed ordinance.

Thereupon, Mr. Mike Gomez of 106 North Locust, stated he had problems with the traffic at First and Locust, noting the stop signs had been removed when the railroad had been abandoned. Traffic going up and down First Street stirs a great deal of dust and asked that First Street be paved. Mr. Gomez expressed concern for accidents with the speed in which motorist use on First Street. The Governing Body thanked Mr. Gomez for his input.

New Business

1998 Audit

Thereupon, there was presented Bill No. 99-71, the acceptance of Financial Statements for the City of Ottawa 1998. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the acceptance.

Thereupon, it was explained Mr. Keith Gaeddert of Agler & Gaeddert, Chartered, had reviewed the Financial Statements with the Governing Body at the Regular Work Study Session on August 4, 1999. Mr. Gaeddert informed the Commission because of the efforts of City Staff this audit received the highest remarks an auditor can give. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Financial Statements and the 1998 Audit for the City of Ottawa, Kansas, duly accepted.

Vehicle Ordinance

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

During discussion it was explained this ordinance will modify the Municipal Code to include the no parking signs placed in Cutting's Addition by the developer. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance 3324A-99.

Acceptance of Sanitary Sewer Force Main

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to accept the offer from Wal-Mart to dedicate a portion of its private sanitary sewer force main along K-68 to the City of Ottawa.

During discussion it was explained, Wal-Mart has offered to dedicate a portion of its private sanitary sewer force main along K-68 to the City of Ottawa from a point west of I-35 (yet to be determined) to the point where the current private force main ties into the City's system. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Tree Advisory Board

Thereupon, there was presented an ordinance establishing a City of Ottawa Tree Advisory Board. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained the adoption of this ordinance is necessary for the City to become a Tree City USA member. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3325-99.

Monthly Financial and Activity Report for June

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the Monthly Financial and Activity Report for June 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for June 1999 duly approved.

Reports by City Manager

Thereupon, City Manager Scott Lambers reminded the Governing Body that City Hall had been broken into and this event would be aired on the Crime Stoppers Program in the near future.

He further informed the Governing Body the Power Plant continued to experience natural gas problems and his office is waiting for an explanation from KMGGA, Kansas Municipal Gas Agency, and if an appropriate response is not forthcoming KMGGA will file a complaint on the City's behalf.

Reports by Mayor

Thereupon, Mayor Gillette asked if Nearman Creek generating station was back on and in service. Thereupon, the City Manager responded affirmatively; however, he noted it is not at full capacity yet, but expects to be so before the weekend.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on August 18, 1999 at 12:00 p.m. at the Franklin County Jail.
2. There will be a Work Study Session on August 23, 1999 at 4:00 p.m.
3. There will be a Special Call City Commission Meeting on August 25, 1999 at 9:30 a.m.
4. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.
5. There will be a Work Study Session on September 1, 1999 at 6:00 p.m.
6. There will **not** be a Work Study Session on September 6, 1999 (Labor Day).
7. There will be a Work Study Session on September 13, 1999.

NEXT REGULAR MEETING: SEPTEMBER 1, 1999 AT 7:00 P.M.

August 18, 1999

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Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 23, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of August 9, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for September 1, 1999.

Friends of the Prairie Spirit Trail

Thereupon, the Governing Body heard from Ms. Ellen Greninger and Ms. Ruth Carey, Representing the Friends of the Prairie Spirit Trail, who presented a plat of improvements on the trail and discussed a grant possibility to help finance this project. Ms. Greninger explained there are two projects being considered; the first, lighting for the trail and the second, improvements such as trees, benches, and shrubs to be placed at intersections along the trail.

Thereupon, the City Manager suggested a Master Plan for the development of trail improvements be drafted and asked that Staff be allowed to bring back recommendations. Thereupon, Public Works Director Andy Haney stated that MOK Lighting would like to make a presentation to the Governing Body in the future.

Request to Shoot Fireworks

Thereupon, the Governing Body reviewed a request from Mr. and Mrs. Joe White to discharge three or four fountain type fireworks on the evening of September 18, 1999 at their daughter's wedding reception to be conducted at the Ottawa Country Club. The Governing Body agreed to this request and in response to the City Clerk's question, stated that no liability insurance rider would be required.

August 23, 1999

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Breast Cancer Awareness Month

Thereupon, the Governing Body reviewed a request from Cora Kunard member of the Breast Cancer Support Group to place pink ribbons on the trees of Main Street from 15th to 1st to bring awareness to Breast Cancer Month in October. Ms. Kunard further stated in her letter, the ribbons would be removed from trees the first week in November. The Governing Body agreed to the approval of this request.

Public Access Cable Television

Thereupon, the Governing Body reviewed a request from Mr. Brad Simon, Ottawa Middle School Science Club Teacher, who requested the Science Club be allowed to produce and maintain a school and community calendar of events to be broadcast on the Government Access cable television station maintained by the City. The Governing Body reviewed this request and agreed to allow Mr. Simon's class to proceed.

Kansas Sampler Festival

Thereupon, the Governing Body reviewed information from the Kansas Sampler Fest Committee, noting that a mini Sampler Fest will be held Sunday, September 26, 1999, at 6:00 p.m., at the Franklin County Annex.

Thereupon, the City Manager suggested the Governing Body consider supporting this activity through a donation to the Convention and Tourism Bureau, in support of the Kansas Sampler Festival. The Governing Body took no action at this time, but took the recommendation under consideration.

Ottawa Herald Request

Thereupon, the Governing Body reviewed a request from the Ottawa Herald for participation in a twentieth century millennium addition of the Ottawa Herald. The Governing Body agreed to proceed with the City Manager's suggestion to include some type of historical information about the City with Commissioner Ramsey desenting.

Wal-Mart Sanitary Sewer Force Main

Thereupon, the Governing Body reviewed a request from Wal-Mart Distribution, to reduce water and/or sewer rates. The Governing Body declined to adjust these rates.

Swimming Pool Evaluation

Thereupon, the Governing Body reviewed a recommendation from Public Works Director Andy Haney to hire Larkin Aquatics to provide an evaluation of the swimming pool. Mr. Haney outlined three options provided by Larkin Aquatics and recommended the Governing Body not accept Option A which is a basic inventory of the existing facility. Mr. Haney explained he did not believe this option would be complete enough to meet the needs of the Governing Body. Thereupon, City Manager Scott Lambers recommended Option C, with a cost of \$6500, which will be a complete report including photographs and engineering estimates for the specific elements of all potential improvements.

The Governing Body reviewed these recommendations and agreed to proceed, using contingency monies to hire Larkin Aquatics to perform this evaluation.

Public Works Grader Repair

Thereupon, the Governing Body reviewed with Public Works Director Andy Haney, a recommendation to replace the diesel engine in the 1972 caterpillar road grader owned by the City. Mr. Haney explained the lowest repair of this machine would be to replace the engine with a used engine for \$6,050. Mr. Haney explained Martin Tractor & Cat Dealer of Topeka had made this recommendation noting that other possibilities, including a remanufactured long block in the amount of \$10,000 was included in his list of possibilities.

The Governing Body discussed this issue and agreed to proceed with the used engine option, noting that funds would be expended from the General Fund Contingency.

Through Streets

Thereupon, the Governing Body reviewed the proposed ordinance for through streets in the City of Ottawa and agreed to place this item on the Agenda for September 1, 1999.

Year 2000 Budget

Thereupon, the Governing Body reviewed the appropriations ordinance for the Year 2000 Budget and agreed to place this item on the agenda for September 1, 1999.

Request for Nominations for the Affordable Housing Advisory Council

Thereupon, the Mayor noted that Commissioner Jackson had been serving as the City's representative on this council and recommended he be reappointed for another term. The Governing Body agreed to this recommendation and Commissioner Jackson accepted the nomination to the Affordable Housing Advisory Council.

Open Agenda

Thereupon, Commissioner Finch stated he had attended an Annexation meeting held in the County and noted that resistance to annexation was very present. He stated he wanted to bring these concerns back to the Governing Body.

Thereupon, the Mayor reported he had attended the Birthday Celebration of Bethany Baptist Church on Sunday, August 22, 1999.

Announcements

Thereupon the Mayor announced:

1. There will be a Work Study Session on August 30, 1999 at 4:00 p.m.
2. There will be a Work Study Session on September 1, 1999 at 6:00 p.m.
3. There will be a City Commission Meeting on September 1, 1999 at 7:00 p.m.
4. There will **not** be a work Study Session on September 6, 1999 (Labor Day).
5. There will be a Work Study Session on September 13, 1999 at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
SPECIAL
Meeting Minutes
Ottawa, Kansas

Minutes of August 25, 1999

The City Governing Body met at 9:30 a.m. this date. The following members being present and participating to wit: Commissioner Ramsey present, Commissioner Fleeer present, Commissioner Finch present, Mayor pro tem Jackson present, and Mayor Gillette absent. A quorum was present. Thereupon, Mayor pro tem Jackson called the meeting to order, stating the purpose of this meeting is to consider a Community Development Block Grant application for Heartland China, A.K.A. Golden State Porcelain.

Thereupon, the Mayor opened a Public Hearing to consider a Community Development Block Grant (CDBG) application to provide funds to relocate a manufacturing facility and equipment from Golden State Porcelain in California to Ottawa, Kansas.

Thereupon, the City Manager stated this hearing is required as part of the CDBG process by the State of Kansas and upon completion of the Public Hearing action is requested to move forward with this grant.

Thereupon, Mr. Wayne Simmons of the East Kansas Economic Development Group stated the project is for \$2,033,000.00, \$153,000.00 of which is from a Golden State Porcelain holding company and the balance coming from a private lender. He noted the company proposes 55 new jobs to be created as a result of this move, with 50 of them low to moderate income jobs, that is 91% LMI. He further explained funds would be used to assist in the change of ownership and transfer of employees from California. He stated additional employees would be hired locally.

Next to address the Commission was Mr. Lonnie King representing OFCED, stated that Ottawa Franklin County Development had met with the company to review their business plan and stated it was his belief this move would be in the best interest of both Heartland China and the City of Ottawa.

There being no further comments, Mayor pro tem Jackson closed the Public Hearing.

Resolution Accepting the Application

Thereupon, there was presented Bill No. 99-76, a resolution accepting the CDBG Application to provide funds to relocate the Golden State China manufacturing facility to the City of Ottawa.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to adopt the resolution. During discussion it was explained this resolution is required by the State of Kansas in order for this application to go forward. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor pro tem declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1051-99.

Letter of Support

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to authorize a letter of support for the Golden State Porcelain application for grant funds from the Kansas Existing Industry Expansion Program (KEIEP). The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of August 30, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

Thereupon, **Mr. Glenn Underwood**, 1206 College, spoke to the Governing Body regarding annexation on the K-68 Corridor. Mr. Underwood asked several questions about the ability of the City to serve this area and what shape the sewer fund is in.

Next to address the Commission was **Mr. Joe Underwood**, of Rural Water District No. 1, stating this proposed annexation would adversely affect the Rural Water District, causing a loss of up to 40 meters, with an average use of 5,000 gallons per customer. He asked the City to communicate better with the Rural Water District.

Next to address the Governing Body was **Ms. Freone Hollinger**, who informed the Governing Body that a Public Meeting had been held in the area in question and Commissioner Finch had attended. She stated she believed no one wanted annexation in this area.

Next to address the Governing Body was **Ms. Amy Higman** of 600 S. Main, complaining about the juveniles who loiter on Park Street on the South Side of City Park. She showed the Governing Body numerous newspaper articles of arrest in the area and complained that this loitering goes on up until the early hours of the morning. She said she recognized loitering is a charge which can no longer be enforced but asked that something be done.

City Manager Scott Lambers, responded that Ms. Higman is correct in that loitering is no longer an enforceable charge. He stated that staff had proposed an ordinance several years ago which would enforce the Park Curfew within 50 to 100 feet of any Park; however, it had not been adopted. He recommended this ordinance be brought back before the Governing Body. The Governing Body agreed this should be reconsidered.

Review of Minutes

Thereupon, Commissioner Ramsey suggested changes to minutes of August 16, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for September 1, 1999.

Cable Television Franchise

Thereupon, the Governing Body reviewed a letter from Multimedia District Manager Drew Fleming, requesting the City transfer the Cable TV franchise agreement from Multimedia Cable Vision Inc., to Cox Communications, Inc. Mr. Fleming additionally provided a draft resolution which City Attorney Bob Bezek suggested be redrafted and exclude some of the superfluous information. The Governing Body asked this be scheduled for additional discussion on September 13, 1999, and an Executive Session be held on September 13, 1999, to discuss the TCI issue.

City Attorney Legal Fees

Thereupon, the Governing Body reviewed a request from City Attorney Bob Bezek, for an increase from \$65 per hour to \$75 per hour, for work performed by he and the Assistant City Attorney. The Governing Body discussed this issue, recognized a resolution was in order, and asked that one be drafted for the September 15, 1999 agenda.

Application for Kansas Aviation Council (KAC)

Thereupon, the Governing Body discussed a letter from Mr. Andrew Perry inviting participation in the first Board of Directors meeting of the KAC, to be held on September 10, 1999. Thereupon, Mayor Gillette volunteered to attend this meeting and participate in this organization.

Request for Funding Year 2000

Thereupon, the City Manager explained he had received a request for funding for budget Year 2000 in the amount of approximately \$4,000 from the Franklin County Outreach office of Women's transitional Care Services, Inc. The City Manager noted this would be an ongoing request, not merely a one time request for capital items. He further noted that this request came after the Year 2000 Budget had been published. Thereupon, the Governing Body suggested this organization look to the United Way for funding.

Nomination to the League of Kansas Municipalities Governing Body

Thereupon, Commissioner Jackson expressed interest in this position. Thereupon, Commissioner Ramsey recommended the Governing Body support Commissioner Jackson's re-nomination to this position. Thereupon, the Governing Body agreed to nominate Commissioner Jackson.

National League of Cities Voting and Alternate Voting Delegates

Thereupon, it was agreed to place on the agenda, the nomination of Mayor Gillette as the voting delegate to the National League of Cities meeting to be held November 30, 1999, through December 4, 1999, and Commissioner Jackson be nominated as an alternate delegate. The Governing Body agreed to place this on the agenda.

League of Kansas Municipalities Voting Delegates

Thereupon, the Governing Body discussed voting delegates to the League Meeting scheduled for October 2, 1999, through October 5, 1999. Thereupon, it was moved and seconded Commissioner Jackson and City Manager Scott Lambers be appointed as voting delegates. The Governing Body agreed to place this item on the agenda for September 1, 1999.

Monthly Activity and Financial Report - July, 1999

Thereupon, Commissioner Jackson noted LIEP monies had been set aside for other activities and asked the City Clerk for an impact of this decision by the State. Thereupon, Commissioner Ramsey inquired about the Municipal Court report and why Fines & Fees were down and about the Police Report. Thereupon, Police Chief Jeff Herrman stated the Police Incident Report would be updated as of the August report.

Open Agenda

Thereupon, City Manager asked permission to start the process to purchase Police Cruiser's which are budgeted for the Year 2000. The City Manager noted the City currently has two cruisers out of service and that they are reaching their expected useful life. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to replace the five squad cars, to be charged to Contingency Funds

in 1999, for a lease purchase and to postpone the purchase of an SUV as budgeted by the Department until after January 2000. The motion was considered and upon being put, passed 4 to 1, with Commissioner Ramsey dissenting.

Thereupon, Commissioner Ramsey asked downtown signage be put on the agenda for September 13, 1999.

Thereupon, Mayor Gillette asked the City to look at the possibility of delayed billing. Thereupon, Commissioner Finch moved to adjourn.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on September 1, 1999 at 6:00 p.m.
2. There will be a City Commission Meeting on September 1, 1999 at 7:00 p.m.
3. There will **not** be a Work Study Session on September 6, 1999 (Labor Day).
4. There will be a Work Study Session on September 13, 1999 at 4:00 p.m.
5. There will be a City Commission Meeting on September 15, 1999 at 9:30 a.m.
6. There will be a Joint City/County/School Meeting on September 15, 1999 at 12:00 p.m. at OMS (meet at the front office).
7. There will be a Work Study Session on September 20, 1999 at 4:00 p.m.
8. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of September 1, 1999

The Governing Body met in Regular Session at 7:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Chamber Audience in the Pledge of Allegiance to the American Flag and the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the minutes of August 18, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of August 18, 1999, approved as written.

Public Comments

There were no Public Comments offered at this meeting.

Public Hearing

Thereupon, the Mayor opened a Public Hearing for the purpose of hearing and answering objections of tax payers for the proposed use of all funds in the amount of Ad Valorem Tax for the Year 2000 Budget. There being no one to speak to this issue, the Mayor closed the Public Hearing.

New Business

Budget Increase

Thereupon, there was presented an ordinance attesting to the possible increase in taxes levied for Budget Year 2000 necessary to finance Public Services for the City of Ottawa, Kansas. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this ordinance had been discussed at the August 9, 1999, Work Study Session and must be adopted before the Year 2000 budget is adopted. The motion was considered, and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3324-99.

Budget Ordinance - Year 2000

Thereupon, there was presented an ordinance appropriating the amounts provided in each fund in the Budget for the Year 2000: Providing for the payment of all claims and charges against the funds provided for therein; and approving and ratifying the payment of all claims against the accounts for the Year 2000; and establishing the amount of ad valorem tax to be levied in 1999 for Budget Year 2000, for the City of Ottawa, Kansas.

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the ordinance.

During discussion it was explained the City Commission and City Staff have reviewed the proposed budget during the month of July 1999, as set out by the approved budget calendar. A Public Hearing had been held regarding the Year 2000 Budget and it has been published in the official City newspaper as required by Kansas State law. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance duly numbered Ordinance No. 3326-99.

Cost of Living - Pay Plan

Thereupon, there was presented a resolution implementing the Year 2000, Cost of Living adjustment 2.0% (COLA) for all employees of the City of Ottawa, Kansas and a

3.0% market adjustment for all regular full time employees. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that as part of the Year 2000 Budget, the City Commission appropriated a 2.0% Cost of Living adjustment effective January 1, 2000; a 3.0% Market Adjustment for all regular full time employees effective July 1, 2000, and up to a 3.0% merit raise for all employees on their anniversary date/evaluation date, dependent upon their evaluation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1052-99.

Alcoholic Beverage at the Carnegie Cultural Center

Thereupon, there was presented an ordinance amending Section 4-504 of Chapter 4, Article 5, of the 1997 Municipal Code of the City of Ottawa, Kansas.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to adopt the ordinance.

During discussion it was explained this ordinance will amend the Municipal Code of the City of Ottawa by adding the Carnegie Cultural Center, located at 5th and Main, to allow the consumption of alcoholic liquor. The motion was considered and upon being put, passed by the following vote: Commissioner Fler nay, Commissioner Jackson nay, Commissioner Finch aye, Commissioner Ramsey aye, Mayor Gillette aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3327-99.

Stop Signs

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic, including designation of through streets and otherwise authorizing traffic control signs which establish right-of-way within the City of Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this ordinance would designate through streets in the City of Ottawa, Kansas. The streets which are designated as through streets at which traffic from intersecting streets is required to stop, except where other traffic control

measures (e.g. traffic signal lights, stop signs, etc.) are authorized and in place. All 4-way (all-way) stop or traffic lights shall be in place where two through streets cross. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Finch aye, Commissioner Ramsey nay, Commissioner Fleer aye, and Mayor Gillette aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3328-99.

Voting Delegates for the League of Kansas Municipalities

Thereupon, there was presented Bill No. 99-83, the approval of Voting Delegates for the League of Kansas Municipalities Conference in Overland Park, Kansas on October 2-4, 1999. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to confirm previously discussed voting delegates to the October 2nd-4th meeting of the League of Kansas Municipalities. Those delegates being Commissioner Jackson and City Manager Scott Lambers. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Approval of Voting Delegates for the National League of Cities Conference in Los Angeles, California on November 30 - December 4, 1999

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to appoint Mayor Gillette as the voting delegate to the National League of Cities Conference in Los Angeles and to appoint Commissioner Jackson as an alternate voting delegate to the same conference. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted.

July 1999 Monthly Activity and Financial Report

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to accept the Monthly Activity and Financial Report for the Month of July 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial Report for the Month of July 1999 duly approved.

Announcements

Thereupon, the Mayor announced:

1. There will **not** be a Work Study Session on September 6, 1999 (Labor Day).
2. There will be a Work Study Session on September 13, 1999.
3. There will be a Joint City/County/School Meeting on September 15, 1999, at 12:00 p.m. at the Ottawa Middle School (meet at the front office).
4. There will be a Work Study Session on September 20, 1999 at 4:00 p.m.
5. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.
6. There will be a Work Study Session on October 6, 1999 at 6:00 p.m.
7. **There will be a Work Study Session at 8:30 a.m. on September 15, 1999.**

NEXT REGULAR MEETING: SEPTEMBER 15, 1999 AT 9:30 A.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of September 1, 1999

The City Governing Body met at 6:00 p.m. this date. Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer absent. The Mayor called the meeting to order and welcomed the audience.

Public Comment

Thereupon, Mr. George Marstall addressed the Commission concerning the Year 2000 Budget, noting that the budget was not being adopted until after State Statute requirement of August 25, 1999. He stated he believed the Governing Body was acting under the impression an Attorney General's opinion provided relief from this statute, but, none the less, stated this is state law. He provided the Governing Body with copies of both the Statute and the AG opinion in question.

Next to address the Commission was Stephanie Anselmi.

Thereupon, Commissioner Fleer arrived at 6:04 p.m.

Ms. Anselmi asked that her Cub Scouts be allowed to use the hill at West 2nd Street, just East of Hope Cemetery, on the dike for a Cub Mobile Derby. She noted there are only 4 cubs racing Cub Mobiles or Coaster cars, and asked to use this facility at 11:00 a.m., Saturday. Thereupon, Public Works Director Andy Haney stated he had spoke with another member of this group earlier in the week and found no conflicts at this time. However, if a funeral would be scheduled at the cemetery the Cub Scouts would have to work around this schedule. The Governing Body agreed to this request with the provisions as outlined by Mr. Haney.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for September 1, 1999, at 7:00 p.m.

Commission Vacancy

Thereupon, the Governing Body reviewed an ordinance to amend the way City Commission vacancies would be filled, which would allow the appointee to serve the balance of any remaining term rather than until the next regular election. The Governing Body discussed this issue with the majority deciding to leave the current options in place.

September 1, 1999

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Name the Park Contest

Thereupon, the Governing Body reviewed a list of proposed names for the yet to be named Park on the North Side of town. After considerable discussion, and after picking the top three names it was decided to name the park, Heritage Park as recommended by Mr. Dan Montgomery.

Strategic Plan

Thereupon, the Governing Body discussed the City's Strategic Plan and agreed to hold meetings at 8:30 a.m., on each third Wednesday morning, prior to the Regular City Commission Meeting to discuss the Strategic Plan and as additional possibilities evening meetings might be used. The City Manager asked each of the Governing Body members to bring back 5 major topics they would like to see included in the Strategic Plan for the meeting of the 13th.

Open Agenda

Thereupon, the Mayor complimented the Water Plant for the Water Quality Report which had been recently issued.

Thereupon, Commissioner Ramsey asked for a date to be set to remove the old stumps in City Park.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on September 1, 1999 at 7:00 p.m.
2. There will **not** be a Work Study Session on September 6, 1999 (Labor Day).
3. There will be a Work Study Session on September 13, 1999 at 4:00 p.m.
4. There will be a City Commission Meeting on September 15, 1999 at 9:30 a.m.
5. There will be a Joint City/County/School Meeting on September 15, 1999 at 12:00 p.m. at OMS (meet at the front office).
6. There will be a Work Study Session on September 20, 1999 at 4:00 p.m.
7. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.
- 8. There will be a Work Study Session on September 15, 1999 at 8:30 a.m.**

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of September 13, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for September 15, 1999, noting that changes would occur.

Gathering on Public Right-of-Way Adjacent to City Parks

Thereupon, the Governing Body reviewed a citizen complaint regarding the gathering of individuals on Public Rights-of-Way immediately adjacent to City Park. Thereupon, the City Manager explained an ordinance had been previously proposed to control such gatherings and enforce the Park curfew for Public Areas contiguous with the park. However, the previous Commission had chosen not to act upon the proposed ordinance. Thereupon, the City Manager recommended an ordinance be drafted to give the Governing Body authority to restrict these areas by resolution and to bring a draft of such an ordinance back to the Governing Body at a future meeting. The Governing Body agreed to the recommendation.

Tree Advisory Board

Thereupon, the Governing Body reviewed a list of candidates willing to work on the Tree City USA, Tree Advisory Board. Thereupon, each Governing Body member was allowed to name one member to this Advisory Board as follow:

Roger Bell
Olin G. Wollen
Wint Winter
Connie Thompson
Tony Blaufuss

Thereupon, the Governing Body agreed to place these names on the agenda for the September 15, 1999 meeting, to be confirmed, and the terms of each will be determined in accordance with the ordinance establishing this board, and at their first meeting.

Directional Signs

Thereupon, the Governing Body reviewed a list provided by Public Works Director Andy Haney which list possible locations for Directional Signage within the City. Thereupon, Commissioner Finch suggested the Governing Body prioritize this list as:

1. Government Facilities
2. Schools
3. Points of Interest
4. Parking

And these signs be placed as budgets allow. The Governing Body discussed this issue and agreed to follow this priority listing.

Proclamation for Fire Prevention Week

Thereupon, the Governing Body reviewed a proclamation declaring October 3rd through the 9th as Fire Prevention Week in the City of Ottawa, Kansas. Thereupon, the Governing Body agreed to place this item on the agenda for September 15, 1999.

Convention and Tourism Bureau- Request for parking for the Kansas Sampler Festival

Thereupon, the Governing Body received an update from Murray McGee regarding the Franklin County Convention and Tourism Bureau request for parking, and regarding the Kansas Sampler Festival activities. Mr. McGee noted the Tourism Bureau would be arranging a trip to Pratt, Kansas to participate in the Kansas Sampler Festival this year in preparation for next year Sampler Festival, which is to be held in Ottawa.

County Tax Sale

Thereupon, the Governing Body reviewed a list of properties which the Franklin County Sheriff is preparing to sell at a tax sale this fall. Thereupon, the City Manager recommended the City foreclose on 731 N. Mulberry and the City be represented at this sale to protect the City's interest. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the City Managers recommendation.

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

Condemnation of Unsafe and Dangerous Structures

Thereupon, the Governing Body reviewed with Assistant Planning Director Wynndee Lee a list of properties recommended for demolition. The Governing Body agreed to demolish 321 S. Sycamore, 128 S. Willow, and 804 N. Mulberry before the end of year and that 227 S. Oak, 521 N. Cedar, and 424 S. Poplar be demolished after the first of the year due to budgetary restraints.

Request for use of Forest Park

Thereupon, the Governing Body reviewed a request from the Ottawa Jaycees to use Forest Park on October 29th, 30th, and 31st for the annual Haunted Forest. The Governing Body reviewed this request and agreed to its approval.

Replacement of Police Vehicle

Thereupon, the Governing Body reviewed a request by the City Manager to request a police car vehicle which was recently destroyed by fire, through the purchase of a Chevrolet Lumina from Creason-Tawney. The City Manager recommended the funds be taken from the Risk Management Fund and replaced in part when the insurance payment comes through. The Governing Body agreed with this recommendation.

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey to replace the Police Vehicle as recommended by the City Manager. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Open Agenda

Thereupon, Commissioner Jackson asked to place a proclamation on an upcoming agenda for "Make a Difference Day".

Thereupon, Commissioner Finch stated he had received a call from a Former Mayor and Commissioner of the City, who had expressed concern the City is not contributing toward the Employee Christmas Party and the employees themselves have had to raise funds for this activity. The Governing Body discussed this issue, heard from Barb

Nelson who has Chaired the Christmas Committee in the past and asked that this item be brought back at a future Study Session.

Thereupon, Mayor Gillette stated he had attended a meeting of the Kansas Aviation Council in Newton, Kansas and asked that he be allowed to recommend the City's Fixed Base Operator to be a participating non voting member of this organization. The Governing Body agreed to place this item on a future agenda.

Executive Session

Thereupon, City Manager Scott Lambers asked that an Executive Session be deferred to a future Study Session and asked for 25 minutes at that time to discuss the TCI Litigation issue and another potential litigation issue.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of September 15, 1999

The City Governing Body met at 9:30 a.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the agenda as presented.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to approve the minutes of the August 25, 1999, Special Meeting as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved.

Public Comments

Thereupon, the Governing Body heard from Mr. Dan Pyle, a request for the Ottawa Jaycees to use Forest Park for the Haunted Forest in October. Thereupon, Mayor Gillette stated permission had been granted at the prior Work Study Session.

Presentations and Recognition

Thereupon, the Governing Body recognized Mr. Jerry Marquis, Public Works Department -Heavy Equipment Operator, and Mr. Dale Whiteford, Utilities Department - Electric Lineman, for their retirement and presented each with a plaque to commemorate their service to the City of Ottawa.

Fire Prevention Week

Thereupon, the Mayor read a proclamation declaring October 3rd through October 9th, 1999, as Fire Prevention Week in the City of Ottawa, Kansas. Thereupon, Acting Chief, Jeff Carner accepted the Proclamation and thanked the Governing Body for their consideration in this matter.

September 15, 1999

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New Business

Legal Service Fees

Thereupon, there was presented a resolution establishing fees for the Legal Services provided by the City Attorney's Office. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion, Commissioner Ramsey explained this resolution establishes Bob Bezek's as the City Attorney and Joyce Hendrix-Kuchar as the Assistant City Attorney and the rates for their services will be \$75.00 per hour. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Resolution duly adopted and the resolution was duly numbered Resolution 1053-99.

Tree Advisory Board-Tree City USA

Thereupon, there was presented a slate of candidates for the Tree Advisory Board, for the City of Ottawa, Kansas, as established by earlier action of the City Governing Body. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fler, to appoint to the Tree Advisory Board: Mr. Wint Winter, Mr. Roger Bell, Ms. Connie Thompson, Father Tony Blaufuss, and Dr. Olin G. Wollen. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Demolition 128 S. Maple

Thereupon, there was presented a resolution to determine an unsafe and dangerous structure as an immediate hazard located at 128 S. Maple in the City of Ottawa, Kansas. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to adopt the Resolution.

During discussion it was explained City Staff had requested the owners of this property to remove the collapsing accessory structure for some time with no action. This structure is an immediate hazard and should be removed as soon as possible. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1054-99.

Demolition 724 N. Main

Thereupon, there was presented a resolution to determine an unsafe and dangerous structure as an immediate hazard located at 724 N. Main in the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained this structure was vacated due to uninhabitable conditions. Immediately following the order to vacate, the residence was damaged by fire. A permit was taken by the family on September 7, 1999, and City Staff gave them two weeks to make significant progress. Little progress occurred. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1055-99.

Demolition 321 S. Sycamore

Thereupon, there was presented a resolution to determine an unsafe and dangerous structure as an immediate hazard located at 321 S. Sycamore in the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this structure was completely destroyed by fire in January. The owners planned to remove the damage; however, cleanup had not occurred. Therefore, Staff recommends the City finish demolition and remove the structure. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1056-99.

Reports by City Commission

Thereupon, Commissioner Ramsey reminded the Governing Body and the Citizens that the last three actions dealing with demolition would use more than the City Budget for 1999 and there are four other properties waiting for demolition which will be scheduled in the Year 2000 Budget. Thereupon, City Manager Scott Lambers noted Staff may request Contingency Funds to complete these projects.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss Attorney/Client Privilege for pending litigation for a period of 20 minutes and to reconvene in Open Session at 10:10 a.m. in the same City Commission Chambers.

Reconvene

Thereupon, at 10:10 a.m. Commissioner Finch made a motion, seconded by Commissioner Ramsey, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Executive Session

Thereupon, noting further discussion was necessary, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss pending litigation for a period of 10 minutes and to reconvene in Open Session at 10:20 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to reconvene the meeting at 10:20 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Executive Session

Thereupon, noting further discussion was necessary, Commissioner Finch made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss pending litigation for a period of 10 minutes and to reconvene in Open Session at 10:32 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, at 10:32 a.m. to reconvene the meeting into Open Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on September 15, 1999 at 12:00 p.m. at the Ottawa Middle School (meet at the front Office).
2. There will be a Work Study Session on September 20, 1999 at 4:00 p.m.
3. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.
4. League of Kansas Municipalities Conference in Overland Park, October 2-5, 1999.
5. There will be a Work Study Session on October 6, 1999 at 6:00 p.m.

NEXT REGULAR MEETING: OCTOBER 6, 1999 AT 7:00 P.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

SPECIAL CALL

Minutes of September 15, 1999

The City Governing Body met in Special Work Study Session on September 15, 1999, at 8:30 a.m. to discuss the Strategic Plan. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Flerer present, Commissioner Jackson present, and Commissioner Ramsey absent.

Thereupon, City Manager Scott Lambers opened the discussion with the Governing Body members, explaining some of the history behind the City Strategic Plan and his hopes for this plan.

Thereupon, the Mayor reviewed the priority list as provided by the Governing Body members themselves, and asked them to narrow this list down as far as possible, suggesting a Top 10.

Thereupon, Commissioner Ramsey arrived at 8:50 a.m.

The Governing Body narrowed the list of topics for the Strategic Plan to include, in priority:

- 1. RECREATION**
- 2. HOUSING**
- 3. ECONOMIC DEVELOPMENT**
- 4. ANNEXATION**
- 5. UTILITIES**
- 6. TRANSPORTATION ***
- 7. TECHNOLOGY ***

Thereupon, the Governing Body discussed the possibility of using a facilitator for further Strategic Plan meetings and rejected this idea.

Thereupon, the City Manager noted he would be asking for additional information from the Governing Body regarding these topics and would put together a calendar of events for each item as the Strategic Plan process continues.

*** Note:** Utilities & Transportation received the same number of votes and therefore are the same priority.

September 15, 1999

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Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on September 15, 1999 at 9:30 a.m.
2. There will be a Joint City/County/School Meeting on September 15, 1999 at 12:00 p.m. at OMS (meet at the front office).
3. There will be a Work Study Session on September 20, 1999 at 4:00 p.m.
4. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.
5. League of Kansas Municipalities Conference in Overland Park, October 2-5, 1999.
6. There will be a Work Study Session on October 6, 1999 at 6:00 p.m.
7. There will be a City Commission Meeting on October 6, 1999 at 7:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of September 20, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating.

Public Comments

Thereupon, the Governing Body heard from Ms. Wendy Tatoo, Attorney representing Ron and Kindra Beaumier, and Mike and Debbie Meldahl. Ms. Tatoo explained the Beaumier's are the owners of 804 N. Mulberry, which the Governing Body had recently condemned and ordered demolished. She requested the Governing Body allow the owners the opportunity to make repairs, asking for a 30-60 day extension. She explained this property had been held up in litigation for some time.

Thereupon, the City Manager explained that the City has been dealing with this property for approximately 3 years, a variety of promises have been made by the owners, and he did not believe a good faith effort had been made to make improvements to this property. The City Manager stated he felt the process had run its course.

Ms. Tatoo assured the Governing Body her clients had tried to pull a permit to make improvements last week and they are prepared to make cosmetic improvements to the exterior paint, as well as roof, plumbing, and will be doing the repairs themselves.

Thereupon, Assistant Planning Director Wynndee Lee commented that there are structural concerns and the Beaumier's had taken possession of this property in 1996.

Thereupon, Commissioners Jackson and Fleer stated they are not interested in changing the Governing Body's decision at this time. After much discussion, Commissioner's Ramsey, Finch and Mayor Gillette stated they would be willing to allow more time, contingent upon the City's ability to be released from its contract with the Contractor who has agreed to demolish the structure. Thereupon, Commissioner Finch stated unequivocally that if improvements are not made in a period of time as established by this Governing Body, no further extensions would be granted. Thereupon, the Governing Body asked City Attorney Bob Bezek to negotiate with the Contractor before a final decision was made.

Next to address the Governing Body was Mr. George Marstall who complained the City had not filed its budget before August 25.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for October 6, 1999.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of August 30, 1999.

Request from Midland Railway

Thereupon, the Governing Body heard from Mr. J. Mark McDowell, Director of Development of Midland Railway Historical Association who asked the Governing Body for a resolution of support for a grant that Midland Railroad is pursuing to improve rail service between Baldwin and Ottawa. The Governing Body agreed to this request.

Ottawa University - Homecoming Parade

Thereupon, the Governing Body reviewed a request from Ottawa University to hold its Homecoming Parade Thursday, October 14, 1999, at 6:30 p.m. The Governing Body agreed to this request.

Request from Ottawa High School

Thereupon, the Governing Body reviewed a request from Ottawa High School to hold its Homecoming Parade, Wednesday, October 6, 1999 at 6:00 p.m. The Governing Body agreed to this request.

Ottawa High School - Wall of Honor Proclamation

Thereupon, the Governing Body reviewed a proclamation from Mr. Gary Kuntz to recognize the Ottawa High School - Wall of Honor inductees. The Governing Body agreed to place this item on the agenda for October 6, 1999.

Transportation Efficiency Act (TEA) Application

Thereupon, the Governing Body heard from Mr. Murray McGee who ask for the City's support, for the Convention and Tourism Bureau application for the TEA 21 grant for the development of a Convention and Tourism facility to be located at 2011 E. Logan. The Governing Body agreed to support this request.

Rural Water District No. 1

Thereupon, the Governing Body reviewed a request to amend a contract with Rural Water District No. 1, to allow RWD #1, up to 6 million gallons of water per month. The Governing Body agreed to authorize the City Manager to execute this contract. Thereupon, the Governing Body reviewed a letter of agreement with RWD # 1 which will allow the City to obtain water easements and customers in the K-68 Corridor, consisting of Leadbetter Homes and Creason-Tawney car dealership and authorized the City Manager to execute a contract stating same.

Sanitary Sewer Plant - RBC's

Thereupon, the Governing Body reviewed a request from Utility Director Jim Bradley, who stated the RBC's at the Sewer Plant had failed and the media needed to be replaced at a cost of approximately \$39,000. Mr. Bradley asked this cost to be incurred from the Sewer Fund Contingency, which currently has approximately \$178,000. Thereupon, the City Manager explained the Governing Body had budgeted for two replacement of RBC media in Year 2000 Budget and one of these will not be spent as a result of this prior expenditure. The Governing Body agreed to this request.

Open Agenda

Thereupon, Commissioner Jackson asked about a City Cleanup. Thereupon, the City Manager noted the City's Cleanup effort is coordinated with the County.

Thereupon, Commissioner Ramsey noted there are lights out in City Park and asked about replacement of a light in front of the old Library Building.

Thereupon, the Mayor noted Ottawa had experienced two events over the past two weekends, the Antique Engine Show and the Old Mary River Run. He noted both events had come off very smoothly.

Thereupon, Commissioner Finch expressed his appreciation to the Ottawa Police Department for their efforts during the recent River Run and Cruise Night.

Thereupon, Commissioner Gillette reminded the Governing Body that the County Commissioners had asked if the City would split the cost of cemetery markers for the Veterans efforts to mark all Veterans graves in local cemeteries. Thereupon, Commissioner Ramsey asked that the County Commissioners provide a letter of request.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to recess into Executive Session to discuss Potential Litigation for a period of 10 minutes and to reconvene in Open Session at 4:58 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present all voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 4:58 p.m. Commissioner Finch made a motion, seconded by Commissioner Jackson to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon the Mayor declared the meeting duly reconvened.

804 N. Mulberry

Thereupon, City Attorney Bob Bezek noted the City has a \$6,500 contract to have 804 N. Mulberry demolished. He stated the Contractor will let the City out of this contract for \$3,250. He further explained he had talked with Ms. Tatroo and her clients are willing to pay this amount to the City within 10 days. The Contractor will accept this payment in lieu of the execution of the contract. Further more, if he is later contracted to demolish this structure, he will credit the \$3,250 as partial payment towards the demolition.

Thereupon, the Beaumier's and the City came to an agreement that the Beaumier's will pay the \$3,250 to the City by October 4, 1999, and they will provide financial viability to the City Manager to establish an ability to recondition this structure.

Announcement

1. There will be a Work Study Session on September 27, 1999 at 4:00 p.m.
2. League of Kansas Municipalities Conference in Overland Park, October 2-5, 1999.
3. There will be a Work Study Session on October 6, 1999 at 6:00 p.m.
4. There will be a City Commission Meeting on October 6, 1999 at 7:00 p.m.
5. There will be a Work Study Session on October 11, 1999 at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of September 27, 1999

The City Governing Body met at 4:00 p.m. this date. The following members being present and participating to wit: Commissioner Gillette present, Commissioner Ramsey present, Commissioner Finch present, Commissioner Fleer present, and Commissioner Jackson absent. A quorum was present. The Mayor called the meeting to order and welcomed the audience.

Public Comments

There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for October 6, 1999.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of September 1, September 13, and the Special Work Study Session minutes of September 15, 1999.

Chamber of Commerce - Board of Realtors

Thereupon, the Governing Body heard from Mr. Ed York and Mr. Cal Lantis representing the Ottawa Chamber of Commerce. Thereupon, Mr. York, President of the Ottawa Chamber of Commerce, stated the Chamber had come to the conclusion it needed to become more active in the development of housing within the Community and asked Mr. Lantis to become involved in the development of a task force to address this need. Mr. York stated the Chamber is asking for one of the Governing Body members to set on this task force and to make recommendations.

Thereupon, Commissioner Ramsey suggested Commissioner Jackson be the Governing Body representative on this Task Force, with all Governing Body members concurring.

Thereupon, the City Manager stated he had visited with Commissioner Jackson regarding this issue and the Commissioner had no problem in serving in this capacity.

VFW Proclamation

Thereupon, the Mayor read a proclamation commemorating the 100th Anniversary of the Veterans of Foreign Wars and urged all individuals, schools, businesses, churches and

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civic organizations to proudly display the flag of the United States and participate in programs honoring the VFW.

Lions Candy Day Proclamation

Thereupon, the Mayor read a proclamation declaring October 2, 1999, as Lions Club Candy Day in the City of Ottawa, Kansas, and the Governing Body agreed to allow the Lions Club to raise money for charities during their Candy Day distribution by placing themselves at the intersections of US-59 and Keokuk Street and US 59 and 23rd Street in Ottawa between the hours of 9:00 a.m. and 3:00 p.m.

BPW Proclamation

Thereupon, the Governing Body reviewed a proclamation designating October 17th - 23rd as Business and Professional Women's Week in the City of Ottawa, Kansas. The Governing Body agreed to place this item on the agenda.

National Physical Therapy Month

Thereupon, the Governing Body reviewed a proclamation for National Physical Therapy Month and agreed to place this item on the agenda.

TEA Grant Resolutions

Thereupon, there was presented a resolution declaring the support of the City Commission of Ottawa, Kansas for the grant application of the Midland Historic Railway Association, sponsored by the Franklin County Commission, under the Transportation Equity Act for the 21st Century as administered by the Kansas Department of Transportation.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the resolution was numbered Resolution No. 3329-99.

TEA Grant Resolution

Thereupon, there was presented a resolution declaring the support of the Franklin County Convention and Tourism Bureau to submit an application to the Kansas Department of Transportation for use of transportation enhancement funds set forth by the Federal

Transportation Equity Act for the 21st Century for the Franklin County Visitors Information Center Project.

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Finch to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 3330-99.

League of Kansas Municipalities Strategic Plan

Thereupon, it was noted that Commissioner Ramsey had been selected to serve on the League of Kansas Municipalities Strategic Planning Committee.

Acceptance of Streets, Storm Sewers, Sanitary Sewers, and Water Lines for the Granger Subdivision

Thereupon, the Governing Body reviewed a resolution to accept the Streets, Storm Sewers, Sanitary Sewers, and Water Lines for the Granger Subdivision. Thereupon, the Governing Body agreed to place this item on the October 6, 1999, agenda.

Water Rates for Fire Service Equipment

Thereupon, the Governing Body heard from City Clerk Scott D. Bird, who requested a change in the way fire sprinkling for fire service rates are handled, moving the charges from an annual charge to a monthly charge, and changing the rates from a minimum of \$130 to a minimum of \$12 per month. The Governing Body reviewed this request and agreed to place a resolution on the October 6, 1999, agenda.

Rail Trail Lighting Grant Application

Thereupon, the Governing Body reviewed a memo from Assistant Planning Director Wynndee Lee to apply for a grant for lighting the Rail Trail from 5th Street to 23rd Street. It was noted the grant program is an 80/20 split for funding, with the City and the Friends of the Trail required to provide at least twenty percent. It is expected the match will actually be \$51,500. Total cost for the project is \$176,800.

Thereupon, the Governing Body agreed to authorize the City Manager to proceed with this grant application, noting the funding will come from the Electric Contingency Fund.

Neighborhood Revitalization Act

Thereupon, the Governing Body heard from Assistant Planning Director Wynndee Lee, regarding the readoption of the Neighborhood Revitalization Act. The Governing Body agreed to place this item on the agenda for October 6, 1999.

Monthly Financial and Activity Report - August 1999

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of August 1999 and agreed to place this item on the agenda for October 6, 1999.

Open Agenda

Thereupon, Commissioner Finch stated he had received several complaints about the parking situation at 9th & Mulberry, resulting from construction on the Campus of Ottawa University. The Governing Body discussed this issue and agreed to provide temporary parking on one side of 9th Street, until the dorm construction at Ottawa University is complete.

Thereupon, Commissioner Ramsey noted there is also a concern on Mulberry, between 12th and 13th, as a result of Youth Football practice on the Garfield school play ground. Thereupon, the City Manager advised this issue will be brought to the Governing Body in the near future resulting from Citizen complaints.

Thereupon, Commissioner Ramsey noted there is a privacy fence being constructed at the corner of 7th and Ash and inquired as to whether or not a permit had been pulled for this construction. Thereupon, Police Chief Herrman stated he had received complaints about this and had investigated. He found there are no permits and the construction has been ordered to cease and desist.

Thereupon, Commissioner Fleer stated there was a concern about cars parking in the area of Wilson Street close to Coffman Welding.

Thereupon, Mayor Gillette stated that on Sunday evening approximately 200 people had attended the Mini Sampler Fest and the event had come off very well.

Announcements

Thereupon, the Mayor announced:

1. League of Kansas Municipalities Conference in Overland Park, October 2-5, 1999.
2. There will be a Work Study Session on October 6, 1999 at 6:00 p.m.
3. There will be a City Commission Meeting on October 6, 1999 at 7:00 p.m.
4. There will be a Work Study Session on October 11, 1999 at 4:00 p.m.
5. There will be a Work Study Session on October 18, 1999 at 4:00 p.m.

Ajournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of October 6, 1999

The City Governing Body met in Regular Session at 7:00 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Jackson present, Commissioner Flerer present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Rev. Leroy Rayson.

Approval of Agenda

Thereupon, it was moved and seconded to approve the agenda with the addition of a Lions Club proclamation, and with the addition of item number 20a, the US-59 Water Construction Project. Thereupon, the Mayor declared the agenda duly approved with additions.

Approval of Minutes

Thereupon, it was moved and seconded to approve the minutes of September 1, 1999, and September 15, 1999, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of September 1st, and September 15th, 1999 duly approved as presented.

Public Comments

Thereupon, Mr. Ed. Burrichter of 1117 S. Maple, spoke to the Governing Body and encouraged them to develop new, or improve the old tennis courts owned by the City of Ottawa, noting that tennis continues to be a viable sport within the community. Mr. Burrichter was joined by several citizens and members of the Ottawa High School, tennis team.

Thereupon, City Manager Scott Lambers explained that during the recent budget process, USD 290 had proposed the City and School District coordinate with a tennis court effort, and he was proposing Ottawa University be involved with a lease purchase program for courts which will be located at the Campus's of Ottawa High School and Ottawa University. The City will share in the cost of these courts which will allow Community members to enjoy these facilities.

Response to Previous Public Comments

Thereupon, the Mayor noted Mr. Dan Pyle had previously requested the City Commission approve a request by the Ottawa Jaycees, to use Forest Park for the Haunted Forest, Halloween event. Thereupon, the Mayor noted the Governing Body had considered and approved this request at the September 13, 1999, Work Study Session.

Presentations and Recognition

Thereupon, the Mayor called upon Police Captain Ron Puterbaugh to recognize the D.A.R.E. Program participants for the recently completed D.A.R.E./McGruff Camp.

BPW Proclamation

Thereupon, the Mayor read a proclamation declaring October 17, 1999, as “**Business and Professional Women’s Day**” in the City of Ottawa, Kansas. Thereupon, Karen Niehoff received the proclamation and thanked the Governing Body for their consideration.

National Physical Therapy Month Proclamation

Thereupon, the Mayor read a proclamation declaring October 1999 as “**Physical Therapy Month**” in the City of Ottawa, Kansas.

VFW 100th Anniversary Proclamation

Thereupon, the Mayor read a proclamation recognizing the Veterans of Foreign War for their 100th Anniversary in the United States, noting the VFW had been founded in 1899 by Veterans of the Spanish American War and urged Citizens to proudly display the flag of the United States and participate in programs honoring Veterans of Foreign Wars.

Ottawa High School Wall of Honor

Thereupon, the Mayor read a proclamation recognizing Richard Pearson (OHS Class of 1953), Barbara Hosein (OHS Class of 1965) and Terry Lay (OHS Class of 1965), for their upcoming induction in the Ottawa High School “**Wall of Honor**”. Noting the official induction will be at half-time at the homecoming football game on Friday, October 8, 1999.

Thereupon, Mr. Gary Kuntz of Ottawa High School accepted the proclamation and thanked the Governing Body for the recognition of this event.

Lions Club

Thereupon, the Mayor read a proclamation declaring October 2, 1999, as “**Lions Candy Day**” in the City of Ottawa, Kansas.

New Business

Thereupon, there was presented a resolution accepting the streets, storm sewers, sanitary sewers and water lines within the Bob Granger subdivision, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1057-99.

Water Fire Service Equipment Rate (WFSE) Equipment Rate

Thereupon, there was presented a resolution amending Section 2, Subsection 3, of the Water Fire Service Equipment Rate (WFSE) of Resolution No. 819-94. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the Resolution.

During discussion it was explained this change would allow the City to bill for sprinkling equipment in Commercial and Industrial buildings on a monthly basis as opposed to the current practice of billing on an annual basis, and should clear up problems concerning collection of these fees during the change in ownership. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1058-99.

Neighborhood Revitalization Program

Thereupon, there was presented a resolution to readopt the Neighborhood Revitalization Program and to add to the Central Business District and Residential Areas. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained that additional areas would be added to the original program, but all areas are currently within the city limits. Commissioner Finch continued

by explaining this program is a revenue neutral program and the tax collecting entities will realize no revenue loss as a result of this program.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1059-99.

Monthly Financial and Activity Report-August

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the Monthly Financial and Activity Report for the month of August 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial and Activity Report for August 1999 duly approved.

US-59 Water Line Construction

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to approve a contract with the Kansas Department of Transportation for the relocation of a 12 inch water line. Cost of which is to be bore by the Kansas Department of Transportation. Location of this relocation will move the water line from the abandon railroad right-of-way south from 23rd street to Kingman Road. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reports by City Commission

Thereupon, Commissioner Fler noted she had had several citizen complaints concerning the storm evacuation of Orlis Cox Field and advised that something needed to be done about this before the next season. She also questioned the prudence of having only one firefighter at the South Fire Substation and noted that she believed the Police Department's practice of wearing shorts was deemed as unprofessional by some citizens.

Thereupon, the Mayor asked Ms. Fler to provide reports at this meeting and if she had complaints, to please bring them to the Governing Body's attention at Study Session meetings.

Thereupon, Commissioner Jackson noted that some time ago he had been nominated for a Small Cities "Hometown Leadership Program". He was very honored to have been selected. As part of the recognition of this program, which is cosponsored by Wal-Mart,

he had received on the City's behalf, a \$1,000 check for City Economic Development viability, which he presented to the Mayor.

Thereupon, Commissioner Ramsey stated he believed Commissioner Jackson was very well deserving of this honor.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on October 11, 1999 at 4:00 p.m.
2. There will be a Work Study Session on October 18, 1999 at 4:00 p.m.
3. There will be a Special Work Study Session October 20, 1999 at 8:30 a.m. (Strategic Plan).
4. There will be a Joint City/County/School Meeting on October 20, 1999 at 12:00 p.m. at City Hall in the City Commission Chambers.
5. There will be a Work Study Session on October 25, 1999 at 4:00 p.m.
6. There will be a Special Work Study Session on November 1, 1999 at 4:00 p.m.- (Strategic Plan) TENTATIVE
7. There will be a Work Study Session on November 3, 1999 at 6:00 p.m.
8. There will be a City Commission Meeting on November 3, 1999 at 7:00 p.m.

NEXT REGULAR MEETING: OCTOBER 20, 1999 AT 9:30 A.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of October 6, 1999

The City Governing Body met at 6:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fleer absent, and Commissioner Finch absent. Thereupon, the Mayor called the meeting to order, stating a quorum was present.

Public Comments

Thereupon, the Mayor noted that Ottawa University had invited the Governing Body to attend a ribbon cutting at 12 Noon on October 16, 1999, on the steps at the newly renovated Martin Hall, and asked the Governing Body to attend if possible.

Thereupon, the Mayor read a letter from Mr. Jaime Cuevas Assistant Principal at Ottawa High School, requesting fireworks be allowed to be displayed after each home touchdown during the upcoming Homecoming football game on October 8, 1999, and that fireworks be allowed during the homecoming celebration and coronation.

Thereupon, Commissioner Fleer arrived at 6:03 p.m.

The Governing Body agreed to this request provided the City is named as additional insured for this fireworks display.

Thereupon, the Mayor read a letter from Mr. Joe Savage, requesting to be allowed to use his sound system for the OHS Soccer Team to provide music prior to home games, at intermission, and prior to the JV game, and that he be allowed to introduce the players prior to the game. The Governing Body agreed to this request for the remainder of the 1999 season only, and asked that Mr. Savage bring his request back for Year 2000 games.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes for the September 20, 1999, Work Study Session.

October 6, 1999 Regular Meeting Agenda

Thereupon, the Governing Body reviewed the Regular Meeting Agenda scheduled for 7:00 p.m. this date, noting there would be an addition to the agenda for the US-59 Water Line Construction Project.

October 6, 1999

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Bake Sale Request

Thereupon, there was presented a request from Girl Scout Leader Beth Baldrige for permission to have a bake sale during the Veteran's Parade and the Christmas Parade and to be located at 124 S. Main. The request noted that the owner of the business at 124 S. Main had agreed to this request and it was further noted proceeds would go toward the Girl Scout end of year trip. The Governing Body agreed to this request provided sidewalk traffic remains open.

Street Signage - Lincoln School

Thereupon, the Governing Body reviewed a letter from Ms. Kay Highbarger Superintendent of schools, requesting a change in street signage at Lincoln School, located at 728 N. Cedar. Thereupon, the Governing Body remanded this request to staff to work out the details on street signage and traffic movement around Lincoln School.

US-59 Waterline Construction

Thereupon, the Governing Body reviewed a memo from Jim Bradley regarding the relocation of a 12 inch water line located at the Rail Trail crossing of I-35. It was noted that the Kansas Department of Transportation would be incurring the cost of this project and that the water line would be moved south from 23rd Street to Kingman Road at an approximately cost of \$115,000. The Governing Body agreed to proceed with this project and placed this item on the Regular Meeting Agenda.

Cable Television Franchise

Thereupon, the Governing Body reviewed a letter from City Attorney Bob Bezek, regarding a proposed purchased between Multimedia and Cox Communications, Inc. Thereupon, the City Manager noted that he and the City Attorney had requested information from Multimedia and expected to receive information back before the end of the month.

Thereupon, Commissioner Ramsey offered his congratulations to the Ottawa Middle School Science Club for their City Bulletin Board which is being provided on the Government Access Channel.

Main Street Parking

Thereupon, the Governing Body reviewed a letter from the Chamber of Commerce Retail Committee regarding Main Street Parking. In their letter Ms. Sutton suggested that the City needs to look at more parking, reinstatement of a meter officer downtown, and slow down heavy truck traffic in the downtown area. She also addressed the extended length vehicles and asked that ticketing begin. The City Manager suggested that tickets not be started until after the Christmas Season and signs be placed in the area noting when the effective date would be. The Governing Body asked the City Manager to respond to Ms. Sutton in writing.

Planning Department Interim Staffing

Thereupon, the Governing Body reviewed a request to provide interim staffing in the Planning Department with a professional Engineer from Bucher, Willis & Ratliff. The Governing Body agreed to authorize the City Manager to enter into an agreement with the Bucher, Willis & Ratliff to fill this need on a part time basis.

Update on League Strategic Plan

Thereupon, Commissioner Ramsey noted the League would be hosting a Strategic Planning Conference on November 9, 1999, at the Ottawa Country Club and asked for all Governing Body members, as well as Staff, to attend this meeting.

Thereupon, Commissioner Finch arrived at 6:45 p.m.

Thereupon, the City Manager noted that the Strategic Plan Committee would be hosted by the City at a cost of approximately \$1,000 and they expected approximately 50 people to attend the meeting at the Country Club. The City Manager asked for permission to expend \$250 per Major Fund. The Governing Body granted this request.

Quarterly Project Report

Thereupon, the Governing Body reviewed the City Manager's, Third Quarter- 1999 Quarterly Project Report.

Open Agenda

Thereupon, Mayor Gillette noted time was running out, but wanted to note that the League Meeting, just held in Kansas City had some very good sessions, especially one session dealing with youth.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on October 6, 1999 at 7:00 p.m.
2. There will be a Work Study Session on October 11, 1999 at 4:00 p.m.
3. There will be a Work Study Session on October 18, 1999 at 4:00 p.m.
4. There will be a Special Work Study Session on October 20, 1999 at 8:30 a.m. (Strategic Plan)
5. There will be a City Commission Meeting on October 20, 1999 at 9:30 a.m.
6. There will be a Joint City/County/School Meeting on October 20, 1999 at 12:00 p.m. in the City Commission Chambers at City Hall.
7. There will be a Work Study Session on October 25, 1999 at 4:00 p.m.

Adjournment

Thereupon, it was moved and seconded to adjourn. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of October 11, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating. There were no public comments offered at this meeting.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for October 20, 1999, noting that changes would occur.

Review of Work Study Session Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session of September 27, 1999 as presented.

VFW Poppy Day

Thereupon, the Governing Body reviewed a letter from Ms. Jean McCloud requesting permission to distribute "Buddy Poppies" in the City of Ottawa on November 13, 1999, as a VFW Post 5901 Ladies Auxiliary activity. The Governing Body reviewed this request and agreed to its approval.

Christmas Parade

Thereupon, the Governing Body reviewed a request from the Ottawa Area Chamber of Commerce, to hold the annual Christmas Parade on December 4, 1999, at 1:00 p.m. The Governing Body reviewed this request and agreed to its approval. However, they suggested candy not be distributed from floats or other parade vehicles; but "Walkers" along the parade route could distribute candy to onlookers.

Restricted Parking on Mulberry

Thereupon, the Governing Body reviewed a request from residents in the 1200 Block of South Mulberry to restrict parking to one side of Mulberry Street, between 12th and 13th Street. It was noted this was being brought forward as a result of Youth Football Practice being held at Garfield School. Parents had been asked to refrain from parking on both

sides of the streets. The Governing Body asked the neighborhood be canvassed regarding this issue and that it be brought back to a future Study Session.

City Clean-up Request

Thereupon, the Governing Body reviewed a letter from Mrs. Clarice Dengel requesting that the City provide a free clean-up day for residential citizens. Mrs. Dengel recommended City Trucks and City Personnel go from house-to-house, up to porches and yards if necessary, to remove large items such as couches, stoves, lumber, mattresses, etc.

During discussion it was pointed out the City has provided vehicles during free dump week at various locations in town to allow Citizens to remove articles of debris and unwanted furniture by taking them to such pick up sites.

Thereupon, Commissioner Finch stated he is not in favor of City Crews working in such a way, especially on weekends as had been suggested and the City should not incur undue overtime.

Thereupon, Commissioner Ramsey stated he did not believe City Personnel should be going upon private property to remove such articles.

Thereupon, Commissioner Fler suggested service organizations be asked to participate in some type of a clean-up operation.

Thereupon, it was suggested this item be brought to the Joint/City/County meeting for further discussion, noting the County would have final say regarding a "Free Clean-up Day". Thereupon, the City Manager suggested these issues be discussed at the Joint/City/County meeting and this item be brought back to the Governing Body sometime in February.

Make A Difference Day Proclamation

Thereupon, the Governing Body reviewed a proclamation declaring October 23, 1999, as "**Make A Difference Day**". Thereupon, it was noted that trees will be planted in Heritage Park from 9:00 a.m. to 11:30 a.m. on "**Make A Difference Day**" and volunteers be asked to participate in this effort. It was further noted the flag pole that stood on the Court House lawn will be moved to Heritage Park and some efforts are being made to landscape the Flag Mall area.

Orlis Cox Lighting

Thereupon, the Governing Body reviewed a letter from Ottawa Recreation Commission Jane Yancey, requesting lighting at the Forest Park tennis courts be moved to Orlis Cox Baseball Fields, D & E. The Governing Body discussed this issue, and recognized that lights may be needed in this area for reconditioned tennis courts or possibly other use in this area. It was noted the tennis courts are being looked at as a possible location for an ice skating rink, roller rink or other type of activities.

Fuel Cost Adjustment

Thereupon, the Governing Body reviewed memo's from Utility Director Jim Bradley and City Clerk Scott Bird, regarding the Fuel Cost Adjustment. Thereupon, the City Manager explained that as a result of the Nearman Creek station problem during the recent summer months, the City had incurred excessive energy bills and had, in accordance with its contract with the Board of Public Utilities (BPU), requested a refund for amounts disputed as a result of BPU's failure to provide energy. The City Manager noted the dispute had been filed by Kansas Municipal Energy Gas Agency (KMEA) on behalf of its members and it had been duly denied. The City Manager stated he believed this would become a confrontational situation but wanted to make the Governing Body aware these costs had not been passed onto the Ottawa Citizens as of this time and would not be passed on until resolution of this issue is brought to fruition.

Report on Annual League of Kansas Municipalities

Thereupon, the Governing Body discussed its recent trip to the League of Kansas Municipalities Conference in Overland Park.

Open Agenda

Thereupon, Mayor Gillette noted there will be a League supper on October 27, 1999, at the Old Depot in Lawrence, 402 N. Second, and the cost will be \$15.00.

Thereupon, Commissioner Finch stated that the community had lost two cornerstones from the downtown area; namely Steve Mudrick and Russ Browning, and asked that two proclamations be drafted to recognize these individuals.

Announcements

1. There will be a Work Study Session on October 18, 1999 at 4:00 p.m.
2. There will be a Special Work Study Session on October 20, 1999 at 8:30 a.m.
(Strategic Plan)
3. There will be a City Commission Meeting on October 20, 1999 at 9:30 a.m.
4. There will be a Joint City/County/School Meeting on October 20, 1999 at 12:00 p.m.
in the City Commission Chambers at City Hall.
5. There will be a Work Study Session on October 25, 1999 at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of October 18, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fler present. A quorum was present. The Mayor called the meeting to order and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for October 20, 1999, noting that changes and additions would be made.

Review of Work Study Session Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session Minutes of October 6, 1999, as written.

Thereupon, Commissioner Jackson offered a change on the Regular Meeting Minutes for October 6, 1999.

Domestic Violence Proclamation

Thereupon, the Governing Body placed a proclamation declaring the month of October 1999, as "Domestic Violence Awareness Month" on the Agenda for October 20, 1999.

Technology Task Force

Thereupon, the Governing Body reviewed a letter from Mr. Jeff Mourning, representing O/FCED and requesting the City appoint a representative to the Technology Committee that is being sponsored by O/FCED. Thereupon, the Governing Body agreed to appoint Commissioner Finch as the City's representative to this board and his backup would be City Clerk Scott Bird.

Temporary Financing of City Projects

Thereupon, the Governing Body reviewed a memo from City Clerk Scott Bird, requesting approval to proceed with temporary financing of the K-68 Sewer line projects and the 23rd Street Improvement project. Mr. Bird had also requested temporary financing for a

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K-68 Water Line Relocation project in coordination with the Kansas Department of Transportation crossing of K-68 and I-35. However, the Kansas Department of Transportation had called this date to request this project be substantially changed; therefore, the cost are subject to change. Mr. Bird recommended this project be removed from the sale of temporary note, bringing the total financing to \$1,431,000.

Thereupon, the Governing Body reviewed this proposal and agreed to place it on the October 20, 1999 agenda.

Tax Abatement- Mac Fasteners

Thereupon, City Clerk Scott Bird explained there had been an error in the previously accepted ordinance for the Mac Fasteners tax abatement and the cleaned up ordinance also included a clause making factual determination as recently prescribed by the Board of Tax Appeals. The Governing Body agreed to place this item on the agenda for October 20, 1999.

Neighborhood Revitalization Program

Thereupon, the Governing Body received an application from 805 Cypress for inclusion in the City's Neighborhood Revitalization Program. The Governing Body discussed this issue and agreed to place it on the October 20, 1999, agenda.

Tap Fee Waiver - USD 290 Request

Thereupon, the Governing Body reviewed a letter from Superintendent of Schools Kay Highbarger, requesting the tap fees for setting a 2 inch water meter in the athletic field complex West of Ash Street be waived. Utility Director Jim Bradley explained the City would be incurring \$1,150 for each of two taps, and the \$1,000 tap fee for the services was not excessive.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fleer, to deny the request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the request duly denied.

Burrough Street Right-of-Way

Thereupon, the Governing Body discussed a proposed ordinance dealing with street rights-of-way on Burrough Street. Thereupon, Public Works Director Andy Haney stated City Staff requested the ability to retain Utility and Storm Water rights-of-way within this area. The Governing Body agreed to place this ordinance on the agenda for October 20, 1999.

Strategic Plan

Thereupon, the Governing Body reviewed a draft calendar for the development of the City's Strategic Plan. Thereupon, the City Manager discussed issues such as the identification of priorities of annexation and suggested the scope of services be obtained from the City's Planning Consultant for annexation development. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to establish the K-68 Corridor as the City's top priority and to retain a scope of services on the K-68 Corridor. The motion was considered and upon being put, all present voted aye.

Open Agenda

Thereupon, Commissioner Finch raised the question regarding the employee Christmas Party and whether or not the City would be willing to participate in this cost.

Thereupon, the City Manager stated that while he believed this Christmas Party participation could be appropriate for the Governing Body, he suggested that an end-of-year bonus be forthcoming noting that the Health Insurance ending cash balance was in the neighborhood of \$1,000,000. The City Manager explained the City's Health Insurance Consultant had suggested that this be a possibility as a result of the continued growth in this fund, and this might serve as an incentive to employees who realize the savings in Health Care cost can directly benefit them in return. Thereupon, Commissioner Ramsey stated this was worth looking at. Thereupon, Commissioner Finch stated he supported the bonus, but would still like to participate in the City's Christmas Party. Thereupon, the City Manager suggested the City expend \$250 per major fund for a maximum of \$1,000 towards the City Christmas Party.

Thereupon, Commissioner Finch inquired about the status of 804 N. Mulberry. Thereupon, the City Manager stated the owners had produced the payment in question. However, a finance plan had not been produced, but rather an analysis of their finances.

Thereupon, Commissioner Finch inquired about the tennis courts and whether or not a preliminary study was underway. Thereupon, Commissioner Ramsey stated he had received numerous calls about retaining the tennis courts in Forest Park.

Thereupon, the Mayor suggested an educational program for local youth to become aware of Local Government and asked to take this issue to the Joint City/County/School meeting.

Thereupon, Commissioner Finch asked if the annex parking, and the youth concerns would be raised at the next Joint City/County/School meeting. It was agreed that it would be. Thereupon, Commissioner Ramsey stated he believed the City should enforce what is in place.

Thereupon, Commissioner Fleer reminded the Governing Body of the October 27, 1999 League Meeting in Lawrence, and the October 26, 1999, meeting in Ottawa for the Big Brothers and Big Sisters Program.

Thereupon, Commissioner Jackson noted he would be absent on Wednesday, October 20, 1999.

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of October 20, 1999

The City Governing Body met in Regular Session this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Fleer present, Commissioner Finch present, and Commissioner Jackson absent. A quorum was present.

Welcome

Thereupon, the Mayor welcomed the Chamber Audience and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the Invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fleer, to approve the minutes of October 6, 1999 as corrected. The motion was considered, and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved for October 6, 1999, as corrected.

Public Comments

There were no Public Comments offered during this meeting.

Response to Previous Comments

Thereupon, the Mayor noted that Mr. Ed. Burrichter had requested the City Commission evaluate the community tennis courts. Mr. Burrichter was advised the City Commission had reviewed this issue during the Strategic Plan discussion and that recreation, being the top priority for the Commission, was working with Ottawa University and Ottawa High School towards the possible joint funding of tennis courts.

Presentations and Recognition's

Make a Difference Day

Thereupon, the Mayor read a proclamation declaring October 23, 1999 as "Make A Difference Day" in the City of Ottawa, Kansas. Thereupon, Ms. Carrie Brigham on behalf of ECKAN accepted the proclamation and invited all listening to participate in the "Make A Difference Day" activities scheduled for Saturday, October 23, 1999.

Domestic Violence Awareness Month

Thereupon, the Mayor read a proclamation declaring October as "Domestic Violence Awareness Month" in the City of Ottawa, Kansas.

Service Awards for City Employees

Thereupon, the Mayor recognized Mr. Andy Haney, Director of Public Works, Mr. Jeffrey D. Herrman, Chief of Police, Mr. Richard Howard, Police Officer, Mr. James L. Kerns, Police Officer, Ms. Debbie L. Lines, Utility Clerk, Mr. Darrin Meadows, Driver Engineer, Ms. Barb Nelson, Administrative Secretary, Mr. Dennis J. Nowatzke, Driver Engineer, EMT I, and Mr. Gene Seaton, Water Distribution/Sewer Maintenance Worker II, each for 10 years of service with the City of Ottawa, Kansas. Thereupon, the Governing Body expressed their appreciation to these long term employees.

New Business

23rd Street Main Traffic Way

Thereupon, there was presented an ordinance designating 23rd Street within the City of Ottawa, Kansas, as a main traffic way pursuant to K.S.A. 12-685. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that this ordinance is required by State Law in order for the City to pursue financing for an upcoming revitalization project. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3329-99.

Sale of Notes-\$1,431,000

Thereupon, there was presented a resolution authorizing the public sale of approximately \$1,431,000 principal amount of General Obligation Temporary Notes, Series 1999A, of the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained this resolution will authorize the issuance of Temporary Notes to finance the K-68 Sewer Lift Station. (\$265,000), K-68 Sewer Line (\$106,000) and the 23rd Street Improvement Project (\$1,060,000). The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1060-99.

23rd Street Improvement

Thereupon, there was presented a resolution authorizing the City of Ottawa, Kansas to construct certain main trafficway improvements and trafficway connections and authorizing the issuance of General Obligation Bonds in an amount not to exceed \$1,060,000 to pay the costs thereof.

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained this resolution will authorize the issuance of the General Obligation Bonds for US-59 and 23rd Street Improvements. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1061-99.

Sewer Improvement Bonds

Thereupon, there was presented a resolution authorizing certain sewer improvements to be made in the City of Ottawa, Kansas, and authorizing General Obligation Bonds to be issued in an amount not to exceed \$371,000 to pay the cost of such improvements all pursuant to K.S.A. 12-617 and 12-618. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution will authorize the issuance of General Obligation Bonds for the sewer improvements along K-68 Corridor. The motion

was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1062-99.

Mac Fastners Tax Abatement

Thereupon, there was presented an ordinance making a factual determination on a tax abatement request for exempting certain property from Ad Valorem Taxation for Economic Development purposes in the City of Ottawa, Franklin County, Kansas and correcting the time period for the abatement to be for a ten year period. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Finch, to adopt the ordinance.

During discussion it was explained this tax abatement is for Mac Fastners. An ordinance which had previously been adopted had an error in the term and a factual determination clause had been included in this ordinance in accordance with State Law. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3330-99.

Neighborhood Revitalization Program - 805 Cypress

Thereupon, there was presented an application for 805 Cypress to be placed into the Neighborhood Revitalization Program. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application of 805 Cypress into the Neighborhood Revitalization Program duly approved.

Street Vacation

Thereupon, there was presented an ordinance vacating a section of Burroughs Street Right-of-Way, and accepting a new Burroughs Street Right-of-Way. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance would vacate certain rights-of-way while maintaining or establishing appropriate easements for the City, and this ordinance was requested by the property owner to alleviate a conflict with the positioning of the

mobile homes located in the mobile home park that is encroaching upon the City's rights-of-way. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3331-99.

Reports by City Manager

Thereupon, City Manager Scott Lambers explained the "Make A Difference Day" program is all in order, the sign will not be ready, however, the flag pole will be installed in the Girl Scout flower bed. Sand Creek Nursery will be out to make landscaping improvements and a Pin Oak tree will be planted at Heritage Park.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on October 20, 1999 at 12:00 p.m. at City Hall in the City Commission Chambers.
2. There will be a Work Study Session on October 25, 1999 at 4:00 p.m.
3. There will be a Special Work Study Session on November 1, 1999 at 4:00 p.m. (Strategic Plan)
4. There will be a Work Study Session on November 3, 1999 at 6:00 p.m.
5. There will be a Work Study Session on November 8, 1999 at 4:00 p.m.

NEXT REGULAR MEETING: NOVEMBER 3, 1999 AT 7:00 P.M.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

SPECIAL CALL

Minutes of October 20, 1999

The City Governing Body met at 8:30 a.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Fleer present, Commissioner Ramsey absent, and Commissioner Jackson absent. The Mayor called the meeting to order and explained the purpose of this meeting is to discuss the City's Strategic Plan and today's topic is to be centered around recreation.

Thereupon, the City Manager explained some of the deficiencies within the City, specifically tennis courts, and the swimming pool.

Thereupon, Commissioner Ramsey arrived at 8:34 a.m.

Thereupon, Mayor Gillette spoke to the recently completed recreation survey studies noting that needs in the community include a skateboard park, tennis courts, and an upcoming swimming pool evaluation. He noted the City has already opened discussions with Ottawa High School and Ottawa University to coordinate the possible development of tennis court facilities at one or both of the schools.

Thereupon, Commissioner Finch stated he saw a need for two directions with a recreational program: that is,

1. Recreational oversight, the possible need to develop a City Parks and Recreation Organization, and
2. To consider the future of the City facilities. He stated there is a need for an indoor facility which would possibly include an indoor swimming pool, the need for tennis courts, and a great need for corporation among all of the taxing and some private entities.

Thereupon, Commissioner Fleer stated she would like to have information on the cost of developing these improvements.

Thereupon, City Manager Scott Lambers provided the Governing Body with information that new tennis courts would cost between \$30,000 and \$40,000 per court and for competitions a minimum of 6 courts are required. He noted the courts at Ottawa

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City of Ottawa
Special Call

University could possibly be rebuilt at a lesser cost and courts could be built at Ottawa High School providing the community with a total of 8 tennis courts. Competitions could be held within the City at the split locations. He informed the Governing Body he would have more information within 30-45 days.

in Thereupon, Commissioner Ramsey suggested the City develop a facilities plan and that the short term, the City look at the development of skateboard park and the tennis courts as well as the swimming pool, but the baseball complex not be left out. He further suggested funding for improvements should be made through a sales tax option and that a County wide option for recreation should be approached.

Thereupon, Commissioner Fleer stated these facilities could partially be funded by contracting out to organizations such as the National Guard.

Thereupon, it was agreed this issue would be brought back on October 25, 1999 for further discussion. Thereupon, Commissioner Finch made a motion, seconded by
upon Commissioner Ramsey, to adjourn the meeting. The motion was considered and
Study being put, all present voted aye. Thereupon, the Mayor declared this Special Session for Strategic Plan Development duly adjourned.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of October 25, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present.

The Mayor called the meeting to order and asked for Public Comments. There were no Public Comments offered at this meeting.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for November 3, 1999.

Review of Work Study Session Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of October 11th, and October 18th, 1999.

Auditing Services for 1999 Audit

Thereupon, the Governing Body agreed to contract with Agler & Gaeddert and Associates for the 1999 audit, noting that an additional \$1,300 would be paid for the single audit as required by the Federal Government for grant expenditures, and that a 5% increase over the 1998 audit price of \$22,880 would be accepted.

Proclamations

Thereupon, the Governing Body agreed to place two proclamations, one recognizing the services of Steve Mudrick, Owner of Litwin's, and the other one for downtown businessman Russ Browning for their contributions to this community. The Governing Body agreed to place these items on the agenda for November 3, 1999.

Upholstery Business at City Airport

Thereupon, the Governing Body reviewed a letter from Chuck Swanson of EJ's Upholstery, 115 East 5th, who requested the ability to run a satellite office at the Ottawa Municipal Airport as part of the Aircraft Maintenance Program. The Governing Body agreed to the approval of this request, subject to LeMaster's contract for "aviation maintenance" at the Airport.

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Standard Traffic Ordinance

Thereupon, the Governing Body reviewed an ordinance to accept the League of Kansas Municipalities Standard Traffic Ordinance for Kansas cities addition 1999. Thereupon, Commissioner Finch asked if changes could be made after adoption. It was discussed and agreed that changes, more specifically regarding “limited time parking fines” could be changed at a later date. The Governing Body agreed to place this item on the November 3, 1999 agenda.

Arrowhead No. 3 Subdivision

Thereupon, the Governing Body reviewed a recommendation to approve and accept the rights-of-way in Arrowhead No. 3 Subdivision, *also known as*, Beech Street. The Governing Body agreed to place this resolution on the November 3, 1999 agenda.

Special Use Permit - 225 W. Wilson

Thereupon, the Governing Body reviewed a staff memo from Planning Consultant Danielle Devlin to allow an auto salvage business in the I-2 zoning district at 225 W. Wilson. The Governing Body discussed this issue and agreed to place it on the agenda for November 3, 1999.

Rezone - 2424 E. Logan Street

Thereupon, the Governing Body reviewed a recommendation from Danielle Devlin, Planning Consultant to rezone 2424 E. Logan, from county zoning to C-S; that is, highway service district zoning. It was noted the Planning Commission had approved this with a 3-1 vote. The Governing Body agreed to place this item on the agenda for November 3, 1999.

Gathering on Public Rights-of-Way Adjacent to City Parks

Thereupon, the Governing Body reviewed a draft ordinance which will restrict unlawful gatherings on public rights-of-way, adjacent to City Parks.

During discussion it was decided to include a section which will allow the Police Chief to waiver this ordinance for special occasions and bring this ordinance back to the Study Session scheduled for November 8, 1999.

Strategic Plan - Annexation

Thereupon, the Governing Body agreed to continue this item at the next meeting.

Open Agenda

Thereupon, City Manager Scott Lambers stated he had received a letter from the State of Kansas, which anticipated approval of the Golden State Porcelain project. However, the State indicated the City was to utilize Economic Development revolving loan funds. The City Manager recommended the City decline to use these funds in such a manner. The Governing Body agreed noting that these monies could be used in the downtown area.

Thereupon, Commissioner Ramsey stated he had received a call from Representative Ralph Tanner and that two new Highway 59 alternative alignments would be discussed at a meeting scheduled for November 9, 1999, in Baldwin. It was noted this is a conflict with the League Meeting here in Ottawa and that further information was needed.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss Attorney/Client Privilege - Pending Litigation for a period of 10 minutes and to reconvene in Open Session at 5:10 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Action

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to authorize the City Manager to proceed with litigation against the County for material breach of the City's lease contract for the use of the County Courtroom at the County Courthouse. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

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Study Session Minutes
October 25, 1999
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Adjournment

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of November 1, 1999

The City Governing Body met in Work Study Session on November 1, 1999, at 4:00 p.m.

Public Comments

There were no Public Comments offered at this meeting.

Dedication of Veterans Memorial Wall

Thereupon, the Governing Body reviewed a request to block off 4th Street, south of the Franklin County Courthouse lawn; from the alley west of the First Baptist Church to the corner of 4th and Main; on October 26, 1999, noting that a dedication of the Veterans Memorial Wall is to proceed at 6:30 p.m. The Governing Body reviewed this request and agreed to its approval.

Daughters of the American Revolution 100th Anniversary Proclamation

Thereupon, the Governing Body reviewed a letter from Ms. Barbara Dew requesting a proclamation recognizing November 13, 1999, as the 100th Anniversary of the General Edward Hand Chapter, Daughters of the American Revolution. The Governing Body agreed to place this proclamation on the November 3, 1999, agenda.

Strategic Plan - Annexation

Thereupon, the Governing Body heard from City Manager Scott Lambers who reviewed possibilities for proposed annexation and recommended the Governing Body have the consulting engineers prepare a scope of services to annex from 15th Street, at the south; to Pawnee Road on the north; along I-35 Highway, east of the city limits, to be annexed by the City. The Governing Body discussed this issue and agreed to authorize a proposed scope of services at their meeting scheduled for November 3, 1999.

Open Agenda

Thereupon, Commissioner Finch suggested the Governing Body recognize the Ottawa High School Girl's Cross Country team by proclamation on November 17, 1999, and that signs be placed along roadways entering Ottawa, noting the Girl's Cross Country team had recently accomplished a **4th Consecutive State Championship**.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to recess into Executive Session to discuss Attorney/Client Privilege for pending litigation for a period of 20 minutes and to reconvene in Open Session in the same Work Study Session room at 4:55 p.m.

Reconvene

Thereupon, at 4:55 p.m. it was moved and seconded to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of November 3, 1999

The City Governing Body met in Regular Session this date the following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Ramsey present, Commissioner Fler present, Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and led the Chamber Audience in the Pledge of Allegiance to the American Flag. Thereupon, the invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch to approve the minutes of October 20, 1999, as written. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes of October 20, 1999, duly approved as written.

Public Comments

Thereupon, Mr. Ed Spigle spoke to the Governing Body in opposition to the proposed annexation of areas in the flood plain east of Ottawa.

Thereupon, Mr. Ron Keim, of 1111 East 9th spoke in opposition to the proposed annexation of the flood plain in the area of his home, and in the agricultural area surrounding his property.

Thereupon, Ms. Mary Ann Yokum, of 1310 East 7th spoke in opposition to the proposed annexation stating that the agricultural land does not need to be part of the City.

Thereupon, Mr. Doug Yokum, of 1310 East 7th spoke in opposition to the proposed annexation in the flood plain area.

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Thereupon, City Manager Scott Lambers stated the County has not had contact regarding this issue, and is precluded from doing so. The County Commission will be serving as a judicial body concerning this annexation. He further explained the City will proceed if they have a majority vote, and will look at the entire area. He stated it is a possibility the area will be altered and the process is just beginning.

Presentations and Recognition

Thereupon, Commissioner Finch read a memorial proclamation honoring Mr. Steve Mudrick; and, thereupon, Commissioner Finch read a memorial proclamation recognizing Mr. Russ Browning. Thereupon, the Governing Body honored members of both families and expressed their appreciation to the lives of these two downtown businessmen.

Thereupon, the Mayor read a proclamation recognizing the 100th Anniversary of the local chapter of the Daughters of the American Revolution Proclamation and congratulated six of its members in attendance.

New Business

1999 Audit

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve an engagement letter which authorizes Agler & Gaeddert, Chartered to perform the City's 1999 Audit.

Thereupon, Commissioner Ramsey recognized that the Gross fees will not exceed \$25,300 for the year ended December 31, 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Standard Traffic Ordinance

Thereupon, there was presented an ordinance regulating traffic within the corporate limits of the City of Ottawa; incorporating by reference the limits of the City of Ottawa; incorporating by reference the "Standard Traffic Ordinance for Kansas Cities," edition of 1999, with certain omissions, changes, and additions; prescribing additional regulations, providing certain penalties, and repealing Ordinance No. 3295-98.

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch to adopt the ordinance.

During discussion it was explained the City typically adopts the “Standard Traffic Ordinance” as prepared by the League of Municipalities each year and makes certain amendments by City Ordinance for specific conditions better deemed appropriate by the Governing Body. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3332-99.

Arrowhead Subdivision No. 3

Thereupon, there was presented a resolution accepting the dedication of rights-of-ways and easements within Arrowhead No. 3 Subdivision, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch to adopt the resolution.

During discussion it was explained this resolution is required by the City Commission for the acceptance of the rights-of-ways and easements for the Arrowhead No. 3 Subdivision. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No.1063-99.

Special Use Permit-225 West Wilson (Andy Baer)

Thereupon, there was presented a resolution granting a Special Use Permit for an auto salvage business in the I-2 District at 225 W. Wilson requested by E.R.S., Inc., (Andy Baer,) in the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson to adopt the resolution.

During discussion it was explained the Planning Commission had held a Public Hearing and recommended to the City Commission by a vote of 4-0, the approval of the Special Use Permit with the following conditions:

1. All autos, scrap or other materials associated with the special use must be removed to within the building or fenced areas.
2. The entire area used in association with the special use be enclosed with an 8 foot tall fence, wall or hedge and no materials stacked or placed so as to be visible over the fence, wall or hedge.

3. A minimum of four off-street hard surfaced parking spaces are required, and delineated on a revised sketch.
4. The site must designate space for off-street loading and unloading of the autos or other material associated with the special use operation so as to prevent safety hazards or congestion for traffic on Wilson Street.

The motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Ramsey nay, Commissioner Finch aye, Commissioner Jackson aye, and Mayor Gillette nay. Thereupon, the Mayor declared the resolution duly adopted by a 3-2 vote and the resolution was duly numbered Resolution No. 1064-99.

Rezone of 2424 E. Logan Street (Wingert)

Thereupon, there was presented an ordinance rezoning an area within the City of Ottawa, Kansas, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 2933-99 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the ordinance.

During discussion it was explained the City of Ottawa Planning Commission had reviewed this rezone request, and held a Public Hearing, recommending to the City Governing Body the approval of the rezone of 2424 E. Logan Street from county zoning to C-S; that is, Highway Commercial, by a vote of 3-1, with 4 members voting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3333-99.

Announcements

Thereupon, the Mayor announced:

1. There will be a Work Study Session on November 8, 1999, at 4:00 p.m.
2. There will be a Special Call City Commission Meeting on November 9, 1999, at 4:00 p.m. in Baldwin to discuss Highway 59.
3. There will be a League of Kansas Municipalities Strategic Planning Meeting on November 9, 1999, at 5:30 p.m. at the Ottawa Country Club.
4. There will be a Work Study Session on November 15, 1999, at 4:00 p.m.

Adjournment

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

Thereupon, the Mayor declared the meeting duly adjourned.

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Bonita Nicewander, Asst. City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of November 3, 1999

The City Governing Body met at 6:00 p.m. this date. The following members being present and participating to wit: Commissioner Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer absent.

The Mayor called the meeting to order at 6:00 p.m. and asked for Public Comments.

Public Comments

Thereupon, Mr. Jim Grogan, representing the Community Affairs Committee for the Chamber of Commerce, spoke regarding signage within the City of Ottawa. Mr. Grogan recognized the Governing Body is working on signage which will direct visitors to various locations within the City and expressed his appreciation for this; however, he also asked about signage over kill.

Commissioner Fleer arrived at 6:01 p.m.

Mr. Grogan also addressed the issue of trash haulers and asked if the City would consider some activities which would require trash haulers to do a better job of picking up items which have scattered during the night, after trash has been set out for pickup.

Next to address the Governing Body was Ms. Freon Hollinger who spoke in opposition to the proposed annexation, noting a considerable amount of the area lies within the flood plain.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for November 3, 1999, Regular Meeting to commence at 7:00 p.m.

Review of Work Study Session Minutes

Thereupon, the Governing Body reviewed and accepted the minutes of October 20, 1999, and October 25, 1999, with one concern expressed by Commissioner Ramsey on the \$1300 to be expensed during the upcoming audit on the City's single audit requirements.

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Street Sanitary Sewer Improvements

Thereupon, the Governing Body reviewed the final cost for 19th Street Sewer Improvement and agreed to place this item on the Regular Meeting agenda of November 17, 1999.

Local Law Enforcement Block Grant

Thereupon, the Governing Body reviewed a request from Police Chief Jeff Herrman to submit a grant request for approximately \$13,000, noting the City's share of this will be \$1,333 if the grant is awarded. This grant will allow the Police Department to purchase a portable repeater system which will enable continued radio communications should the repeater for 911 dispatch fail to function. The Governing Body agreed to pursue this grant, and authorize the Chief to proceed.

Cable Television

Thereupon, the Governing Body agreed to consider a consent to transfer the Cable Service Franchise to a future agenda

Carnegie Building Roof Repair

Thereupon, the Governing Body heard from Ms. Judy Hasty, who stated that the architect for the project had finally secured bidders for the roof replacement project on the Carnegie Building and bids will be submitted by November 18, 1999. It was noted some interior damage has occurred resulting from subsequent rains following the June wind storm and this issue will need to be discussed by the Governing Body at a future session.

Strategic Plan - Annexation

Thereupon, the Governing Body discussed the proposed annexation between Pawnee Road, 15th Street, East of the City Limits extending to Interstate 35. Thereupon, Commissioner Finch stated he had no opposition to this proposal. Thereupon, Commissioner Ramsey stated he believed this was too broad and was thinking more in the lines of the K-68 Corridor, but would agree to proceed with the scope of services. Thereupon, it was agreed by the Governing Body to proceed with the scope of services.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to recess into Executive Session to discuss Attorney/Client Privilege - Pending Litigation for a period of 10 minutes, and to reconvene in Open Session at 6:56 p.m. in the same Work Study Session Room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

Thereupon, at 6:56 p.m. it was moved and seconded to reconvene. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Adjournment

There being no further business to come before the Governing Body, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned and invited the audience to join him in the Regular Commission Room for the regularly scheduled meeting at 7:00 p.m.

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of November 8, 1999

The City Governing Body met in Work Study Session at 4:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Fleer present, and Commissioner Jackson absent. It was noted that Commissioner Jackson was suffering chest pains and had been admitted to the hospital. The Governing Body expressed their concern and well wishes to Commissioner Jackson.

Public Comments

Thereupon, Alice Joy Lewis, representing Suzuki Strings thanked the Governing Body for allowing the Community Arts Council and Suzuki Strings the use of the Carnegie Building and asked the Governing Body for reimbursement for the air conditioner which had been installed earlier this year. Thereupon, the City Manager asked if the Governing Body would intend on spreading this reimbursement across the four major funds and if payments would be over multiple of years.

Thereupon, Commissioner Finch suggested that the cost allocation over four funds be approved and the reimbursement take place this year. The City Manager stated he would bring this back for action.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for November 17, 1999.

Fringe Benefit Design

Thereupon, the Governing Body reviewed a recommendation from Risk Manager Judy Hasty to retain Fringe Benefit Design for the administration of the City's Cafeteria Plan. The Governing Body discussed this issue and agreed to place it on the November 17, 1999 agenda.

Legal Description for the City of Ottawa

Thereupon, the Governing Body reviewed a resolution to update the City's legal description and City limits. The Governing Body discussed this issue and agreed to place it on the November 17, 1999, agenda.

Tree Board Proposal - Removal of Trees and Stumps at City Park

Thereupon, the Governing Body heard from Public Works Director Andy Haney, who requested permission to remove trees and stumps in City Park as recommended by the Tree Advisory Board and Mr. Gus van der Hoeven, Kansas State University Forestry Extension Agent.

The Governing Body agreed to the removal of the recommended 54 trees and stumps, and suggested Mr. Haney come back for further consideration on the placing of new trees. Mr. Haney stated removal would begin immediately.

Gathering on Public Right-of-Way Adjacent to City Parks

Thereupon, the Governing Body reviewed an ordinance to restrict unlawful gatherings on public Rights-of-Way adjacent to City Parks. The Governing Body voted 3-1 against this ordinance.

City Funds for Christmas Party

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Flear to make \$1,000 of City monies available, \$250 from each of the major funds, to the City's Christmas Committee for a City wide Christmas party. The Governing Body considered this issue and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Employee Bonus

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve a \$1,000 bonus for City Employees participating in the City's health insurance, to be paid the first pay period in December. The funds will come from the City's Health Insurance fund. The motion was considered, and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

League of Kansas Municipalities Strategic Plan Update

Thereupon, the Governing Body heard from Commissioner Ramsey who noted the City will be hosting a Strategic Planning meeting on Tuesday, November 9, 1999, and noted this is an opportunity for the City Commission to discuss issues to be presented to the Leagues Strategic Plan. He asked for participation by all Governing Body members.

Monthly Activity and Financial Report for September 1999

Thereupon, the Governing Body reviewed the Monthly Activity and Financial Report for September 1999, and agreed to place them on the agenda for November 17, 1999.

Executive Session

There was no executive session at this time.

Announcements

Thereupon, the Mayor announced:

1. There will be a Special Call City Commission Meeting on November 9, 1999, at 4:00 p.m., in Baldwin to discuss Highway 59.
2. There will be a League of Kansas Municipalities Strategic Planning Meeting on November 9, 1999, at 5:30 p.m., at the Ottawa Country Club.
3. There will be a Work Study Session on November 15, 1999, at 4:00 p.m.
4. There will be a Special Work Study Session on November 17, 1999, at 8:30 a.m. (Strategic Plan)
5. There will be a City Commission Meeting on November 17, 1999, at 9:30 a.m.
6. There will be a Joint City/County/School Meeting on November 17, 1999, at 12:00 p.m. at the Franklin County Jail.

Adjournment

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

Scott D. Bird, City Clerk

City Commission

SPECIAL

Meeting Minutes

Ottawa, Kansas

Minutes of November 9, 1999

The City Governing Body met in Special Session at 4:00 p.m. this date at Baldwin High School, at 415 Eisenhower Street, Baldwin, Kansas, in the main entry, Commons Room. The purpose of this meeting was to respond to the Kansas Department of Transportation (KDOT), Open House called by KDOT at this location regarding the US-59 Highway realignment.

The Governing Body examined the maps, visited with representatives from Burns/McDonald, representing the Kansas Department of Transportation, and discussed issues regarding the realignment proposal. It was noted the preferred alignment will be approximately 1 mile east of the current highway alignment.

Thereupon, the Governing Body discussed this issue among themselves. Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson absent, and Commissioner Flier absent. Also in attendance, City Manager Scott Lambers, City Clerk Scott Bird, Ottawa Times, KOFO, and the Ottawa Herald.

The City Manager asked the Governing Body to recall that there were three concerns brought forward by the City:

1. Provide a truck route for traffic around the City.
2. Ensure direct access to the north end of Ottawa.
3. Access to Industrial Park.

The City Manager noted he had some concerns, however, the preferred route described by KDOT would meet all three of these concerns. Thereupon, the Governing Body discussed among themselves the accessibility to Ottawa and the fact that KDOT expects to overlay existing US-59 from the exit, approximately 5 miles north of Ottawa to the Ottawa City Limits.

Commissioner Ramsey expressed disappointment the exit is so far north of Ottawa and continues to prefer the existing route.

Commissioner Finch expressed concern over access to the community, the lack of planning to improve Montana Road, and suggested the City should not have to clean up after KDOT. He further stated he believed this by-pass is moving along the wrong side of the community. The Governing Body agreed to bring this issue back to the November 15, 1999, Study Session.

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and to discuss it further before issuing an official response.

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

Scott D. Bird, City Clerk

**Study Session Minutes
Ottawa, Kansas**

Minutes of November 15, 1999

The City Governing Body met at 4:00 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fler present. A quorum was present. The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comments.

Public Comments

Thereupon, Ms. Alemeda Edward's spoke to the Governing Body in opposition to the US-59 preferred route.

Thereupon, Mr. Ron Rumford spoke in opposition to the US-59 preferred route.

Thereupon, the Mayor explained the Governing Body would schedule a meeting on November 29, 1999, for public comments regarding this issue.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for November 17, 1999, noting that changes would occur.

Thereupon, the City Manager asked the Governing Body to place a Cereal Malt Beverage application for Wingert Oil on the agenda noting they had recently annexed into the City of Ottawa.

Fence Waiver - Ottawa High School

Thereupon, the Governing Body considered a letter from USD 290 asking permission to place a 6 foot chain link fence enclosure around the recently constructed soccer field, between Ottawa High School, and the Ottawa Middle School. The City Manager explained a 6 foot fence in a residential area did not meet zoning requirements; however it would be appropriate to meet the needs of the school district. Thereupon, Commissioner Jackson stated this would certainly change the characteristics of the neighborhood. Commissioner Finch suggested the school district poll the neighborhood to receive input of the impact of this change. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey to ask USD 290 to poll neighbors in the area from 11th to 13th Street on Ash. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

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Western Resources, Inc. and Kansas City Power & Light

Thereupon, the Governing Body heard from Utility Director Jim Bradley who explained Western Resources, and Kansas City Power & Light Co. had offered to settle with the City of Ottawa in regards to a proposed merger for displaced energy at a fixed rate. Mr. Bradley noted the fixed rate will be good for 4 years from the date of the consummation of the merger. City studies of 1997, 1998, and 1999 usage indicated a price savings would have occurred had this proposal been in place. He further noted, one year would not have resulted in a savings, but the other two years would have more than offset that individual year.

The Governing Body considered this issue and agreed to place it on the November 17, 1999, agenda.

Tree Board Proposal

Thereupon, the Governing Body heard from representative's of the Tree Board who recommended an eclectic variety of trees be used to replace those which were destroyed by the June 28, 1999, wind storm. The Governing Body reviewed a memo drafted by Public Works Director Andy Haney which described the number and type of trees which will be used. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the reforestation plan as proposed and use up to \$2,000 of contingency plan money to make the reforestation plan a reality.

23rd Street/US 59 Highway

Thereupon, the Governing Body heard from Mr. John Roan of HNTB Engineers who recommended that the Governing Body accept bids which were taken on the November 11, 1999, and recommended the low bidder from Killough Construction Co. be accepted for the project. The Governing Body reviewed this recommendation and agreed to place it on the November 17, 1999, agenda.

US 59 Highway

Thereupon, the Governing Body discussed the proposed US 59 Highway issue and agreed to bring this item back for discussion on November 29, 1999. Thereupon, Commissioner Ramsey stated he believed that the Kansas Department of Transportation representatives should be involved in meetings regarding this issue.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to recess into Executive Session to discuss Attorney/Client Privilege - Potential Litigation for a period of 10 minutes and to reconvene in Open Session at 5:07 p.m. in the same Work Study Session Room.

Reconvene

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

Announcements

Thereupon, the Mayor announced:

1. There will be a Special Work Study Session on November 17, 1999, at 8:30 a.m. (Strategic Plan - Recreation)
2. There will be a City Commission Meeting on November 17, 1999, 9:30 a.m.
3. There will be a Joint City/County/School Meeting on November 17, 1999, at 12:00 p.m. at the Franklin County Jail.
4. There will be a Work Study Session on November 22, 1999, at 4:00 p.m.

Adjournment

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of November 17, 1999

The City Governing Body met at 9:30 a.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Jackson present, Commissioner Flier present, and Commissioner Finch present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American Flag. The invocation was given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve the agenda as presented; however, removing the approval of the November 3, 1999, minutes as yet unprepared. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved as amended.

Public Comments

Thereupon, the Governing Body heard from Mr. Claude Ferguson of Ottawa Sanitation who was responding to Mr. Jim Grogan's complaint about poor trash service within the City of Ottawa. Mr. Ferguson stated they receive very few complaints and provided the City Clerk with a list of other cities in which they operate, and asked that the City check out his record in those communities.

Response to Previous Comments

Thereupon, the Mayor noted that Mr. Ed Spigle, Mr. Ron Keim, Ms. Mary Ann Yokum, and Mr. Doug Yokum had all spoke in opposition to the proposed annexation at the previous meeting of November 3, 1999.

Presentation and Recognition's

Thereupon, the Mayor read a proclamation recognizing the Ottawa High School Girl's Cross Country team for their unprecedented 4th straight state championship season.

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City of Ottawa

New Business

19th Street

Thereupon, there was presented a resolution approving the certification of completion of Special Improvement Project No. 9801, determining the total cost of the improvement and directing preparation of assessment roll as provided in K.S.A. - 6a01 et. seq., and providing for a public hearing thereon. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained this resolution will accept the \$90,126.57 total cost for the West 19th Street sewer improvements and sets a Public Hearing date of December 15, 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1065-99.

Fringe Benefit Design

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to accept Fringe Benefit Design as the City's Cafeteria Plan provider for the year 2000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Corporate City Limits

Thereupon, there was presented a resolution defining and declaring the territorial limits and boundaries of the City of Ottawa, Kansas, and rescinding Resolution No. 936-96. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained that State Law requires the City to adopt a resolution which defines the corporate limits of the City prior to December 31st of any year in which the boundary has changed. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1066-99.

Agreement with Western Resources, Inc. & Kansas City Power & Light Co.

Thereupon, there was presented an authorization for the City Manager to accept an “Offer of Settlement” for flat rate displacement energy from Western Resources, Inc. & Kansas City Power & Light Co. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the settlement.

During discussion it was explained as a part of the offer of settlement regarding the merger of Western Resources, Inc. & Kansas City Power & Light Co., the companies have offered a choice of a flat rate or the current “fuel adjusted” rate. The City Manager explained that based on a four year historical study the City would have profited approximately \$78,000 by using the flat rate. However, he cautioned that historical data does not always repeat itself. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the authorization duly approved.

Acceptance of Low Bidder for 23rd Street/US 59 Highway Improvement Project

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to accept the low bid from Killough Construction in the amount of \$1,665,197.98 for the 23rd Street Improvement Project.

During discussion it was explained that bids had been opened on November 11, 1999, at 2:00 p.m. and three companies, Killough Construction, Beachner Construction, and JM Fahey Construction had bid this project. This project is being financed jointly by the State of Kansas and the City with a maximum State participation of \$1,000,000. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Approval of 1999 Cereal Malt Beverage (CMB) License- Texaco

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler to approve the application for the retail sale of cereal malt beverages by the newly annexed Texaco Station on K-68 Highway for the balance of 1999. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Acceptance of September Monthly Financial and Activity Reports

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to approve the September 1999 Monthly Financial and Activity Reports. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Recess

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to recess for a period of 10 minutes and to reconvene at 10:02 a.m. to consider bids for temporary financing.

Reconvene

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to reconvene at 10:02 a.m. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened.

Bid Opening

Thereupon, the bids for \$1,431,000 in temporary notes were opened by the City Clerk as follows:

	Total Interest Cost	Discount	Net Interest Cost	Annual Average Net Interest Rate
Country Club Bank	\$98,309.70	\$3,491.60	\$101,801.34	4.742667
Peiper Jeffery	\$98,739.00	\$3,148.20	\$101,887.20	4.74667
UMB Bank	\$94,446.00	\$3,461.12	\$ 97,907.12	4.561245
Kansas State Bank of Ottawa	\$108,915.00	\$ -0-	\$108,915.00	5.0

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Acceptances of Low Bidder

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to accept the low bid from UMB Bank in an amount of \$97,907.12. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the bid of UMB Bank duly approved for the temporary notes.

Temporary Note Authorization for Issuance

Thereupon, there was presented a resolution authorizing the issuance and delivery of \$1,431,000 principal amount of General Obligation Temporary Notes, Series 1999A, of the City of Ottawa, Kansas, for the purpose of temporarily financing the cost or a portion of the cost of certain internal improvements to the City and prescribing the terms and details of the notes.

During discussion it was explained the approval of this resolution authorizes the sale of Temporary Notes in the amount of \$1,431,000 which will finance the K-68 Sewer Lift Station at \$265,000, the K-68 Corridor Sewer Line at \$106,000, and the 23rd Street Improvement Project at \$1,060,000.

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1067-99.

Announcements

Thereupon, the Mayor announced:

1. There will be a Joint City/County/School Meeting on November 17, 1999, at 12:00 p.m. at the Franklin County Jail.
2. There will be a Work Study Session on November 22, 1999, at 4:00 p.m.
3. There will be a US-59 Highway Meeting on November 23, 1999, at 2:00 p.m., at the Franklin County Annex Building.
4. There will be a Work Study Session on November 29, 1999, at 4:00 p.m. (US-59 Highway).

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

November 17, 1999

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**Study Session Minutes
Ottawa, Kansas**

SPECIAL

Minutes of November 17, 1999

The City Governing Body met in Special Work Study Session this date at 8:30 a.m. to discuss the Strategic Plan, more specifically, Recreation. The Mayor called the meeting to order at 8:30 a.m., with the following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Jackson present, Commissioner Fleer present, and Commissioner Ramsey absent.

Public Comments

There were no Public Comments offered during this meeting.

Strategic Plan - Recreation

Thereupon, the Governing Body discussed the need for recreational improvements within the City of Ottawa, more specifically, tennis courts. The City Manager noted he had approached USD 290 and Ottawa University to participate in the construction of and the up keep of tennis courts which will be designed for tournament use, as well as, open to the public. He had asked a consultant familiar with tennis courts to examine the current facilities at Ottawa University and in Forest Park. Their conclusion was the courts must be completely redone. The only salvageable part of either facility would be the fence around the university courts.

Thereupon, Commissioner Ramsey arrived.

Thereupon, Commissioner Finch suggested the City phase in the development of both courts. That is, to coordinate with USD 290 and Ottawa University for joint funding of the project at Forest Park and then set a reasonable timeline when the courts at Ottawa University will be reconstructed.

Thereupon, Commissioner Ramsey suggested the joint funding for the Forest Park court be split 50 %, 25% School District, and 25% Ottawa University.

Thereupon, City Attorney Bob Bezek suggested a reciprocal deal be worked out with Ottawa University for the reconstruction of those courts.

Announcements

Thereupon, the Mayor announced:

1. There will be a City Commission Meeting on November 17, 1999, at 9:30 a.m.
2. There will be a Joint City/County/School Meeting on November 17, 1999, at 12:00 p.m. at the Franklin County Jail.
3. There will be a Work Study Session on November 22, 1999, at 4:00 p.m.
4. There will be a US-59 Highway Meeting on November 23, 1999, at 2:00 p.m. at the Franklin County Annex.
5. There will be a Work Study Session on November 29, 1999, at 4:00 p.m. (US-59 Highway).

Adjournment

There being no further business to come before the Governing Body, Commissioner Finch made a motion seconded by Commissioner Ramsey to adjourn the meeting. Thereupon, the Mayor declared the meeting duly adjourned and invited all in attendance to join him in the Regular Meeting room at 9:30 a.m.

Scott D. Bird, City Clerk

Study Session Minutes Ottawa, Kansas

Minutes of November 22, 1999

The City Governing Body met in Work Study Session at 3:30 p.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Jackson present, Commissioner Fleer present, and Commissioner Ramsey absent. A quorum was present. The Mayor called the meeting to order at 3:30 p.m.

Public Comments

There were no Public Comments offered at this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed the minutes of November 1st, 3rd, and 8th, 1999.

Thereupon, Commissioner Finch asked for a change on the November 1, 1999, minutes stating he had also asked that signs be placed along roadways entering Ottawa to recognize the High School state championship teams. Commissioner Finch also asked that a change be made on page 169 of the November 8, 1999, minutes to reflect the vote as 3-1 regarding public gatherings, rather than unanimous. Thereupon, the Governing Body accepted the minutes of November 1st, 3rd, and 8th, 1999, with changes.

Review of Agenda

Thereupon, the Governing Body reviewed the tentative agenda for December 15, 1999.

Downtown Lighting Request

Thereupon, the Governing Body reviewed a request from Mr. Lou Atherton, President/CEO of the Ottawa Area Chamber of Commerce to hold the annual Christmas Lighting Celebration on Friday, November 26, 1999, at 6:30 p.m., with the lighting scheduled for approximately 7:15 p.m. He asked that East Second Street, between Main Street and the alley be closed from 6:00 p.m. to 7:30 p.m. or whenever the event ended. The Governing Body considered this request and granted its approval.

Bid for Roof Repair

Thereupon, the Governing Body reviewed a letter from Mr. Earl Devore, Architect who noted that only one bid had been received for the roof project at Carnegie Cultural Center from Wedman Construction, Inc. in the amount of \$56,420. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch, to accept the bid of \$56,420 from Wedman Construction Inc. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Reconsideration of No Parking Request

Thereupon, the Governing Body reviewed a letter from Mr. Jack Porter, Landlord, Kensington Square Apartments requesting that parking on East 8th Street between Hickory and Cedar be restricted. The Governing Body noted this was the second time this request had come forward and denied this request again.

Airport Master Plan

Thereupon, the City Manager explained the Airport Committee had examined the options for the Municipal Airport in keeping with FAA requirements. They determined it would be appropriate to be aggressive, to protect the long term usage of this facility, and look for the development of an Airport Industrial Park. The committee proposed the abandonment of grass runway number 523 and for the development of the existing paved runway from 4500 - 5500 feet, which will also require an increased width from 75 to 100 feet, and the movement of the existing taxi way. It was noted the master plan is expected to be completed sometime in the first quarter of Year 2000.

Deaconess Long Term Care

Thereupon, the Governing Body heard from Mr. Ron Sanborn, Deaconess Long Term Health Care Ottawa Retirement Village. Mr. Sanborn explained Deaconess was requesting the City be the issuer; that is, the conduit financier of Industrial Revenue Bonds in the amount of 6.3 million dollars to refinance not only the 1 million dollars in outstanding IRB's but additional financing for the facility. Mr. Sanborn explained this financing would be for a term of 30 years and would lower the average cost of capital for the facility from 8% to 5%, and would free up approximately 150 - 175 thousand dollars. Also in attendance was Mr. Jay Sterns, who explained this is a part of a multi state

refinancing project in the amount of 33 million dollars. It was further explained the facility is a 120 bed facility, 91 of which are occupied today, 10 are Medicare beds of which 4 to 5 are occupied at any given time.

Thereupon, Bond Council Dottie Riley explained the difference in this financing as compared to other projects, is that the City has never refinanced projects which were not solely IRB refinancing or which were not new projects coming to the community.

Thereupon, Commissioner Finch thanked the gentlemen for their presentation and asked to visit with Bond Counsel.

Thereupon, the City Manager explained the company had approached the City a couple of weeks ago and that they have done considerable preliminary work without much information to the City. They are requesting IRB's with no job creation and anticipate applying for tax abatement regardless of the City's position on this. The City Manager expressed his discomfort with their timetable, noting that the organization had acquired the facility approximately a year ago. He further explained the original IRB's of 1 million dollars are due to pay out in approximately three years. He did suggest; however, the Governing Body consider proceeding with a Public Hearing but did not commit the Governing Body to approval. The Governing Body declined to participate in this IRB issue at this time.

noted this
unanimously

KMEA-GRDA Power Sales Project

Thereupon, the Governing Body reviewed a recommendation to participate in a Kansas Municipal Energy Agency project to purchase firm power from the Grand River Dam Authority based in Oklahoma.

The City Manager explained the City would contract for 4 mega watts of firm power during the winter months, and 6 mega watts during the summer months at a net cost of \$29 per mega watt hour or \$1,272,288 at 100% load factor. The Governing Body discussed this issue and agreed to bring it back either on December 6th, or December 13th.

Annexation

Thereupon, the Governing Body reviewed a proposed contract with Bucher, Willis & Ratliff for the Scope of Services, planning advisory services for the proposed annexation to the east. Compensation for the services in the amount of \$17,000 payable within 30 days after completion of the project. Thereupon, Commissioner Finch made a motion, \$17,000. The motion was considered and seconded and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Letter from O/FCED - Rail Repair in Northeast Ottawa Industrial Park

Thereupon, the Governing Body reviewed a letter from Mr. Lou Atherton, representing the Ottawa Franklin County Economic Development, Inc. requesting the City provide a loan of \$60,000 to assist with the construction cost of the Rail Trail spur. O/FCED will repay \$30,000 of the loan in the Year 2000. The balance will be paid in \$2,000 increments at a cost of 5% per annum that upon full payment the interest will be waived. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Gillette, to approve the request. The motion was considered and upon being put, passed by a vote of 4-1 with Commissioner Finch dissenting.

National Leadership Training Council

Thereupon, it was proposed that Commissioner Ramsey be considered for appointment to the NLC Leadership Training Council for the Year 2000. All Commissioners were in agreement to this appointment.

Kansas Sampler Festival

Thereupon, the Governing Body heard a report from Murray McGee regarding the Kansas Sampler Festival site plan.

Kansas Sampler Festival - Continued

Thereupon, Ms. Robyn Bowman representing the Kansas Sampler Festival Committee asked the Governing Body to participate in the amount of \$2,500 per year for the next two years in the Kansas Sampler Festival. Thereupon, Commissioner Ramsey made a

motion, seconded by Commissioner Fler to contribute \$2,500 each of the next two years to participate in this Kansas Sampler Festival project. The motion was considered and upon being put, passed by a vote of 4-0, with Mayor Gillette abstaining.

Announcements

Thereupon, the Mayor announced:

1. There will be a Highway 59 meeting on November 23, 1999, at 2:00 p.m., at the Franklin County Annex.
2. There will be a Work Study Session on November 29, 1999, at 4:00 p.m. (Highway 59)

Adjournment

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

Scott D. Bird, City Clerk

City Commission

SPECIAL

Meeting Minutes

Ottawa, Kansas

November 23, 1999

The City Governing Body met in Special Session at 2:00 p.m. this date, in a meeting coordinated by the Franklin County Commission to discuss the realignment proposal for US 59 Highway. The following members were present and participating to wit: Mayor Gillette present, Commissioner Jackson present, Commissioner Finch present, Commissioner Ramsey present, and Commissioner Fleer absent.

The Governing Body listened to citizen concerns and conveyed that the City had not determined an official position on this issue as of yet.

Scott D. Bird, City Clerk

Study Session Minutes
Ottawa, Kansas
Minutes of November 29, 1999

The City Governing Body met in Work Study Session. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fler present. A quorum was present.

The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comment for items not on the agenda. There were no Public Comments at this meeting.

US-59 Highway

Thereupon, the Mayor opened discussion in consideration of the US-59 Highway proposal.

First to address the Commission was Ms. Alameda Edwards, 3800 Montana Road, who expressed concern over loosing farm ground and the closing of Reno Road. Ms. Edwards stated that safety response and agricultural use would be greatly impaired. She also expressed concern over the Industrial Park access and asked who would take care of Montana Road.

Next to address the Governing Body was Mr. Ray Rumford, stating he is opposed to the new bypass and asked the Governing Body to support renovating the old highway.

Next to address the Governing Body was Mr. Roger Ferguson, stating he will loose a great deal of farm ground if the proposed highway is brought through. He further stated he did not believe the State appropriately considered the improvement of the old highway.

Next to address the Governing Body was Ms. Shari Williams, who she stated her Great Grandfather had given up land for the original Highway 59 and now her father stands to loose the majority of his farm and his home.

Next to address the Governing Body was Mr. Eddie Ferguson who expressed concern over loosing property and access to agricultural areas if the proposed highway is carried out.

The Governing Body considered this and other issues surrounding this topic and agreed the City Manager would draft a letter for the Mayor's signature to encourage KDOT to more extensively consider improving the current alignment of US-59.

Scott D. Bird, City Clerk
November 29, 1999

Study Session Minutes
Ottawa, Kansas
Minutes of December 6, 1999

The City Governing Body met at 4:00 this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fler present. A quorum was present. The Mayor called the meeting to order and welcomed the Chamber Audience.

Public Comments

There were no Public Comments offered during this meeting.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the minutes for November 15, 1999.

Review of Agenda

Thereupon, the Governing Body reviewed the regular agenda scheduled for December 15, 1999.

COF Training Services

Thereupon, the Governing Body heard from Mr. Dan Andrews of COF who requested a letter of support from the Governing Body regarding COF's application to the Kansas Department of Transportation for \$95,172 in Section 5310 funding for replacement funds for its transit project. The Governing Body reviewed this request and agreed to provide a letter of support.

Public Works Compound

Thereupon, the Governing Body heard from Public Works Director Andy Haney who requested authority to expend approximately \$16,000 from Fund 9600 for fence and gate installation at the new Public Works Facility. The Governing Body reviewed this request and bids for fencing and agreed to Mr. Haney's recommendation.

Cable Television Franchise Transfer

Thereupon, the Governing Body reviewed a request to transfer the cable franchise from Multimedia, Inc. to Cox Communications, Inc. The Governing Body reviewed this request and agreed to place it on the December 15, 1999, agenda.

December 6, 1999

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Neighborhood Revitalization Program

Thereupon, the Governing Body heard from Commissioner Finch who recommended properties located at 323 S. Cherry, 623 S. Cherry, 901 Estabrook, 618 Linwood, 303 S. Locust, and 904 S. Walnut be added to the Neighborhood Revitalization Program. The Governing Body reviewed this recommendation and agreed to place these items on the December 15, 1999, Regular Meeting Agenda.

No Parking Zone

Thereupon, the Governing Body reviewed a memo from Public Works Director Andy Haney, to approve “no parking” on the east side of Mulberry, between 12th and 13th Street as requested by petition.

The Governing Body reviewed this item and agreed to place it on the agenda for December 15, 1999.

Pedestrian Crossing on Ash Street

Thereupon, the Governing Body reviewed a letter of request from USD 290 Superintendent Kay Highbarger to replace a crosswalk at the corner of 7th and Ash. The Governing Body discussed this issue with Public Works Director Andy Haney and remanded this issue back to him, pending further investigation. Additionally, they remanded concerns from the Lincoln Grade School Site Council traffic flow request back to Mr. Haney.

KMEA-GRDA Power Sales Project

Thereupon, the Governing Body reviewed a recommendation from Utility Director Jim Bradley, to authorize the City Manager and/or the Mayor to execute a contract with KMEA for the purchase of a maximum of up to 6 megawatts, from Grand River Dam Association.

It was explained, 17 cities have agreed to participate in this project, and while it is anticipated the project could raise monthly utility bills by up to \$2.23, this is a worst case estimate.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fleer, to authorize the City Manager and/or the Mayor to execute an agreement with KMEA regarding an this issue. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Entry and Testing Agreement

Thereupon, the Governing Body reviewed a letter from City Attorney Bob Bezek regarding an entry and testing agreement with Sprint Spectrum, L. P. The Governing Body agreed to place this item on the agenda for December 15, 1999.

Official City Newspaper Designation

Thereupon, the Governing Body reviewed legal publication costs for the official City newspaper, noting the Ottawa Times was lower in rates and the Ottawa Herald expected a rate increase in July of 2000.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey, to name the Ottawa Times as the City's official newspaper for year 2000. The motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Jackson aye, Commissioner Finch aye, Commissioner Ramsey abstained, and Mayor Gillette aye. Thereupon, the Mayor declared the Ottawa Times the official City newspaper for the City of Ottawa in the year 2000.

Highway 59

Thereupon, it was noted the Governing Body had been invited to a meeting hosted by E. Dean Carlson, Secretary of Transportation, Kansas Department of Transportation, scheduled for December 15, 1999, at 3:30 p.m. on the 7th floor of the Docking State Office Building, 915 SW Harrison. The Commission agreed that their letter previously authorized would not be sent until after this meeting.

National League of Cities Conference

Thereupon, the Governing Body deferred their reports from the NLC.

Open Agenda

Thereupon, Mayor Gillette stated he would like to be appointed to the National League of Cities Energy and Environment Steering Committee.

The Governing Body considered this request and agreed to its approval.

Adjournment

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

Scott D. Bird, City Clerk

Study Session Minutes
Ottawa, Kansas
Minutes of December 13, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present. The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comments.

Public Comments

Thereupon, Ms. Rachel Cortez of 840 Pecan asked that something be done regarding transients who are sleeping in abandon cars located at 838 Pecan. The City Manager stated he would assign this problem to the appropriate department heads and have them address the issue.

Review of Minutes

Thereupon, the Governing Body reviewed the Work Study Session minutes for November 17th, November 22nd, and November 29th. Thereupon, Commissioner Ramsey asked for a correction on Page 174 of the minutes of November 17th.

Review of Agenda

Thereupon, the Governing Body reviewed the agenda for December 17, 1999.

Recognition of Ottawa High Lady Cyclone Cross Country Team

Thereupon, the Governing Body reviewed a letter from Mr. Jim Trendal who asked permission to provide 4 metal signs, support posts, and hardware for the installation on major access roads to the City to properly recognize the Lady Cyclone Cross Country Team for their 4 consecutive State Championships. The Governing Body approved this request and remanded this to the Public Works Department.

Tree for City Park

Thereupon, the Governing Body reviewed a request from Mr. Vance Finch to place a tree and a memorial in City Park in memory of Larry Maes. The Governing Body reviewed this request and remanded it to the Tree Advisory Board.

Donation to Purchase Trees

Thereupon, the Governing Body reviewed a letter from the Ottawa High School Class of 1939 asking that trees be planted on behalf of the Class and a \$300 gift from the 1939 Class be used for the purchase of such tree or trees. Again, the Governing Body remanded this to the Tree Advisory Board.

Amendment to Appendix A of Zoning Ordinance

Thereupon, the Governing Body reviewed an ordinance to amend Appendix A of Ordinance No. 2933-90, the Zoning Ordinance for the City of Ottawa, Kansas, and agreed to place this item on the agenda for December 15, 1999.

Change in Permit Fees

Thereupon, the Governing Body reviewed a recommendation from City Inspector Gary Skiles to change the permitting process for mobile home inspections, noting that multiple permits and costs are currently involved. Mr. Skiles recommended the permit cost be a one time permit of \$150, which will include all permits and inspections necessary for the installation of a pre-manufactured home, as long as, the subcontractor is listed at the time the permit is issued. The Governing Body agreed to place this item on the agenda for December 15, 1999.

Demolition of a Single-Family Structure - 128 S. Willow

Thereupon, the Governing Body reviewed a recommendation from the Planning Department to demolish a structure located at 128 S. Willow and a contract be drawn with Gowings's Construction for \$7,200 to demolish this structure. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to proceed with this demolition. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the authorization duly approved.

Angle Parking on Main Street

Thereupon, the Governing Body reviewed recommendations to change the downtown parking with Public Works Director Andy Haney. The Governing Body discussed this issue and agreed to bring it back sometime in March 2000, after a Parking Control Officer has been hired and on duty.

Tennis Courts-Financing

Thereupon, the Governing Body reviewed possible financing options for the reconstruction of tennis courts at Forest Park. Commissioner Ramsey and Commissioner Finch stated they would like to keep the lease term as short as possible to save cost. The Governing Body agreed to discuss this issue further with Ottawa University and the School District.

Cereal Malt Beverage Licenses

Thereupon, the Governing Body reviewed a list of CMB applications for year 2000 Cereal Malt Beverage sales and agreed to place them on the regular agenda.

Rail Trail - Eminent Domain

Thereupon, the City Manager presented an ordinance providing for the acquisition by eminent domain for certain private property, of certain private property consisting of easements for the purposes of constituting water improvements for the City of Ottawa, Kansas. Thereupon, the City Manager noted the City had acquired a temporary easement for the construction and maintenance of a water line south of 23rd street and the property owner had withdrawn his easement. Therefore, the City had no choice but to proceed with eminent domain.

The Governing Body reviewed this request and agreed to place this item on the agenda for December 15, 1999.

Monthly Financial and Activity Report

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the month of October and agreed to place this item on the agenda for December 15, 1999.

National League Cities Conference

Thereupon, the Governing Body members reported on their recent trip to Los Angeles to the National League of Cities Conference.

Open Agenda

Thereupon, the Mayor reminded the Governing Body they were invited to meet candidates for the Superintendent of Schools on Tuesday, and Wednesday.

Executive Session

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to recess into Executive Session to discuss Attorney/Client Privilege, pending litigation, for a period of 15 minutes, and to reconvene in Open Session at 5:15 p.m. in the same Work Study Session room. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

Reconvene

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

Adjourned

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

Scott D. Bird, City Clerk

City Commission
Regular Meeting Minutes
Ottawa, Kansas

Minutes of December 15, 1999

The City Governing Body met in Regular Session at 9:30 a.m. this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Jackson absent, Commissioner Ramsey present, Commissioner Fleeer present, and Commissioner Finch present. A quorum was present. The Mayor welcomed the Chamber Audience and led them in the Pledge of Allegiance to the American Flag. Thereupon, the invocation given by Rev. Leroy Rayson.

Agenda Approval

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Fleeer to approve the agenda as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agenda duly approved.

Approval of Minutes

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to approve the Regular Meeting Minutes of November 3rd, November 17th, and Special Call Minutes of November 9th and November 23rd, as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the minutes duly approved as presented.

Public Comments

There were no Public Comments offered during this meeting.

Response to Previous Comments

Thereupon, the Mayor noted Mr. Claude Ferguson of Ottawa Sanitation, 211 West Wilson, had approached the Governing Body regarding a previous complaint and stated Ottawa Sanitation has approximately 6,000 customers county wide, and has only received a handful of complaints regarding their services.

Presentations and Recognition's

Thereupon, the Mayor presented to Police Captain Charlie Bowling, a plaque commemorating his 31 years of service to the Ottawa Police Department.

December 15, 1999

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Public Hearings

Thereupon, the City Manager noted the 19th Street Sanitary Sewer, Public Hearing would be deferred until January 5, 2000, meeting do to the schedule change.

New Business

CMB Licenses-Year 2000

Thereupon, there was presented the following Cereal Mal Beverage License applications:

Not for consumption on premise: Ottawa Cooperative Assn., 302 N. Main; Kayo Oil Company, dba Conoco, Inc., 2243 Princeton; S & S Foods, Inc., dba Country Mart, 2138 Princeton Circle Drive; Tanana Corp., dba Miller Mart, 304 E. Logan; Taylor Oil Inc., 2305 South Cedar; Triple K, Ltd., dba Casey's General Store, 1002 North Main Street; Triple K, Ltd., dba Casey's General Store, 1019 West 7th Street; Charles R. Wood Oil Co., Inc., 2130 Princeton Road; Wal-Mart, 702 S.W. 8th St., Bentonville, Ark. (2101 Princeton Rd.); C & Z Inc., dba Stop N Save, 1621 South Main; Wingerts I-35 Service Center, 2520 E. Logan.

For consumption on premise: Bishop's Brew, 120 East Dundee; Ottawa Antique Mall & Restaurant, 202 Walnut; Pizza Hut of America, Inc., 118 W. 15th Street; Pizza Village Inc., 330 S. Main; Poncho's of Ottawa, 429 South Main.

Thereupon, Commissioner Jackson arrived at 9:40 a.m.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to approve the CMB applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

Cable Television Franchise - Cox Communications

Thereupon, there was presented a resolution of the City of Ottawa, Kansas consenting to the assignment of the Cable Television System Franchise held by Multimedia Cablevision, Inc. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to approve the resolution.

During discussion it was explained this resolution will allow for the transfer of the City's telecommunications franchise with Multimedia to be transferred to Cox Communications.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1068-99.

Neighborhood Revitalization Applications

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to approve properties located at 323 S. Cherry, 623 S. Cherry, 901 Estabrook, 618 Linwood, 303 S. Locust and 904 S. Walnut for the Neighborhood Revitalization Program. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

No Parking Mulberry Street - 12th to 13th

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

During discussion it was explained this ordinance provides parking restrictions on the east side of Mulberry from 12th to 13th Street. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3334-99.

19th Street Public Hearing

Thereupon, there was presented a resolution approving the certificate of completion of Special Improvement Project No. 9801, determining the total cost of the improvement and directing preparation of an assessment roll as provided in K.S.A. 12-6a01 et. seq., and providing for a public hearing thereon. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Finch to adopt the resolution.

During discussion it was explained this resolution would change the date of the Public Hearing for the 19th Street Sanitary Sewer Improvement to January 5, 2000, at 7:00 p.m.; parties involved had been notified, and publication had been made in the official City newspaper. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted and the resolution was duly numbered Resolution No. 1069-99.

Agreement with Sprint Spectrum L.P.

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson, to approve an agreement with Sprint Spectrum L. P. for testing of the Ottawa water towers as possible sites for antennas for Sprint. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

Kansas Municipal Energy Agency Agreement

Thereupon, there was presented a resolution of the City of Ottawa, Kansas, affirming the execution of a participant letter agreement, dated December 7, 1999, between the City of Ottawa, Kansas, and the Kansas Municipal Energy Agency, relating to the purchase of electricity by the City of Ottawa from the Kansas Municipal Energy Agency for sale or use by the City. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt a resolution.

During discussion it was explained this resolution would affirm a previous City Commission directive regarding the purchase of electricity through the Kansas Municipal Energy Agency. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1070-99.

Sign Restriction's

Thereupon, there was presented an ordinance amending Appendix A of Ordinance No. 2933-90, the Zoning Ordinance for Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained the Planning Commission reviewed SIC #3993, Signs and Advertising Specialties, and SIC # 7389 Miscellaneous Business Services, held a Public Hearing, and made a recommendation to the City Commission by a vote of 6-0 to approve the amendments to Appendix A which will allow SIC #7389 as a permitted use in C-2, and allow SIC #3993 as a special use in C-2.

Thereupon, the City Manager explained these actions were being taken to deal with signage and allow certain signage in C-2 districts as a result of a request to utilize a current building in the City of Ottawa. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance No. 3335-99.

Building Permits

Thereupon, there was presented a resolution establishing fees for the issuance of building permits in the City of Ottawa, Kansas, to be effective, as provided in Ordinance No. 3206-96, 3239-97, 2876-87, and the Municipal Code, 1997 Ed. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Finch, to adopt the resolution.

During discussion it was explained that the number of inspections required to be done on pre-manufactured homes is the same whether it is in a residential area or Mobile Home area. The permit cost of \$150 will include all permits necessary for the installation of the pre-manufactured homes as long as the subcontractors are listed at the time the permit is issued. This will make it easier for the homeowners and their subcontractors to expedite installation. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the resolution duly adopted, and the resolution was duly numbered Resolution No. 1071-99.

Eminent Domain - Rail Trail Water Line

Thereupon, there was presented an ordinance providing for the acquisition by eminent domain of certain private property, consisting of easements for the purposes of constituting water improvements for the City of Ottawa, Kansas, directing that lands be acquired for such purposes and directing the City Attorney to file a petition in the District Court of Franklin County, Kansas for acquisition of a Water Easement therein and providing for the payment of costs thereof. Thereupon, Commissioner Finch made a motion, seconded by Commissioner Ramsey to adopt the ordinance.

During discussion it was explained the Rail Trail water line needed to be moved and the Kansas Department of Transportation was assuming the cost; however, the City is responsible. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted, and the ordinance was duly numbered Ordinance No. 3336-99.

Acceptance of Monthly Financial & Activity Report for October 1999

Thereupon, Commissioner Finch made a motion, seconded by Commissioner Jackson to accept the reports. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Monthly Financial & Activity Reports for the month of October 1999, duly accepted.

Reports by City Commission

Thereupon, Commissioner Ramsey reminded the Governing Body of the League Strategic Plan Survey, and the OFCED Survey, and asked that both of those be filled out and returned as early as possible.

Thereupon, Commissioner Finch brought the Commissions attention to the letters of “thanks” coming from the City employees for the “Bonus” and “Christmas Party”.

Reports by Mayor

Thereupon, Mayor Gillette asked if the Governing Body would be willing to consider drafting a letter regarding Kansas Department of Transportation plans to develop one of the alternatives for US-59 between Ottawa and Lawrence, and not be specific as to the alignment. The other Commissioners expressed concern over safety of this highway; however, they were not willing to support the Mayor’s suggestion at this time, noting it was a change in former position by this and previous Commissions.

Announcements

Thereupon, the Mayor announced:

1. A Joint City/County/School meeting scheduled for 12 noon this date and a meeting with Kansas Department of Transportation at 3:30 p.m. this date.

Adjournment

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

The entire text of the meeting is on tape in the office of the City Clerk and will remain so for one year after the date of the meeting.

Scott D. Bird, City Clerk

December 15, 1999

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Study Session Minutes
Ottawa, Kansas
Minutes of December 20, 1999

The City Governing Body met at 4:00 p.m. in Work Study Session this date. The following members being present and participating to wit: Mayor Gillette present, Commissioner Ramsey present, Commissioner Finch present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present. The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comments.

Public Comments

Thereupon, Alemeda Edwards invited the Governing Body to attend a forum concerning US-59 Highway, scheduled for January 6, 2000, at 7:00 p.m. Thereupon, the Mayor stated if any of the Governing Body members wanted to attend it would be up to them as individuals.

Review of Minutes

Thereupon, the Governing Body reviewed and accepted the Work Study Session minutes of December 6, 1999, as presented.

Agenda

Thereupon, the Governing Body reviewed the tentative agenda for January 5, 2000.

Transfer of Property Tax Abatement of Heartland China

Thereupon, the Governing Body heard from Mr. Dana Schirmer to request a transfer of tax abatement for a change of ownership in Heartland China. Mr. Schirmer noted he and his wife were in the process of acquiring the Heartland China facility in Ottawa. The Governing Body agreed to place this item on the January 5, 2000, agenda.

KEIEP Grant Application - Letter of Support

Thereupon, the Governing Body also considered a letter of support for a KEIEP Grant application to the State of Kansas regarding the Ottawa operations of Heartland China. The Governing Body agreed to proceed with this letter of support and authorized the Mayor to sign same.

Special Use Permit - 734 S. Main

Thereupon, the Governing Body heard from Planning and Zoning Director John Merrell, who suggested a special use permit be allowed for 734 S. Main to provide a Bed and Breakfast in R-2 Zoning District. The Governing Body considered this request and agreed to place it on the January 5, 2000, agenda.

Amendment to Zoning Ordinance

Thereupon, the Governing Body heard from Planning and Zoning Director John Merrell, who recommended an amendment to Appendix A of Ordinance No. 2933-90, the zoning ordinance for the City of Ottawa, noting this ordinance will provide highway services in the C-S Zoning District, and this change was being brought about as a result of the Wingert annex on Highway 68. The Governing Body considered this ordinance and agreed to place it on the January 5, 2000, agenda.

KMEA Mutual Aid Program

Thereupon, the Governing Body heard from Utility Director Jim Bradley, who stated this program will be similar to the informal program used during the June 28, 1999, wind storm, in which Ottawa received mutual aid from sister cities during the storm clean up. Mr. Bradley explained use of City Personnel will remain under the authority of this City.

Firefighters Relief Association

Thereupon, the Governing Body heard from Fire Chief Jeff Carner, who proposed deleting Subsection C, under Section 9-302 of the Municipal Code of the City of Ottawa, Kansas, thereby striking the \$20 per month Treasurer's fee from the Firefighters Relief Association funds. The Governing Body reviewed this request and agreed to its approval.

Personnel Classification

Thereupon, the Governing Body heard from City Manager Scott Lambers who suggested the Governing Body consider consolidating two part time positions; that is, the Municipal Court Clerk Assistant, and the Parking Enforcement Officer into one full time position to attract better candidates for this positions. The Governing Body considered this recommendation and agreed to its approval.

Public Works Compound

Thereupon, the Governing Body reviewed a recommendation from Public Works Director Andy Haney, to award a fence contract to American Fence Company, and to proceed with the fencing at the earliest possible date, and the amount of the award be for \$13,221.00. The Governing Body authorized Mr. Haney to proceed with this project noting additional costs would be incurred for a window necessary to observe the gate, and for electrical work sufficient to operate the mechanical gate. Authorization was provided for these cost to be incurred as well.

Adjournment

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

Scott D. Bird, City Clerk

Study Session Minutes
Ottawa, Kansas
Minutes of December 27, 1999

The City Governing Body met at 4:00 p.m. this date. All members of the Governing Body were present and participating to wit: Mayor Gillette present, Commissioner Finch present, Commissioner Ramsey present, Commissioner Jackson present, and Commissioner Fleer present. A quorum was present. The Mayor called the meeting to order at 4:00 p.m. and asked for Public Comments.

Public Comments

Thereupon, the following citizens appeared before the Governing Body to discuss US-59 Highway:

Ms. Patricia Brady, Mr. John Scroggs, Mr. Charlie Perry, Ms. Joy Poindexter,
Mr. Ray Evermeyer, Mr. Jerry Smith, Mr. Stan Kristoff, Mr. Darren Slotzhauer,
Mr. Roger Ferguson, Mr. Fred Ferguson, Ms. Meriam Ferguson, Ms. Almeda
Edwards, Ms. Eddie Ferguson, Mr. Larry Ferguson, and Ms. Elonda Hogan.

Announcements:

Thereupon, the Mayor announced:

1. There will be a Highway 59 Meeting on January 6, 2000, at 7:30 p.m. at Heritage Tractor Company, in Baldwin City, Kansas.
2. There will be a Joint City/County Meeting on January 7, 2000, at 11:30 a.m.

Adjournment

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

Bonita Nicewander, Asst. City Clerk

December 27, 1999

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