

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
January 4, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fleer, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Dale Stratton from Pilgrim Bible Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included the agenda approval. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Martin Luther King, Jr.**

Thereupon, Mayor Jackson stated the proclamation will be read and presented during celebrations being held at Ottawa University in honor of Martin Luther King, Jr.

**Ordinance-Rezone-1600 E Logan**

Thereupon, there was presented an ordinance to re-zone an area within Ottawa, Kansas, and repealing the corresponding section of the zoning map, which is part of Ordinance No. 3501-05 of the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance would rezone approximately 84 acres at 1600 E. Logan (K-68 Highway) from County A to C-1 (Office and Service Business District). A public hearing was held at which time no public comments were made. By a 4-0 vote the Planning Commission recommended approval. 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. 3539-06.

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### **Reports by City Manager**

Thereupon, the City Manager presented a Power Point presentation to the Governing Body on sales tax election information. Brief discussion followed the presentation and Mayor Jackson reminded the Governing Body members to contact the civic clubs or organization they needed to present to in order to get on their calendars. In addition, the Mayor stated if any of them had trouble making contact with the organizations they could contact the City Manager's office for assistance.

Thereupon, the City Manager gave a brief update on the progress of the improvements on the swimming pool. The process is in several stages and concrete may be poured tomorrow on the north ½ where toys will be located.

The City Manager discussed the Joint Governing Body and Planning Commission Agenda with regards to the Interlocal Agreement meeting to be held January 12, 2006 at 7 pm at the Franklin County Annex. Planning Consultant Jim Kaup will be present to address questions as needed. Thereupon, Mayor Jackson asked that this item be on the Study Session Agenda for January 9 discussion by the Governing Body.

Thereupon, the City Manager asked Police Chief Dennis Butler to introduce his newest staff member. Thereupon, Chief Butler introduced Jennifer McCay, Special Services Officer, at the Law Enforcement Center. Ms. McCay stated she was from Williamsburg, currently had been working at Wal-Mart, wanted a career change, and was happy to be here.

### **Reports by City Commission**

Thereupon, Commissioner Jorgensen gave an update on US-59 Highway and stated if everything went as scheduled it would be completed by late 2009. Thereupon, Mayor Jackson noted funding probably would determine if the project remained on schedule.

### **Reports by the Mayor**

Thereupon, the Mayor announced the Legislative Coffee would be held at City Hall in the Commission Chambers at 10 am this Saturday and explained this is a great opportunity for the public to address questions or concerns they may have.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting at 7:27 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

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Scott D. Bird, City Clerk

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## STUDY SESSION MINUTES OTTAWA, KANSAS

Minutes of  
January 9, 2006

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

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

### **Public Comments**

None offered at this time.

### **Ottawa Area Chamber of Commerce Update**

Thereupon, the Governing Body heard from Tom Weigand, President and CEO of Ottawa Area Chamber of Commerce who provided an update on 2005 activities, which included the following:

- Air Technologies, Inc. (ATI) purchased former Suntron Corporation facility
- Rogers Manufacturing Company acquired former ATI facility on West 17th Street, resells to Topeka investor
- Heartland Wall Panel purchased former ATI facility on West 17th
- Kennel-Aire purchases former Laich Industries facility
- Ernest and Spencer purchase former Heartland China facility
- Ferrell Gas expanded call center
- Taylor Design Group purchased former Social Security Office
- Schuff Steel Company purchased the Havens Steel facility
- Goodwill Industries leased 37,000 sq. ft. in the former Wal-Mart facility
- Stage Pro moved to Ottawa from Lawrence and purchased 19 acres and the 20,000 ft. of the former B&T Pallet facility on East K-68
- American Eagle Outfitters will build a 540,000 sq. ft. distribution facility on 80 acres to the south of their present 400,000 sq. ft. facility.
- Crist Auto leased the former Underwood Equipment facility at K-68 and I-35 highway.
- Kalmar/Ottawa, Midwest Cabinet and MacFastners experienced a good year within their industries.
- Walgreen's and Sonic will go on line with new facilities early spring 2006
- Vintage Park began the site planning necessary to develop their assisted living facility near Elm and 23rd Street

Thereupon, Mr. Weigand completed his update by reviewing on going recruitment, community development initiatives, and the ongoing challenges and opportunities for 2006.

Mr. Weigand closed by reiterated the passage of the half-cent sales tax increase in Ottawa is important in making the community competitive in the tax levy area with those communities surrounding Ottawa and said the Chamber believes "the half-cent makes sense".

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### **Ottawa Recreation Commission Update**

Thereupon, Jason Camis, Chairperson of the Ottawa Recreation Commission provided an update on the organization's recent activity, which included the following:

- The board hopes to name an Interim Director at Wednesday's meeting
- Grounds maintenance person resigned
- Currently two new board members with other members being on board only a short time as well
- Discussion has included hosting less baseball tournaments so that local youth could use the fields more
- ORC will be involved in Spring Fling
- Discussion continues on YMCA and/or Parks & Recreation
- Goals for Interim Director
- At this time no discussion on a new facility
- The Board will continue to listen to what the City, County, School District and community wants and needs in recreation

### **Energy Management Project**

Thereupon, the Governing Body reviewed information provided on the Energy Management Project and heard from Utility Director Jim Bradley. Mr. Bradley gave a brief overview of the project and address questions and concerns from the Governing Body.

### **Review of Minutes**

Thereupon, the Governing Body reviewed meeting minutes from December 19, 2005, Work Study Session and Regular Meeting Minutes from December 21 and January 4 and agreed to place these items on the Regular Meeting Agenda for January 18, 2006.

### **Boy Scout Proclamation**

Thereupon, the Governing Body reviewed a proclamation proclaiming the week of February 5-11 as Boy Scout Week and agreed to place this item on the Regular Meeting Agenda for February 1, 2006.

### **Interlocal Agreement Meeting**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett the agenda for the interlocal agreement meeting on January 12, 2006. The meeting will be held at 7 pm at the Franklin County Annex and both City and County Commissions and Planning Commissions will be in attendance. It was explained all Commissions received the same information and maps would be available at the meeting. Thereupon, the City Manager stated this agreement is very complex and this agreement has been needed for a long time.

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### **Open Agenda**

Thereupon, Mayor Jackson spoke about the "If I Were Mayor" essays and it seemed the school Government Classes do have knowledge of what a Mayor does but others may not.

Thereupon, Commissioner Ramsey stated he still didn't know if he would be attending the City Hall Day at the Capitol on January 26. It was noted that Mayor Jackson, Commissioners Jorgensen and Henningsen, as well as, the City Manager would be attending.

Thereupon, City Manager Weldon Padgett stated the Governing Body would need to compile a list of issues to discuss at the upcoming National League of Cities conference in Washington, D.C. in March and this item will be placed on the next Study Session. Thereupon, Mayor Jackson stated the City needs to come up with issues that haven't been discussed before.

### **Monthly Financial and Activity Reports-December**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for December. Thereupon, the Governing Body requested Ottawa Main Street come before the Governing Body and address some items on their current Financial Reports.

Thereupon, Commissioner Jorgensen asked about the storm water construction being done on 15th Street and asked how long this construction might take. The City Manager will check on this and report back to the Governing Body.

Thereupon, Commissioner Fleer asked if there was another overlay to be done on Cedar Street. Public Works Director Andy Haney stated the project has not been completed and the contractor wouldn't be released until all final inspections were complete.

Thereupon, Commissioner Jorgensen inquired about the Montana/Sand Creek Intersection project and asked about the selection process and requirements for consultants. Thereupon, the City Manager stated he will meet with Public Works Director Andy Haney and provide information.

### **Other Items**

Thereupon, City Manager Weldon Padgett introduced the new Human Resource Director Melissa Fairbanks and the Governing Body welcomed her. Ms. Fairbanks stated she was glad to be here and noted she would be attending meetings in Overland Park for the next two days on behalf of the City. Thereupon, Mayor Jackson noted there would be a Chamber Coffee at City Hall on January 19, 2006, at 8 am in honor of the new Director.

Thereupon, Mayor Jackson requested Commissioner Henningsen sponsor Youth-In-Government delegate Sara Humm, Commissioner Ramsey delegate Steven Staneslow, and he would sponsor Angie Jamison.

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Thereupon, Commissioner Henningsen stated she had presented the Sales Tax Election information to the Hospital Auxiliary and they had been very receptive to this issue.

Thereupon, Commissioner Ramsey stated the ballots for the Sales Tax Election would be designated by precinct. The City Manager stated that it is anticipated the City will hear from the State by January 17, 2006 to confirm the City's request of election date. The City Manager announced he will be presenting the Sales Tax Election information to the Rotary Club tomorrow. The Governing Body was reminded to make contact with those they are presenting to and try and establish a presentation date.

**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.

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Scott D. Bird, City Clerk

January 9, 2006

**City Commission Special Call**  
**Franklin County/City of Ottawa Commission**  
**Joint Governing Body and Planning Commissions**  
**7 pm – Franklin County Annex**  
Ottawa, Kansas  
January 12, 2006

All members of the City Governing Body were present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Jorgensen, Commissioner Henningsen, and Commissioner Fler.

City Planning Commissioner's in attendance: Ed York, Aaron Heckman, Cal Lantis, Richard Warren, Linda Reed, and Sandy Howard. Commissioner Anderson was unable to attend.

All members of the Franklin County Commission were present and the County Planning Commission was in attendance.

The Mayor opened the meeting and asked for introductions around the room and then asked planning consultant and attorney Jim Kaup to make the presentation.

Mr. Kaup introduced himself and stated the purpose of this meeting is to facilitate an interlocal cooperation agreement between the City and the County and their respective areas of authority. Mr. Kaup noted that the City has authority under state law to exercise zoning, subdivision, and building codes outside the city limits and also has been given unilateral zoning authority in the absence of county zoning. Further, the state law empowers the two units of government to work together. He noted that development on an urban scale is often times not something county governments want to deal with due to the cost of infrastructure and the Ottawa/Franklin County area needs to be ready for development in an orderly and cost-efficient manner.

Mr. Kaup reviewed the proposed interlocal agreement, point-by-point, noting that the scope would delegate from the County to the City certain powers with respect to the urban growth area and would only affect specified growth areas in Franklin County around the Ottawa area.

He noted that Section 1 identifies the areas under discussion and Section 2 defines the urban growth area.

Maps had previously been provided to clearly illustrate the areas under discussion. He explained that any land within the proposed interlocal area would continue to be zoned under the county zoning classification until such time that it might be rezoned. He further explained that any City initiated rezoning or text amendment to the zoning regulations that affected land in the urban growth area would be sent to the county for comments and if the county objected then the objection would be sent back to the city. Under the agreement the city would be required to have a super majority vote in order to approve the rezoning or adopt such text change, thereby allowing the county considerable involvement in any changes to these areas.

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County Commissioner Taylor asked that the days for the County to respond to such proposed changes be extended in the agreement from 10 to 30 days. It was explained that those are the types of details that both the city and county should be interested in working together in order to make sure all parties are being treated in a fair and like manner.

Mr. Kaup continued with Section 4 noting that in the areas labeled as "Rural Growth Area" the county is only obligated to advise the City about certain land use activities. The county would advise of rezoning applications' and any zoning text amendments affecting land in this area and city would have the opportunity to respond to and advise. However, the county retains control of this area. It still only requires a simple majority vote of the Board of County Commission for final action.

City Planning Commissioner York inquired of a property that lays partially in/out of one of the designated areas. Mr. Kaup responded that authority would lie with the majority of the parcel. He further explained these types of details could be worked out and addressed in the sub-division regulations and the zoning regulations, which will more clearly define the detail. However, Mr. Kaup cautioned that such detail should not be added to the Interlocal Agreement, but be worked out in these two documents instead, where they can be amended with greater ease and to keep the agreement as succinct as possible.

Mr. Kaup moved to Section 5, which deals with sub-division regulations in "Urban Growth Areas" and delegation of authority therewith, Section 6 deals with the sub-division regulations in the "Rural Growth Area", Section 7 relates to Building Code Authority and responded to several questions related to this issue. Mr. Kaup noted that the statutes provide exemption from zoning regulation for agricultural land in response to a question posed by County Planning Commissioner Peckham.

Mr. Kaup explained the adoption process of this document would be up to the respective Governing Bodies. While action to approve the agreement requires a city ordinance and county resolution; whatever advise each entity wanted (e.g. recommendation of a planning commission) would be up to that governing body.

It was explained Section 8 deals with "Rural Growth Area" which like Section 4 provides for an advisory to the City, Section 9 deals with duration of the document, and Section 10 deals with the termination of the agreement. It was noted unilateral termination occurs only after 6 months notification. City Planning Commissioner Howard asked if the lines defining the boundaries for the aforesaid growth areas could change. Mr. Kaup responded affirmatively with joint approval between the Governing Bodies.

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Other questions involved sanitation codes. Mr. Kaup indicated that this subject was currently under discussion, but that environmental codes were not part of this agreement.

Thereupon, County Planning Director Walrod indicated that the county is currently cooperating with the city related to sanitary sewer and septic system issues in the City.

County Commissioner Hay stated that good roads and other transportation infrastructure is largely responsible for growth areas and asked what plans the City has to address these issues. City Manager Padgett indicated the City has updated its Comprehensive Plan, and Future Land Use Plan and is working on a Transportation Master Plan and believes the City Planning is well developed for these issues.

County Planning Director Walrod stated he feels confident that the proposed interlocal agreement is consistent with the wishes of the City and County Planning Departments and the County Planning Department is encouraging this agreement.

City Planning Commissioner York inquired about incentives for development within the "Urban Growth Area". Mr. Kaup indicated that incentives include the orderly extension of infrastructure, which allows for progressive development in the "Urban Growth Area" in an orderly fashion that will be most agreeable and cost-effective to the entire community.

County Planning Commission Woolman indicated he is very much in favor of this issue. However, he expressed concern about approximately 1200 acres south of town between the city limits boundaries and the city airport. The City Manager explained these boundaries can be altered and are open for discussion.

County Commissioner Dunn asked about the affect the agreement would have on county property tax. Mr. Kaup indicated this should not affect property taxes unless as a result of development and the extension of infrastructure property values are estimated higher by the county appraiser.

A question was asked about a person's option to object to a zoning change. Thereupon, County Planning Director Walrod indicated a citizen could appeal to the Board of Appeals of either the City or County.

County Planning Commissioner Beauchamp indicated that the Federal Government was recognizing "mini farms" which is a trend of second-generation families from the farm who desire 3-5 acre properties. These "mini farms" present a challenge to urban growth.

At about 8:40 pm the Governing Body opened the meeting to Public Comments.

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**Public Comments**

The Governing Body heard from Mr. Wendall Barker, 2573 Highway 59 who stated this action is 30 years overdue. However, this agreement does delegate authority and can create gray areas.

Ms. Mary Braun, 4339 Vermont Road, Wellsville, Kansas questioned what her recourse would be if she disagreed with something the City was doing and she isn't a city resident.

Mr. Kaup responded that the County Commission still serves her interests.

Mr. Butch Riddle, 2387 Old Highway 50, asked if the City had the authority to increase taxes in the County. Mr. Kaup answered no.

County Commissioner Hay indicated he would be in favor of the agreement.

Mayor Jackson stated he believed this is moving the community in the right direction.

Mr. Walrod clarified that the County can adopt the Interlocal Agreement but it doesn't go into effect until the respective commissions have hammered out and adopted amendments to their respective subdivision and zoning regulations.

There being no further discussion on the agreement the Mayor declared the meeting adjourned at 9:10 pm.

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Scott D. Bird, City Clerk

January 12, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
January 18, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Larry Carrier, from Ottawa Bible Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included the agenda approval and minutes from December 19, 2005 Study Session and December 21, 2005, and January 4, 2006 Regular Meeting minutes. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Boy Scout Week**

Thereupon, it was noted the proclamation for Boy Scout Week was tabled until the February 1, 2006, Regular Meeting as previously discussed.

**Resolution-Energy Management Project Agreement**

Thereupon, there was presented a resolution to authorizing execution of an Energy Management Project Agreement between the City of Ottawa, Kansas, and the Kansas Municipal Energy Agency (KMEA), related to coordinating the generation and purchase of electricity by the City, other member cities and KMEA. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution allows the City to enter into an agreement, which establishes Ottawa as a partner with the Kansas Municipal Energy Agency and other member cities to allow a pooling of resources, marketing of power and generation facilities, etc., in order to obtain better rates and opportunities than any single city could obtain. Ottawa would

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have a proportionate share in the decision-making process and other authority. 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. 1353-06.

**Cereal Malt Beverage-Casey's General Stores, 334 N Main**

Thereupon, there was presented a retail cereal malt beverage license application for Casey's General Stores at 334 N Main. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to approve the application as presented.

During discussion it was explained that on February 13, Casey's General Stores, Inc. will be taking over the Gas-N-Shop store located at 334 N Main Street. A review of the application has been completed by the Fire Department, Police Department and the City Attorney and approval of the application is recommended. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

**Quit Claim Deed-Mears Park**

Thereupon, there was presented a Quit Claim Deed to help address a boundary dispute on property owned by the City of Ottawa and related to the transfer of the Mears Park property. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to approve the deed as presented.

During discussion it was explained that years ago the City owned Mears Park, located east of town about 4 miles, then south about a mile. Apparently the City transferred most of the park to a private party sometime in the late-1980s, but retained a portion (either through an error in the legal description or for some other reason). Recently through an unrelated land transaction a boundary issue arose which involves the small piece of property still titled to the City. City Attorney Bob Bezek prepared a Quit Claim deed for the City that indicates the City has no interests in the property dispute. The Quit Claim actually adds to the small parcel still retained by the City (which, itself, is an issue which needs to be address in the future), but allows the land transaction to proceed. It was recommended the Commission authorize the execution of the Quit Claim Deed. Thereupon, City Attorney, Bob Bezek, and City Clerk Scott Bird addressed questions from the Governing Body. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Quit Claim Deed duly approved.

**Reports by City Manager**

Thereupon, City Manager Weldon Padgett introduced the new Human Resource, Director Melissa Fairbanks, who stated she was excited for being selected to the position and to be in Ottawa.

The City Manager announced that the state had approved the date for the ½ cent sales tax election March 7 and the next 8 weeks would be crunch time for educating the public.

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The City Manager announced there will be a Planning Session with Jim Kaup on January 30, 2006 and he would like to add this item as a topic of discussion on the January 23rd Study Session Agenda.

Thereupon, Mayor Jackson stated the Interlocal Agreement will also need to be brought back to a Study Session for further discussion.

### **Reports by Mayor**

Thereupon, the Mayor reminded the Governing Body to make sure and get scheduled to talk with their groups on the sales tax information.

Mayor Jackson announced there would be a Youth-In-Government orientation meeting at City Hall on February 10, 2006 from 9am-3pm. The youth and sponsors will be doing some planning to recruit others to the program.

### **Announcements**

Thereupon, the Mayor announced:

- The Joint City/County/School luncheon will be held today at noon, at the USD 290 office and the City Manager will be giving a presentation on Tax Increment Financing (TIF) 102
- January 30, 2006: Training/Review Topic for City Commission: Planning Basics 2-4 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the meeting was adjourned at 9:48 am.

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Scott D. Bird, City Clerk

January 18, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
January 23, 2006

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

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

**Public Comments**

None offered at this time.

**Resolution-City Membership/KMEA Mutual Aid**

Thereupon, the Governing Body reviewed a memo and resolution to re-authorize the City's membership in the KMEA Mutual Aid program, which is designed to help cities more quickly restore electrical power during disasters. It was noted this agreement is set on a 3-year basis. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for February 1, 2006.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from January 9, 2006 Study Session Meeting and agreed to place this item on the next Regular Meeting Agenda for February 1, 2006.

**Proclamation-Catholic Schools Week**

Thereupon, the Governing Body reviewed a proclamation for Catholic Schools Week and agreed by consensus to place this item on the next Regular Meeting Agenda.

**NLC Congressional City Conference**

Thereupon, City Manager Weldon Padgett asked the Governing Body who would be attending the National League Conference March 11-15, 2006 in Washington, D.C. Mayor Jackson, and Commissioner Henningsen confirmed they will attend and Commissioner Jorgensen is undecided at this time. Commissioners Ramsey and Fler will not be attending. Mayor Jackson asked the City Manager to place this item on a future Study Session to compile a list of topics for discussion to take to the conference.

**City Hall Day at the Capitol**

Thereupon, it was noted "City Hall Day at the Capitol" will be held Thursday, January 26, 2006 at the capitol in Topeka. The City van has been reserved for transportation and will leave City Hall at approximately 8:30 am. Thereupon, Commissioner Ramsey confirmed he will be attending.

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### **Ottawa Main Street 2005 Review**

Thereupon, the Governing Body heard from Mary Allison Haynie, Main Street Director; Harold Mayes, President of the Main Street Board and Bob Greenfield of Greenfield and Davidson, who presented information on Ottawa Main Street's 2005-Year and answered questions from the Governing Body.

### **Planning Session with Jim Kaup**

Thereupon, there was discussion on topics of interest to be discussed at the upcoming Planning Basics session with Jim Kaup to be held Monday, January 30, 2006, from 2-4 pm, in the Study Session Room.

### **Sales Tax Presentations**

Thereupon, Mayor Jackson and the City Manager asked for an update from the Governing Body on which groups they have met with on sales tax information, and which meetings are still to be attended so that the City Manager's office can send thank you letters.

### **ORC Projector and Screen**

Thereupon, the City Manager updated the Governing Body on a previous issue concerning the possibility of showing movies in the park after dark, as well as, at the auditorium. This issue came up after the local theatre closed. Mr. Padgett explained there is a lot of red tape and copyright issues that play into this issue and things aren't moving as quickly as he had hoped.

### **Open Agenda**

Thereupon, Mayor Jackson asked if the water line at Orlis Cox was being worked on and Utility Director Jim Bradley responded that the work might be finished this week.

Thereupon, Commissioner Ramsey asked about the loan Crist Auto had gotten on the North Main car lot and City Clerk Scott Bird responded they had been making payment and once the property sold the loan would be paid.

### **Resolution-Power Purchase Agreement Amendment**

Thereupon, there was presented a resolution by City Attorney Bob Bezek and Utility Director Jim Bradley who requested adoption of a resolution authorizing the execution of an amendment to a Power Purchase Agreement. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained that this resolution will authorize the execution of an amendment to a Power Purchase Agreement, dated May 11, 2005, between the City of Ottawa and the Kansas Municipal Energy Agency relating to the purchase of electricity by the City from the Kansas Municipal Energy Agency for sale or use by the City; and making certain

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covenants and agreements to provide for the payment and security thereof and authorizing certain other documents and actions in connection therewith. 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. 1354-06.

### **Power Purchase Agreement Amendment**

Thereupon, there was presented an amendment to execute the Power Purchase Agreement (Grand River Dam Authority Power Supply). Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve this amendment to the Power Purchase Agreement.

During discussion it was explained this amendment allows the City to execute Amendment No. 1 to the Power Purchase Agreement (Grand River Dam Authority Power Supply) between the City of Ottawa and the Kansas Energy Agency (KMEA) as presented in the above resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared Amendment No. 1 to the Power Purchase Agreement duly approved.

### **River Pump Station Modifications & New Force Main**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Utility Director Jim Bradley who reviewed the bids received for the River Pump Station Modifications and New Force Main. It was explained the bids came in 13.16% higher than the engineer's estimates, which in part was due to the recent increase in oil related material and fuel. However, by eliminating some alternates, staff was able to reduce this to only 1.8% above the total estimated cost. Thereupon, it was requested to accept the low bid from Nowak at \$523,544. Mr. Bradley explained the City had been awarded an EPA Grant in the amount of \$260,000 that would also be used on this project. A request was made for approval to proceed in order to obtain a Revolving Loan in the amount of \$470,000. Thereupon, the Governing Body agreed by consensus to accept the bid from Nowak and allow the City Manager and Staff to proceed with this project.

### **Diesel Fuel Spill**

Thereupon, City Manager Weldon Padgett distributed a memo from Fire Chief Jeff Carner who reported on a recent fuel spill and clean up on the construction site located at Wilson and Cherry Street. It was noted that Chief Carner will visit the site January 30, 2006 to assure all final cleanup has been taken care of.

### **Reports by Mayor**

Thereupon, Mayor Jackson reminded City Manager Weldon Padgett information was needed to complete his evaluation.

January 23, 2006

Mayor Jackson reminded the Governing Body about the Franklin County Strategic Planning Meeting to be held, Tuesday evening at 7 pm, at the Franklin County Annex and there will be a "Planning" Seminar for the Governing Body on January 30, 2006, 2-4 pm in the Study Session Room at City Hall.

**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.

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Scott D. Bird, City Clerk

January 23, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
January 30, 2006

The Governing Body met at 2 pm this date with the following members present and participating to wit: Mayor Jackson, Commissioner Fleer, and Commissioner Henningsen. Commissioner Jorgensen and Commissioner Ramsey were absent. A quorum was present.

**Planning Process Review**

Thereupon, Commissioner Ramsey arrived at 2:10 pm.

Thereupon, the Governing Body heard from Mr. Jim Kaup, Attorney-at-Law who conducted a two-hour planning process review, which included Legal Issues in Land Use Planning and Regulation.

Thereupon, Commissioner Jorgensen arrived at 3:53 pm.

Thereupon, Mayor Jackson called the regular Study Session to order at 4:03 pm and asked for Public Comments.

**Public Comments**

None offered at this time.

**Disc Golf-Rotary Club**

Thereupon, the Governing Body heard from Ottawa Rotary Club President, Janice Rake who discussed a proposal for the temporary installation of 9 holes of disc golf at Kanza Park in conjunction with "Spring Fling" activities. The proposed temporary time frame would be March through September 2006 in Kanza Park.

Thereupon, Commissioner Henningsen, objected to the location of Kanza Park, preferring Forest Park instead due to the availability of parking and restroom facilities. After considerable discussion of the proposal Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to allow the temporary installation March through September 2006 for 9 holes, on the Northeast side of Kanza Park. The motion was considered and upon being put, passed by the following vote: Commissioner Jorgensen aye, Commissioner Fleer aye, Commissioner Ramsey aye, Commissioner Henningsen nay, and Mayor Jackson aye. Thereupon, the Mayor declared the proposal duly approved by a 4-1 vote and asked the City Manager to bring this item back in September for additional review. Thereupon, City Manager Weldon Padgett asked Ms. Rake to keep him involved regarding the language for signs and the sign structure. In addition, the City Manager reminded Ms. Rake to check on appropriate permits for this project.

**Resolution-Housing Tax Credit**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee a resolution of support for a housing tax credit application to be filed by Allied January 30, 2006

Development LLC for phase two of affordable rental housing at the Old Middle School located at 506 S Main. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for February 1, 2006.

**Ordinance-PUD 506 S Main**

Thereupon, the Governing Body reviewed an ordinance to amend the Planned Unit Development (PUD) for 506 S Main. Mr. Foutch requested a change in the commercial uses and recreational portions of the north building and also requested the elimination of several parking spaces. It was noted that these changes were significant enough to require formal action by the City. The Planning Commission previously reviewed the request, held a public hearing, and recommended approval with conditions as outlined on the memorandum as provided by staff to the Governing Body. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda.

**Ordinance-Annexation-875 N Davis Ave**

Thereupon, the Governing Body reviewed a request submitted for voluntary annexation of about 22-1/3 acres generally located at 875 N Davis Avenue and staff recommended approval. Thereupon, the Governing Body agreed by consensus to place item on the next Regular Meeting Agenda.

**Ordinance-Annexation-749 N Davis Ave**

Thereupon, the Governing Body reviewed a request submitted for voluntary annexation of approximately 2 acres generally located at 749 N Davis Avenue and staff recommended approval. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda.

**Ordinance-Rezone-1602 E Wilson**

Thereupon, the Governing Body reviewed a rezone request for 1602 E Wilson from R-2 (Residential Zoning District), R-2/HO-O) (Residential with Housing Opportunity Overlay Zoning District). It was noted the Planning commission has reviewed this issue and recommends approval of the rezone. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for February 1, 2006.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the January 18 Regular Meeting and the January 12, 2006 Special Call Joint Meeting and agreed to place these items on the Regular Meeting Agenda for February 1, 2006 with the suggested changes being possible.

**Other Items**

**Preliminary Plat-Estates on 68**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee a Preliminary Plat and a staff memo related to the development of the Estates on January 30, 2006

68. It was noted this item was for discussion only with no action necessary at this time.

**Public Hearing & Resolution: Condemnation 308 S Mulberry**

Thereupon, City Manager Weldon Padgett reminded the Governing Body of a previously placed item not listed on this agenda would be on the Regular Meeting Agenda for February 1, 2006 which would be a Public Hearing for condemnation of 308 S Mulberry.

In addition, the resolution for condemnation for 308 S Mulberry, as presented this date was requested to be placed on the agenda due to this house being damaged by fire. The Governing Body agreed by consensus to place the resolution for condemnation on the agenda for February 1, 2006 in addition to the Public Hearing previously placed.

**McGruff Club/Dare Camp Family Night**

Thereupon, Police Chief Dennis Butler announced an invitation to the 2006 McGruff Club activities and Dare Camp Family Night.

**Tree Board Appointment**

Thereupon, City Manager Weldon Padgett requested permission from the Governing Body to place a Tree Board appointment on the February 1, 2006, Regular Meeting Agenda in order to fill an unexpired term. In addition, staff recommendation was to make this a three-year appointment, as the unexpired term would have ended this April. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda and to make this a 3 year appointment.

**Sales Tax Education Information**

Thereupon, City Manager Weldon Padgett explained the recent distribution of brochures for sales tax education in the Ottawa Herald and the upcoming issue of the Shopper and noted additional copies would be placed at City Hall, Ottawa Library, and the Courthouse.

Thereupon, the City Manager reminded the Governing Body that February 13th is the scheduled day for the Special Meetings related to the sales tax issue. One being scheduled for Noon and the other scheduled for 6:30 pm at City Hall in the Commission Chambers. The City Manager asked for direction from the Governing Body on how they wanted the meetings handled.

Thereupon, Mayor Jackson stated he had visited with the Lions Club with regards to the sales tax issue and suggested starting with questions and seeing if time allowed for the slide presentation. Thereupon, the Governing Body agreed to have the City Manager start with questions.

January 30, 2006

### **National League of Cities Conference**

Thereupon, the Governing Body discussed plans to attend the National League of Cities meeting scheduled for March 11-15 and Nikki Spencer, Assistant to City Manager, asked the Governing Body members who are attending to please provide her with details for the trip so arrangements can be made before the deadline of February 6, 2006.

### **City Hall Day at the Capitol**

Thereupon, Commissioner Ramsey gave a brief report followed by discussion on City Hall Day at the Capitol that the Governing Body attended on January 26, 2006.

### **Adjournment**

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

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Scott D. Bird, City Clerk

January 30, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
February 1, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included the agenda approval and minutes from January 9, 2006 Study Session, January 18, 2006 Regular Meeting and January 12 Special Joint Meeting minutes. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Boy Scout Week**

Thereupon, Mayor Jackson presented a proclamation to members of Troop 77 declaring February 5-11, 2006 as Boy Scout Week.

**Proclamation-Catholic Schools Week**

Thereupon, Mayor Jackson presented a proclamation to Diane Chapman, Principal of Sacred Heart Catholic School, and students declaring January 29-February 4, 2006 as Catholic Education Week.

**Public Hearing-Condernation 308 S Mulberry**

Thereupon, Mayor Jackson opened a public hearing at 7:11 pm to consider the condernation of a structure located at 308 S Mulberry.

Thereupon, Planning and Codes Administration Director Wynndee Lee explained that during the December 21, 2005 meeting a public hearing was scheduled to occur this date and receive

February 1, 2006

comments about the condemnation of the structure located at 308 S Mulberry. The structure was damaged by fire and staff recommends this property be declared unsafe or dangerous and the structure be demolished or repaired.

There being no further questions or comments regarding this issue the Mayor closed the public hearing at 7:14 pm.

### **Resolution-Condemn 308 S Mulberry**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 308 S Mulberry. Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution as presented. 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. 1355-06.

### **Resolution-KMEA Mutual Aid Program**

Thereupon, there was presented a resolution to authorize membership of the City of Ottawa, Kansas in the Kansas Municipal Energy Agency's Mutual Aid Program and authorizing the execution of all documents relating to the City's participation in said Mutual Aid Program. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt this resolution.

During discussion it was explained the resolution authorizes the City to enter into an agreement with KMEA to participate in the Mutual Aid Program. The Mutual Aid Program allows the City to assist and be assisted by other member cities in the event of emergencies such as ice storms and tornados in order to restore electrical power more quickly and efficiently. FEMA does recognize this program and membership helps FEMA expedite funding in the event of an emergency. 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. 1356-06.

### **Resolution-Housing Tax Credit**

Thereupon, there was presented a resolution of support for a Housing Tax Credit application for Phase 2 of the Old Middle School renovation project providing 23 units of affordable rental housing primarily for Senior Citizens, as well as, other amenities. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained this resolution is required as part of the application for housing tax credits being submitted by Allied Development LLC for Phase Two of affordable rental housing at the Old Middle School located at 506 S Main. 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. 1357-06.

February 1, 2006

**Ordinance-Amend PUD 506 S Main**

Thereupon, there was presented an ordinance amending the Planned Unit Development for 506 S Main in Ottawa, Kansas. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance as presented.

During discussion it was explained the developer of the Old Middle School has asked to amend his development plan by removing most of the commercial uses and public recreational portions in the north building. The Planning Commission held a public hearing on this matter, and by a 7-0 vote recommends approval of the ordinance which amends the PUD with the following conditions: a minimum of 114 parking stalls be created and the boundaries of the property be modified on the development plan. 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. 3540-06.

**Ordinance-Annex 875 N Davis Avenue**

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, Kansas located at 875 N Davis Avenue. Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance as presented.

During discussion it was explained owners Frederick Kissinger, Homer Kissinger, and Luetta Porter, voluntarily submitted this request for annexation. The property consists of about 22.3 acres, is currently surrounded by land already within the City, so annexation results in a more recognizable City limit lines. 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. 3541-06.

**Ordinance-Annex 749 N Davis Avenue**

Thereupon, there was presented an ordinance to annex land into the City of Ottawa, Kansas located at 749 N Davis Avenue. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained the owners Frederick and Eleanor Kissinger voluntarily submitted this annexation request. The 2 acres of land is surrounded by the City limits, so annexation results in a more recognizable City boundary. 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. 3542-06.

**Ordinance-Re-zone 1602 E Wilson**

Thereupon, there was presented an ordinance to rezone an area within the City of Ottawa, Kansas, and repealing the corresponding section of the zoning map, which is part of Ordinance No. 3501-05. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey to adopt the ordinance.

February 1, 2006

During discussion it was explained this ordinance is to rezone 1602 E Wilson from R-2 (Residential Zoning District) to R-2/HO-O (Residential with Housing Opportunity Overlay Zoning District). The proposed amendment meets the intent of zoning regulations and is consistent with the character of the surrounding area. A public hearing was held and the Planning Commission recommends approval by a 5-0 vote. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3543-06.

### **Tree Board Appointment**

Thereupon, it was explained due to a vacancy in a soon expiring term on the Tree Board, applications were solicited and five were received. An appointment at this time allows the newest member to participate in selection of the Arbor Day poster award selection. Thereupon, after several suggestions, Commissioner Ramsey made a motion, seconded by Commissioner Flear, to appoint Sean Powell to a three-year term on the Tree Board. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointment duly approved. Thereupon, the Governing Body commented they were please with all the applicants and are hoping these applicants will consider applying in the future to a City Board.

### **Reports by Youth Delegate**

Thereupon, the Governing Body heard from Angie Jamison who reported on current activities the youth are involved in.

### **Reports by Mayor**

Thereupon, the Mayor reminded the Governing Body that the Youth In Government Orientation would be February 10, 2006 with the youth arriving at City Hall in the Commission Chambers at 8:15 am. City Staff will be sharing information with the youth, lunch will be served, and tours will take place later in the day.

Thereupon, the Mayor announced that February 13, 2006 the Sales Tax Public Forums will be held in the Commission Chambers at Noon and 6:30 pm.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:28 pm.

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Scott D. Bird, City Clerk

February 1, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
February 6, 2006

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

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

**Public Comments**

None offered at this time.

**Resolution-GAAP Waiver**

Thereupon, the Governing Body reviewed a resolution authorizing a waiver to GAAP Based Accounting. It was noted that each year the Governing Body must adopt a resolution authorizing the Finance Director to complete a GAAP waiver associated with financial reporting methods of cash basis accounting. The waiver must be filed with the State Director of Accounts and Reports. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for February 15, 2006.

**Resolution-Sugar Creek Phase III**

Thereupon, the Governing Body reviewed a resolution accepting installation of street and sanitary sewer for Sugar Creek III. This area will consist of single-family dwelling units. Necessary inspection of the construction was completed during installation. Staff recommended the improvements be accepted by the Governing Body. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda.

**Resolution-Tax Credit Affordable Housing**

Thereupon, the Governing Body reviewed a resolution acknowledging the application for Tax Credit Affordable Housing for renovation of Pine Manor (1545 Osage) and Mission Woods (1609 Osage Drive). Application for the two properties in question will be filed by owner Jon Schulte with the Kansas Housing Resources Corporation. The Governing Body agreed to place this item on the Regular Meeting Agenda.

**Ordinance-Annex Highway 68 Right-of-Way**

Thereupon, the Governing Body reviewed an ordinance to annex Highway 68 right-of-way from the East City limits to I-35. The "owner" of the K-68 right-of-way (KDOT) has submitted the request for annexation voluntarily. Part of the right-of-way will be considered for a TIF district while the second part helps to clean up a previous error on the boundaries. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for February 15, 2006.

February 6, 2006

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the January 23, 2006, Study Session and agreed to place this item on the next Regular Agenda with a noted change.

### **Boards and Committees Booklet**

Thereupon, the Governing Body discussed and reviewed a “draft” Boards and Committees booklet that addresses some of the questions that arise with a newly appointed member. The booklet will be available for education of new board members, as well as, the general public. The Governing Body made several suggested additions/changes.

### **Public Hearing & Resolution-308 S Mulberry**

Thereupon, City Manager Weldon Padgett requested a Public Hearing and a resolution for condemnation of 308 S Mulberry. It was explained a public hearing had been held February 1, and a resolution adopted. Due to an error in notification to property owners another public hearing needs to be held and resolution adopted. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

### **Open Agenda**

Thereupon, there was discussion on the mail-in ballot for the ½ cent sales tax question asking the Ottawa Herald to print instructions on completing and returning the ballot.

Thereupon, Fire Chief Jeff Carner reported on a building fire at 307 W Wilson. It was noted the building was not insured and no one was hurt.

Thereupon, Mayor Jackson continued discussion on the upcoming sales tax election and stated the current Governing Body was committed to reducing property tax if the sales tax passed. However, the current Governing Body could not speak to what a new City Commissioner(s) might commit to.

Thereupon, the Mayor reminded the Governing Body that the Youth in Government Orientation is scheduled for February 10 here at City Hall and if they wished to participate they should be here by 8:45 am.

Thereupon, there was discussion by the Governing Body on changing the March 15th Regular Meeting date due to the Commissioners being in Washington for the National League of Cities Conference. Thereupon, the Governing Body agreed to have the Regular Meeting scheduled for March 22, 2006 at 9:30am.

Thereupon, Mayor Jackson announced the Mayor’s Prayer Luncheon will be March 22, 2006 at Ottawa University and Scott Bird would be the speaker.

February 6, 2006

Thereupon, Commissioner Ramsey expressed concern of an announcement that the local National Guard Armory will loose part of their staffing and go to a skeleton crew, He stated this would be a Federal issue and may be something to address with the Legislators when the Governing Body goes to Washington in March.

**Adjournment**

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

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Scott D. Bird, City Clerk

February 6, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
February 13, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, and Commissioner Jorgensen. Commissioner Fleer absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**American Eagle Outfitters-Tax Abatement**

Thereupon, the Governing Body considered a contract and ordinance for property tax exemption for the construction of American Eagle Outfitters 540,000 square foot distribution center. The contract is a requirement prior to the adoption of the ordinance, which grants the abatement, and outlines specific terms such as job creation, annual renewal, amount of investment and statement of intention. It was pointed out that if American Eagle fails to comply with the terms of the contract the City has the right to cancel the abatement. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda for February 15, 2006.

**Franklin County Strategic Plan**

Thereupon, the Governing Body heard from Tom Weigand, Executive Director for the Chamber of Commerce and Ottawa/Franklin County Economic Development, who reviewed the proposed Franklin County Strategic Plan for 2006. Mr. Weigand explained this document is required to be updated every three years in order to retain the enterprise zone designation, which is important to the development of the community. The Governing Body had several questions related to the plan and made suggestions. Mr. Weigand agreed to make the changes and bring the document back for adoption at the February 15, 2006 City Commission meeting. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

Commissioner Fleer arrived at 3:42 pm.

**Ordinance-Zoning-Housing Opportunity Overlay District**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who proposed that an amendment to the Housing Opportunity Overlay District section of the Zoning Ordinance which will allow current and future structures in HO-O Districts to be single family, two family and three family detached dwellings on permanent foundations. It was explained the new language also addresses accessory uses such as parking areas and lot area per household. The Governing Body considered this issue and agreed to place it on the February 15, 2006 Regular Meeting Agenda.

February 13, 2006

### **Ordinance-Zoning-Conditional Use Permit**

Thereupon, the Governing Body heard from Ms. Lee related to an ordinance amending the Conditional Use Permit section of the Zoning Ordinance and this amendment will require a site plan for consideration in the review process. The Governing Body agreed to place this item on the February 15, 2006 Regular Meeting Agenda.

### **Resolution-Condemnation 308 S Mulberry**

Thereupon, Ms. Lee explained there had been an error in the notice of procedures for the condemnation to 308 S Mulberry which the Governing Body had already considered an asked that a resolution setting a public hearing for condemnation for this property be considered again and order that the condemnation on this property could proceed. The Governing Body agreed to place this item on the Regular Meeting Agenda for February 15, 2006.

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the January 30th Study Session and agreed to place this item on the Regular Meeting Agenda.

### **Boards and Commission Booklet**

Thereupon, the Governing Body reviewed a booklet developed by staff that explains responsibilities to those persons interested in serving on various boards and commissions.

### **Monthly Financial Report**

Thereupon, the Governing Body reviewed the January Monthly Financial and Activity Report.

### **Sales Tax Forum**

Thereupon, it was noted that a sales tax forum would be conducted at 6:30 pm this date to inform the public of the need for this sales tax and to answer any questions that might be posed. It was noted that a Noon meeting has also been made available.

### **Open Agenda**

Thereupon, Commissioner Henningsen stated she had received a call from a concerned citizen regarding the number of garage sales and requested information that would be appropriate for a response.

### **Announcements**

Noted on the Agenda:

1. Next Regular Meeting scheduled for 9:30 am on February 15, 2006.
2. Joint City/County/USD 290 Luncheon Noon at County Courthouse on February 15, 2006.
3. City Hall closed for President's Day on February 20, 2006.

February 13, 2006

**Adjournment**

There being no further business to come before the Governing Body it was moved and seconded to adjourn. Thereupon, the Mayor adjourned the meeting at 4:52 pm.

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Scott D. Bird, City Clerk

February 13, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
February 15, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Larry Carrier, from Ottawa Bible Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included the agenda approval and minutes from January 23, 30, 2006 Study Session minutes. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Introduction of Police Officer**

Thereupon, Police Chief Butler introduced Cameron Strange a new Police Officer. Thereupon, Cameron thanked the Governing Body for the opportunity to work in Ottawa.

**Resolution-GAAP Waiver**

Thereupon, there was presented a resolution authorizing the City of Ottawa, Kansas to request the Director of Accounts and Reports to waive the statutory requirements to use GAAP Based Accounting for the reporting of Fiscal Year 2006. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution is necessary in order for the City to opt out of GAAP-based accounting requirements, which are not useful to the City, cause administrative and financial burden, and are not necessary to cash basis accounting. 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. 1358-06.

February 15, 2006

### **Resolution-Sugar Creek Phase III**

Thereupon, there was presented a resolution accepting the street and sanitary sewer public improvements installed at Eagle Pass Court, Sugar Creek Phase III. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained Sugar Creek Phase III will consist of single-family dwelling units. Inspection of the construction was completed during installation and staff recommends acceptance of the street and sanitary sewer improvements by the Governing Body. 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. 1359-06.

### **Resolution-Rehabilitation of Properties**

Thereupon, there was presented a resolution acknowledging the possible physical rehabilitation of properties known as Pine Manor and Mission Woods located at 1545 Osage Drive and 1609 Osage Drive respectively for tax credit affordable housing. Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained owner Jon Schulte will file an application for these two properties in an effort to obtain housing tax credits and this resolution acts as a letter of support for the application. 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. 1360-06.

### **Ordinance-Annexing Land K-68 Right-of-Way**

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, Kansas generally referred to as the K-68 right-of-way from Davis Avenue east to I-35. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained this portion of K-68 right-of-way is owned by a Kansas Department of Transportation (KDOT), which voluntarily submitted a request for annexation. Part of the right-of-way will be considered for a TIF district while the second part helps to clean up a previous error on boundaries. By this action the City accepts the responsibility for maintenance of this section, but will receive payment from KDOT for connecting link lane miles, and be eligible for KLINK grant funds. It was noted that this is very important to bring the K-68 corridor into the TIF district being formed, so that it is eligible for improvements. The motion was considered and upon being put, passed by the following vote: Commissioner Fler aye, Commissioner Ramsey nay, Commissioner Henningsen aye, Commissioner Jorgensen aye, and Mayor Jackson aye. Thereupon, the Mayor declared the ordinance duly adopted by a 4-1 vote and the ordinance was duly numbered Ordinance No. 3544-06.

February 15, 2006

**Contract-American Eagle Outfitter, Inc.**

Thereupon, there was presented a contract between Retail Distribution West, LLC, a wholly owned subsidiary of American Eagle Outfitters, Inc., and the City of Ottawa, Kansas describing the terms and conditions under which a property tax abatement would be issued for a new distribution facility and associated equipment. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the contract as presented.

During discussion it was explained this contract outlines the terms and conditions of property tax exemption for American Eagle Outfitters to construct and equip a 540,000 square foot distribution center. The contract is a requirement needed prior to the adoption of the ordinance granting the abatement and outlines specific terms such as job creation, annual renewal, amount of investment and statement of intention. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved.

**Ordinance-American Eagle Outfitters, Inc.**

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, specifically for a 540,000 square foot distribution center for Retail Distribution West, LLC, a wholly owned subsidiary of American Eagle Outfitters, Inc. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance grants a property tax exemption to American Eagle Outfitters to construct and equip a 540,000 square foot distribution center. The property tax exemption period runs for 10 years commencing January 1, 2008. 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. 3545-06.

**Resolution-Franklin County Strategic Plan**

Thereupon, there was presented a resolution of the City of Ottawa, Kansas, adopting the updated Franklin County, Kansas Strategic Plan and requesting that the Kansas Secretary of Commerce continue to designate Franklin County as a Kansas non-metropolitan enterprise business region. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution is part of the Strategic Plan update process that must be completed every three years in order for Franklin County to continue as a Non-Metropolitan Enterprise Business Region and receive the economic development benefits afforded to such designation. 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. 1361-06.

February 15, 2006

**Ordinance-Amending Article XII-Housing Opportunity Overlay District**

Thereupon, there was presented an ordinance amending Article XII, Section 12-201 and Section 12-404 Housing Opportunity Overlay District, of Zoning Ordinance No. 3501-05 for the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained this amendment clarifies previous language about what types of structures are permitted in the Housing Opportunity Overlay District, and also addresses accessory uses such as parking areas and lot area per household. 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. 3546-06.

**Ordinance-Amending Article XXVI-Conditional Use Permits**

Thereupon, there was presented an ordinance to amend Article XXVI, Section 26-109, Conditional Use Permits, of Zoning Ordinance No. 3501-05 for the City of Ottawa, Kansas. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance as presented.

During discussion it was explained this amendment will require an applicant to provide a site plan for consideration in the Conditional Use Permit review process so that clearer understanding and documentation of commitments can be made. 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. 3547-06.

**Resolution-Notice of Hearing 308 S Mulberry**

Thereupon, there was presented a resolution fixing the time and place and providing notice of a hearing before the Governing Body 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 structures located at 308 S Mulberry may appear and show cause why said structures should not be condemned and ordered repaired or demolished. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this process is being repeated due to an error in the previous notification. It was noted the structure sustained fire damage and is deemed a public safety hazard. Thereupon, 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. 1362-06.

February 15, 2006

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett discussed with the Governing Body feedback he and staff had received on the mail-in ballots for the ½ cent sales tax question. He explained he had visited with the County Clerk who explained how the mail-in ballots are handled once they reach her office.

The City Manager provided information on meetings scheduled for the Governing Body in Washington, D.C. with Senator Roberts, Brownback, Ryan, and Moran.

### **Reports by Mayor**

Thereupon, the Mayor thanked everyone involved in the recent Youth In Government orientation that was very successful.

Thereupon, Mayor Jackson addressed that recent headlines in the local paper can sometimes be misleading and not reflect the message the City is trying to send on the current sales tax issue.

The Mayor addressed recent feedback the Governing Body and Staff had received with regards to the upcoming sales tax issue. He explained it is the citizen's choice on how they vote and what services they see as important to them personally. Mayor Jackson encouraged those that had questions or concerns to call any of the Governing Body members or City staff. He stated there aren't any guarantees on how future Commissioners might want the ½ cent sales tax allocated but assured the public that the current Governing Body was committed to seeing that property taxes are reduced.

### **Announcements**

Thereupon, the Mayor announced:

1. February 15: Joint City/County/USD luncheon County Courthouse at Noon
2. February 20: No Study Session, City Hall Closed
3. February 27: Study Session at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:10 am.

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Scott D. Bird, City Clerk

February 15, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
February 27, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, and Commissioner Fler. Commissioner Jorgensen absent. A quorum was present.

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

Thereupon, Commissioner Jorgensen arrived at 3:32 pm

**Public Comments**

Thereupon, ORC Board Member Brian Sharp introduced to the Governing Body the Interim Director Nancy Baker. Thereupon, the Governing Body welcomed her to Ottawa.

**Historic Ottawa Central Business District**

Thereupon, the Governing Body heard from Mary Allison Haynie who presented an update on the application process to designate most of the downtown central business district of Ottawa as a Historic District which is generally described as being from the levee south to 5th street, and from the Walnut Street alley east to the Hickory Street alley. Ms. Haynie explained she had received calls with concerns from property owners with regards to what they could or couldn't do to their property as part of the district. She stated concerns have been addressed and property owners were feeling positive about the project.

**Benefit Walk**

Thereupon, the Governing Body heard from Nancy Ball who requested approval to hold a 5K walk benefiting the Helping Hands organization, which assists the public with food donations. The walk is scheduled for Saturday, May 20 and is set to start at Kanza Park and end at Forest Park. After considerable discussion the Governing Body agreed by consensus to allow this event to take place and asked Ms. Ball to contact City Staff to work out necessary details to hold the event.

**Resolution-ICMA Retirement Program**

Thereupon, the Governing Body reviewed a resolution designating the Human Resource Director as the plan coordinator for the ICMA Retirement program for the City and, in case a long-term absence, to authorize the Finance Director or City Treasurer as Interim coordinator if needed. The Governing Body agreed to place this item on the March 1, 2006 Regular Meeting Agenda.

**Tax Abatement Policy**

Thereupon, the Governing Body reviewed with the City Manager a draft tax abatement policy, application, and ordinance. Several changes compared to the current policy were discussed including the reduction of the maximum percent amount of tax that could be aloted. After

February 27, 2006

considerable discussion the Governing Body requested that the City Manager provide a draft copy to O/FCED and the Chamber before placing on an agenda for approval.

**CMB License-AJIT Corp.**

Thereupon, the Governing Body reviewed a cereal malt beverage license application submitted by AJIT corp., as a result of a change in ownership. This application is for packaged sales at 2120 Princeton Road. It was noted the Fire Chief, Police Captain, and City Attorney have reviewed the application and see no reason to deny the application. Thereupon, the Governing Body agreed to place this application on the next Regular Meeting Agenda for March 1, 2006.

**Ordinance-KDHE Loan Agreement Amendment**

Thereupon, the Governing Body reviewed an ordinance authorizing a third amendment to the loan agreement between the City and Kansas Department of Health and Environment (KDHE) concerning the construction of the River Lift Station project. It was noted the project is partially financed with a grant from EPA and this amendment approves borrowing the remaining \$470,000 to complete the project from the KDHE revolving loan fund. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for March 1, 2006.

**Annexations-12 Properties K-68 Corridor**

Thereupon, the Governing Body discussed with Planning and Codes Administration Director Wynndee Lee the consent to annex forms and ordinances to annex in 12 properties into the K-68 corridor area. It was explained the owners of the properties understand the benefits of being located within the City limits and have submitted their requests, largely out of interest in forming a TIF District. Thereupon, the Governing Body agreed by consensus to place these properties on the next Regular Agenda. Thereupon, City Manager Weldon Padgett requested permission to place these annexation requests on the Consent Agenda for March 1, 2006. Thereupon, the Governing Body agreed to this request.

**Neighborhood Revitalization Program Applications**

Thereupon, the Governing Body reviewed applications for properties to be included in the Neighborhood Revitalization Program, comprised of eight single-family, one multi-family and one commercial parcel, located at: 324 S Mulberry, 426 E 2nd, 746 Funston, 834 N King, 902 N King, 906 N King, 910 N King, 823 Pecan, 101 S Cedar and 209 S Main. The review committee recommends approval to the Governing Body. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda.

**Public Hearing-Mac Fasteners, Inc.**

Thereupon, the Governing Body reviewed a request to set the date for a public hearing to consider a 10-year, 50% average, property tax abatement for MacFasteners to be scheduled for 9:30 am on March 22, 2006. Thereupon, the Governing Body agreed to place this item on the March 22, 2006 Regular Meeting Agenda.

February 27, 2006

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from February 6, 13, 2006 Study Session and Regular Meeting Minutes for February 1, 15, 2006. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for March 1, 2006.

### **Youth In Government**

Thereupon, Mayor Jackson noted that two more youth have been selected to participate in the Youth in Government program. They are Danielle Bigler and Scott Milliman and both are in 11th grade. They will be sworn-in at the March 1st Regular Meeting.

### **Legislative Subcommittees**

Thereupon, the City Manager asked the Governing Body for direction regarding staff (Department Directors) who wish to testify at Legislative subcommittees about proposed laws, which affect areas of their respective professions. It was noted that the potential exists for a conflict to arise between what a staff person says, and what the Governing Body or City Manager might support. Thereupon, the Governing Body agreed they should be notified if this was going to take place.

### **Proclamation/Recognition Policy**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett a draft policy/procedure for submittal of proclamations and recognitions so that City Staff can provide information to the public and be consistent in how they are handled. After considerable discussion it was decided the City Manager will create a list of proclamations/recognitions that are placed on agendas on a regular basis and bring them back to the Governing Body for review.

### **Open Agenda**

Thereupon, it was noted that Senate Bill 492 was voted down on changes to unilateral annexations.

Thereupon, Mayor Jackson reminded the Governing Body that there would be a Legislative Coffee on Saturday, at City Hall in the Commission Chambers, at 10 am.

Thereupon, Commissioner Ramsey asked if any Commissioner was interested in sitting in on the Transportation Committee meeting in Washington on his behalf. Thereupon, Commissioner Fler offered to attend this meeting.

Thereupon, Mayor Jackson asked that the Commissioners be provided a list of the Washington meetings times/dates.

### **Executive Session**

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss attorney-client privilege matter for a period of 7 minutes and to reconvene in open session at 4:53 pm in the same Work Study Session Room. The motion February 27, 2006

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 Henningsen, to reconvene the meeting at 4:53 pm. 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 Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

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Scott D. Bird, City Clerk

**City Commission**  
**Regular Meeting Minutes**

Ottawa, Kansas

March 1, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan, from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included the agenda approval; minutes from February 6, 13, 2006 Study Session minutes and Regular Meeting Minutes from February 1, 15, 2006; and Ordinances to annex 12 properties (approx. 101 acres) generally located in the K-68/Davis/Wilson/I-35 area, specifically: 1502 E Logan, 1802 E Wilson, 1829 E Logan, 2011 E Logan, 609 N Bennett, 645 N Bennett, 619 N Bennett, 2115 E Logan, 3015 K-68, 3060 Osborne Terrace, 3002 Osborne Terrace, and 2797 K-68 with all the annexations submitted voluntarily. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved. Mayor Jackson announced Regular Agenda Item 15 would be moved to the first item under New Business.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**New Business**

**OHS-Youth in Government**

Thereupon, Mayor Jackson announced two new appointments to the Youth in Government program. The Mayor introduced Danielle Bigler and Scott Milliman (both in 11th Grade) and asked the City Clerk to formally swear in the applicants. Thereupon, City Clerk Scott Bird conducted the oath of office.

**Resolution-Plan Coordinator ICMA**

Thereupon, there was presented a resolution appointing the Plan Coordinator for the City's participation in the ICMA Retirement Corporation deferred compensation program. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

March 1, 2006

During discussion it was explained this resolution designates the Human Resource Director as the Plan Coordinator for the City's participation in the ICMA Retirement Corporation Deferred Compensation Program, and designates the Finance Director and/or the Treasurer to serve as Interim Coordinator during an extended absence of the Coordinator. 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. 1363-06.

### **Application-Retail Cereal Malt Beverage**

Thereupon, there was presented an application for a Retail Cereal Malt Beverage License for AJIT Corp., at 2120 Princeton Road. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Ramsey, to approve the application.

During discussion it was explained AJIT Corporation has submitted this application for CMB license due to a change in ownership for the Ottawa Mini Mart. The City's Fire, Police and legal staff have reviewed the application and find no reason to deny the application. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the application duly approved.

### **Ordinance-Third Amendment Loan Agreement (KDHE)**

Thereupon, there was presented an ordinance authorizing the execution of an amendment to the loan agreement between the City of Ottawa, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of obtaining a loan from the Kansas Water Pollution Control Revolving Fund for the purpose of financing a wastewater treatment project; establishing a dedicated source of revenue for repayment of such loan; authorizing and approving certain documents in connection therewith; and authorizing certain other actions in connection with the loan agreement. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance authorizes the City to accept a loan from KDHE to partially finance the construction of the River Life Station Project. The loan will be in the amount of \$470,000 and the remaining balance of the project will be financed with a grant from EPA. 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. 3548-06.

### **Neighborhood Revitalization Program**

Thereupon, there was presented applications for City's Neighborhood Revitalization Program for the following properties: 324 S Mulberry, 426 E 2nd, 746 Funston, 834 N King, 902 N King, 906 N King, 910 N King, 823 Pecan, 101 S Cedar and 209 S Main and the review committee recommends approval. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Henningsen, to approve the applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

March 1, 2006

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Ms. Sara Humm who welcomed the two new youth delegates. Ms. Humm explained the delegates will be holding a Youth Day Camp for 5th and 6th graders on April 22, 2006 and invited the Governing Body to the event. On behalf of Angie Jamison and herself, Sara thanked the Governing Body for the opportunity to attend the National League of Cities Conference in Washington.

### **Reports by the City Manager**

Thereupon, City Manager Weldon Padgett reported that the Annual Report would be distributed on Monday as an insert in the Ottawa Herald.

### **Reports by the Mayor**

Thereupon, Mayor Jackson reminded the viewing audience and those listening on KOFO radio about the importance in returning their ½ cent sales tax election ballot. The Mayor stated the deadline for turning it in is March 7, 2006 at noon.

### **Announcements**

Thereupon, the Mayor announced:

1. March 15, 2006: Regular Meeting has been rescheduled to March 22nd at 9:30 am
2. March 22, 2006: Mayor's Prayer Luncheon, 11:45 am at Ottawa University Student Union

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:16 pm.

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Scott D. Bird, City Clerk

March 1, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 6, 2006

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

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

**Public Comments**

None offered at this time.

**Proclamation-National Library Week**

Thereupon, the Governing Body reviewed a proclamation declaring April 2-8, 2006 as National Library Week in the City of Ottawa and agreed to place this item on the Regular Meeting Agenda for March 22, 2006.

Thereupon, the Mayor noted that he would also have a proclamation "Meals on Wheels".

**Items for Discussion**

**Annual Proclamations**

Thereupon, the Governing Body reviewed a list of proclamations that have been occurring on a regular basis over the past few years. The Governing Body reviewed the list and suggested proclamations be requested from those who seek to have them included in the meetings.

**Tour of City Facilities With ORC**

Thereupon, the Governing Body discussed an invitation from the ORC to tour city owned facilities with the Ottawa Recreation Commission. Thereupon, Mayor Jackson and Commissioner Ramsey stated they would not be able to attend on March 8th at 5:30 pm. However, Commissioners Jorgensen, Henningsen, and Fler stated they would be attending therefore; a Special Call Notice was requested.

**Annual Report**

Thereupon, the Governing Body reviewed the 2005 Annual Report with City Manager Weldon Padgett.

**Vision Update**

Thereupon, the Governing Body reviewed the Vision update and responses from the items on the Vision Report that required comments from other entities. It was made clear that this was the final set of responses and the Comprehensive Plan will take precedence in the future.

March 6, 2006

Thereupon, Commissioner Jorgensen inquired about attending a meeting with the Ottawa Franklin County Economic Development Corporation scheduled for Tuesday. Commissioner Henningsen noted she would be attending as the City's appointed member. Since a violation of the Open Meetings might occur Commissioner Jorgensen decided he would decline the invitation to attend the O/FCED meeting.

### **Update on Sales Tax**

Thereupon, the City Manager explained the process that the County Clerk had indicated would be followed to count the ballots for the sales tax issue, which is to first sort the ballots into precincts and to hand count the vote on each ballot.

### **Retreat**

Thereupon, the City Manager reminded the Governing Body that a City Commission Retreat has been scheduled for March 20th starting at noon.

Commissioner Ramsey reminded the Governing Body that the City Manager needs to be evaluated for his service over the last year.

Thereupon, the City Manager indicated that a TIF District resolution would be coming in the near future and reviewed a tentative schedule on the timing for the district and project noting that some Study Sessions might be required. The Governing Body agreed that the Study Sessions would be acceptable but a Special Call Meeting would be held to conduct business regarding the TIF District and a Public Hearing would be called April 24th at 5 pm to allow all interested parties the opportunity to speak to this issue.

Thereupon, the Mayor reminded the Governing Body of the announcements and that the Ottawa Recreation Commission would be having a coffee at the Don Woodward Center this coming Friday at 8 am.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 4:45 pm.

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Scott D. Bird, City Clerk

March 6, 2006

**SPECIAL CALL  
"ANNUAL RETREAT"  
OTTAWA, KANSAS**  
Minutes of  
March 20, 2006

**To:** Mayor and City Commission  
**Re:** Half-day Retreat Minutes  
**From:** Weldon Padgett, City Manager

On 20 March at 12:00 p.m. in the conference room on the first floor at City Hall, Mayor Jackson, Commissioners Ramsey, Henningsen and Fler convened the half-day retreat. At 12:26 Commissioner Jorgensen arrived. At 2:20 the meeting recessed for seven minutes. The meeting adjourned at 3:45 to allow for a break prior to commencing the regularly schedule study session at 4:00. Topics discussed were:

**Budget.**

With the ½-cent sales tax election having passed, staff updated the projected General Fund budget for 2006-2008 and showed a graph of the leveling out of the decline, and then the slow increase, in reserve funds. The graph and projections included a 6-mill decrease for the 2007 budget. Commissioners and staff stressed that the mill levy reduction must be made as promised <sup>(1)</sup>.

A basic calendar of the 2007 budget process was handed out. No commitment is being made as far as which budgets will be reviewed on specific days since we always end up amending the calendar to accommodate the budgets that are ready first. Establishing a General Fund Equipment Reserve Fund and beginning the process of stating a CIP were identified as top priorities <sup>(2)</sup> (see CIP below).

**Reporting.**

It was stated that because entities receiving funds from the City currently submit a variety of materials for the monthly reports to the City Commission it would be helpful if we developed a format that each entity would use so that the information provided showed the outcomes, results, and benefits of receiving public funding. Many of the reports are simply auditor statements and financials, with little in way of jobs created, contacts made, numerical data related to activities, etc. Also it would be helpful if the materials included a list of all resources the entity has, the number of beneficiaries served, and other measurable data <sup>(3)</sup>.

**Growth and Development.**

General discussion was held about how the community is growing. It was stated that a good blend of residential, commercial and industrial development was occurring. It was relayed that some Commissioners wanted to see increased enforcement of environmental codes throughout the community, and that other City employees (such as Police) could be used to call in violations as they are patrolling. Staffing limitations were discussed -- i.e. if there were 50 calls of violations made a staff person from Codes would need to go to the locations, document/photograph, write  
March 20, 2006

out the warning notice, generate the appropriate files/notices/mailing, and follow up within the prescribed period of time given to abate the nuisance. The idea of dividing development-generated fees between the General Fund and Economic Development Fund to allow for flexibility in expenditures, personnel, contractual review of plans, etc. was discussed and it was agreed that this was a good approach for helping support the City using fees from activities that are taking a lot of staff time <sup>(4)</sup>, and which keep us from doing other things such as more code enforcement.

A short discussion was held about the Chamber and that it might be better for it to focus more on retail development versus large industrial since this brings jobs, property taxes and sales taxes. The Buxton group was discussed and their fee for services to analyze the Ottawa-area market and help attract development.

Development of a program in which the County would systematically chip and seal sections of gravel road within Ottawa was discussed. The City Manager said he would pursue this with the Interim County Administrator and that a county-wide approach might be more acceptable than just Ottawa <sup>(5)</sup>.

#### **Capital Improvement Plan.**

Development of a true CIP was identified as a major priority. The City used to have one in place, but perhaps 5-6 years ago it “disappeared” from use. A list of projects was discussed as a tentative beginning (Cedar Street Phase 2, Main Street 1<sup>st</sup> to 5<sup>th</sup>, all of Main Street before it comes off of the State highway system, K-68, Eisenhower, Davis Road, entryways, tree plantings, park upgrades, trail systems, sidewalks and curb replacements, CDBG for low- to moderate-income neighborhoods, all City parking lots and the newly acquired ground west of City Hall, etc.).

It was discussed that the process of developing a CIP should be done with a consultant with an aim to having a product that can easily be updated, amended, changed by City staff to reflect the priorities, funding capabilities, etc., but that meeting the 2007 budget schedule was probably not possible. The Planning Commission, public, staff and City Commission would all be highly involved. Additional specific areas mentioned included sidewalks on Ash from 7<sup>th</sup> to 11<sup>th</sup>, and all around the school areas and 15<sup>th</sup> Street. It was also mentioned that a complete study of our City’s electric rates, long-term generation, etc., is being done and might be incorporated.

#### **D. Communication and Information.**

The City Commissioners said they generally liked the format and information of the now 3-year old annual report project, but that adding in the Youth In Government and having a better variety of photos of activities that included the public would be nice <sup>(6)</sup>. Cities historically do a poor job of publicizing their efforts, and the annual report, GAC-20, web site, etc were all praised as ways to bring public relations out to citizens. Increasing the quantity and quality of programming for the GAC 20 was supported, and trying to again pursue some form of internship with Ottawa University

March 20, 2006

or even KU was mentioned <sup>(7)</sup>. It was suggested that always having the time/temp on the station and adding a program schedule would benefit the public and help increase viewership of the stations <sup>(8)</sup>.

There were no concerns raised about the degree or method of communication occurring (such as alert e-mails, Management Reports, etc.). It was agreed that Commissioners would use an in-house form when making travel arrangements to help clarify their individual preferences in flight departure, type of room, pre-conference workshops, direct-route flights, etc. <sup>(9)</sup>.

#### **E. Services.**

- It was discussed that because the City owns much of the recreation property in town, it should definitely be a participating member and co-owner of whatever Recreation Master Plan activities might occur in the community, including financial participation <sup>(10)</sup>. Investigation of a City Parks and Recreation Department has been put on hold indefinitely, while the ORC Board and Interim Director work together to address the issues that have been raised over the past year.
- It was stated that staff would be looking into a small Kansas Arts grant <sup>(11)</sup> to get professional expert review of our resources, community markets and alternatives when looking at how best to manage the auditorium so that it is used the most, receives the lowest possible public subsidy, etc.
- The Ottawa airport was briefly discussed, with an update on the PAPI lights and apron project to be done in 2006, and plans for the next project to hopefully be T-hangars.
- Police Department staffing and ways to assist Officers in report writing software changes or even temporary stenographer help were briefly mentioned. Expanding the Reserve forces for both Police and Fire was mentioned as was the potential for cross-training staff. According to the Fire Chief the existing station and facilities are more than adequate for the services provided and no expansion is foreseen.

#### **F. 2006 and 2007 Priorities**

A brief summing up of priorities was:

- (1) 2007-2009 budgets should meet the commitments made in the sales tax election campaign.
- (2) Establishing a General Fund Equipment Reserve Fund and the process to start a CIP.
- (3) Format for reporting should be created for outside agencies receiving City funds.
- (4) Use City resources to address areas of priority (such as code enforcement & plan review using fees).
- (5) Meet with County to see about chip & seal and other County projects within City limits.
- (6) Add YIG and more public photos in annual report.
- (7) Try to establish an internship for GAC-20 through USD, Ottawa University, etc.

March 20, 2006

- (8) Try to place the time/temp on the GAC-20 as an ongoing attraction for viewers.
- (9) Develop an in-house form to help organize and clarify travel arrangements for Commissioners.
- (10) Participate in any form of recreation master plan being developed in community.
- (11) Apply for Kansas Arts grant for technical/operational/market review and assistance.

**Adjournment**

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

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Scott D. Bird, City Clerk

March 20, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 20, 2006

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

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

**Public Comments**

None offered at this time.

**Resolution-Mac Fasteners**

Thereupon, the Governing Body reviewed a resolution authorizing the City to enter into a contract for tax exemption with Mac Fasteners. Mac Fasteners applied for a property tax exemption for the construction of a 6,000 square foot addition adjacent to the current facility to be used for material storage, shipping and to allow expansion of current manufacturing space. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for March 22, 2006.

**Annexations**

Thereupon, the Governing Body reviewed staff memos, ordinances and consent forms for properties located at 2202, 2302, and 2402 E Wilson.

During discussion it was explained the owner of 2302 and 2402 E Wilson has been in the process of receiving a tax abatement from Franklin County for job creation, and following his annexation it is expected the owner will either finish this process with the County or apply for a tax abatement through the City. In addition, the property at 2202 E Wilson was granted a Special Use Permit (SUP) from the County and his consent to annex form has the terms of the SUP included so that the conditions would apply within the City.

Annexation information was provided for two properties owned by Robert Dodson located at 2139 E Wilson and 615 N Bennett to be considered for annexation. With all of the above-mentioned five properties the total being considered for annexation is 46.84 acres.

Planning and Codes Administration Director Wynndee Lee explained there are two additional legal descriptions that could be included in the Tax Increment Financing District but property owners have not consented as of today. If the two owners don't consent by the deadline their portion of the legal description would be removed from the district description.

Thereupon, the Governing Body agreed to place these properties on the next Regular Meeting Agenda for consideration of annexation.

March 20, 2006

### **Ordinance: Half-cent Sales Tax**

Thereupon, the Governing Body reviewed an ordinance, which allows the City to levy the additional half-cent sales tax. The ordinance will be submitted to the State Department of Revenue along with the intergovernmental agreement for the administration of the sales tax. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for March 22, 2006.

### **Agreement-Half-cent Sales Tax**

Thereupon, the Governing Body reviewed an agreement between the City and the State Department of Revenue, which authorizes the collection, administration and enforcement of the additional half-cent sales tax. The agreement outlines the administrative procedure involved with the collection of the sales tax with collection of the sales tax to begin July 1st and continue for 10 years. Thereupon, the Governing Body agreed to place this agreement on the next Regular Meeting Agenda.

### **Proclamation-Meals on Wheels**

Thereupon, the Governing Body reviewed a proclamation for Meals on Wheels month and agreement to place this item on the next Regular Meeting Agenda.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the February 27 and March 6, 2006, Work Study Session and March 1 Regular Meeting Minutes and agreed to place these items on the next Regular Meeting Agenda for March 22, 2006.

### **NLC Conference Reports**

Thereupon, the Governing Body gave brief reports on meetings/sessions they had attended during the recent National League of Cities Conference in Washington, D.C. and agreed by consensus that attendance is important in order to bring City/Community issues of importance to the legislators.

Thereupon, Youth in Government delegate Angie Jamison reported for the youth attending the conference and thanked the Governing Body for allowing them the opportunity to attend.

### **Ottawa Main Street**

Thereupon, the Governing Body heard from Mary Allison Haynie who had requested a letter of support from the City to accompany an application for an IWW grant for the Crystal Plaza Movie Theater renovation project. The Governing Body agreed by consensus to authorize this letter of support from the Mayor.

### **Monthly Financial and Activity Reports-February**

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

March 20, 2006

**American Eagle Groundbreaking**

Thereupon, Mayor Jackson announced that American Eagle would be holding a ground breaking on April 5, 2006 at 1:30 pm and invited everyone to attend.

**Open Agenda**

Thereupon, Commissioner Ramsey asked about the Governing Body's reorganization. City Manager Weldon Padgett asked permission for both April meetings (April 5 & 19) to be evening meetings and to place the "reorganization discussion" on the April 17th Work Study Session Agenda with action to be taken on April 17. Thereupon, the Governing Body agreed by consensus to this request.

Thereupon, Mayor Jackson reported on a League Meeting he had attended recently in Topeka.

**Announcements**

Thereupon, the Mayor announced the Mayor's Prayer Luncheon would be held at Ottawa University Student Union on March 22, 2006, at 11:45 am.

**Adjournment**

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

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Scott D. Bird, City Clerk

March 20, 2006

**City Commission**  
**Regular Meeting Minutes**

Ottawa, Kansas

March 22, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Larry Carrier, from Ottawa Bible Church.

**Consent Agenda**

Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included the agenda approval; minutes from February 27, March 6, 2006, Study Session and Regular Meeting Minutes from March 1 2006; and Ordinances to annex 6 properties (approx. 47 acres) generally located in the K-68/Davis/Wilson/I-35 area, specifically: 2130, 2202, 2302, and 2402 E Wilson, 615 N Bennett Road and the Wilson St. and Davis Avenue right-of-way with all the annexations submitted voluntarily. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

Thereupon, the Mayor asked the City Commission for declarations of any conflict or outside communications that might influence their ability to impartially consider today's issues and come to a fair decision. Thereupon, Commissioner Jorgensen mentioned a possible conflict and after speaking to the City Attorney it was determined there was not a conflict.

**Proclamations**

**National Library Week**

Thereupon, Mayor Jackson read a proclamation proclaiming April 2-8, 2006 as "National Library Week". Jeanne Haggard, Library Board Member and Melania Walker, Friends of the Library President received the proclamation. Ms. Haggard and Ms. Walker thanked the Governing Body and reported on services the Library and Friends of the Library have to offer the community. Mayor Jackson thanked them for what they do in our community.

**March For Meals Month**

Thereupon, the Mayor read a proclamation proclaiming the month of March as "March For Meals Month". The proclamation was received by Sharon Geiss, Director of Mid-America Nutrition. Ms. Geiss was joined by Harold Fuller and Ms. Geiss stated Mayor Jackson had committed to delivering meals, as well as, Commissioner Henningsen, in 2007 and she thanked the Governing  
March 22, 2006

Body for the proclamation. Thereupon, Mayor Jackson challenged others to volunteer to help deliver meals now and in the future and thanked Mid-America Nutrition for the important role they play in our community and surrounding area.

### **New Business**

#### **Public Hearing-Mac Fasteners Tax Exemption**

Thereupon, a public hearing was scheduled for consideration of tax exemption for Mac Fasteners.

It was explained a public hearing has been scheduled to receive comments about tax abatement for Mac Fasteners, to build a 6,000 square foot addition adjacent to the current facility. Following public comment, it is recommended that the hearing be closed and the Resolution be acted upon.

Thereupon, the Mayor opened the public hearing at 9:45 am.

Thereupon, the Governing Body heard from Mr. Jim Ferrell, a representative of Mac Fasteners, who thanked the Governing Body for their consideration of this request and reported on Mac Fasteners history and products, benefits to their employees and Mac Fasteners benefit to this community.

There being no one else to speak to this issue the Mayor closed the public hearing at 9:48 am.

#### **Resolution-Mac Fasteners Tax Exemption**

Thereupon, there was presented a resolution authorizing the City of Ottawa to create and enter into a contract with Mac Fasteners, Inc., for the purpose of granting a property tax exemption pursuant to Article 11, Section 13, of the Kansas Constitution and the City's Tax Exemption Policy. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution authorizes the City Manager to develop an agreement describing the terms and conditions under which Mac Fasteners, Inc., would be provided a 50% property tax exemption for expansion of its facility and creation of 10 new positions. Once the agreement has been finalized it will be brought to the City Commission, along with an ordinance to finalize the abatement. 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. 1364-06.

#### **Ordinance-Levying Sales Tax**

Thereupon, there was presented an ordinance levying an additional City Retailers' Sales Tax in the amount of one-half of one percent (0.5%) within the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

March 22, 2006

During discussion it was explained this ordinance allows the City to levy the additional half-cent sales tax that won approval from a majority of the voters participating in the election that ended March 7th. The ordinance will be submitted to the State Department of Revenue, along with an intergovernmental agreement, described in the following item, which prescribes the administration of the sales tax. 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. 3561-06.

### **Agreement-Intergovernmental**

Thereupon, there was presented an intergovernmental agreement by and between the City of Ottawa and the Kansas Department of Revenue for the administration of a Local Retailers' Sales Tax. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to approve the agreement.

During discussion it was explained this agreement authorizes the collection, administration and enforcement of the additional half-cent sales tax and outlines the administrative procedure involved with the collection of the sales tax, which is scheduled to begin collection July 1st and continue for 10 years. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly approved.

### **Resolution-TIF District Public Hearing**

Thereupon, there was presented a resolution providing for notice to be given for a public hearing to consider establishment of a redevelopment district in the City of Ottawa, Kansas pursuant to K.S.A. 12-1770 et. Seq. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution fixes the time and place of a public hearing to be held for the creation of a Tax Increment Financing District (TIF). This TIF District is being formed in anticipation of a large multi-phased commercial and residential project (the K-68 Estates), which allows for the capture of new property taxes for use in construction of public infrastructure that could serve both the project and the District. The public hearing will be held April 24th at 6 pm at City Hall. 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. 1365-06.

### **Reports by Youth**

Thereupon, the Governing Body heard from Sara Humm and Angie Jamison who reported on their recent trip to the NLC conference in Washington, D.C. and a youth event to be held April 22. The youth delegates invited the Governing Body to attend the event on April 22nd. Thereupon, Mayor Jackson thanked them for their report and stated they were good ambassadors for our community.

March 22, 2006

### **Reports by City Manager**

Thereupon, the City Manager thanked his assistant Nikki Spencer, IT Director Chuck Bigham, and City Clerk/Finance Director Scott Bird for their hard work in public education, creating educational material on the sales tax proposal, and getting the information out to the public. In addition, he thanked members of the Chamber and O/FCED Committee Members who helped with the public education process and supported the issue; members of the press for their participation and coverage of the proposal; Department Heads for their support and budget cost cutting measures, and the City Commission for getting behind the effort and supporting it through educating the public civic groups and others. He also thanked the public for their support and those who voted and the Franklin County Clerks office that helped a lot to get what needed to be done completed. Thereupon, Mayor Jackson thanked the City Manager for all of his hard work and efforts and for keeping the Governing Body informed.

Thereupon, the entire Governing Body thanked all the voters for their support and efforts to educate our community about the importance of the sales tax issue in order to lower property taxes while maintaining the services the community expected.

### **Reports by the City Commission**

Thereupon, Commissioner Jorgensen expressed the importance of attending the National League of Cities Conference recently and being able to visit with legislators to discuss issues concerning our community.

### **Reports by the Mayor**

Thereupon, the Mayor Jackson read a letter of thanks from Sara Humm, Angie Jamison, Youth in Government members, and Lisa Rivers, the Youth in Government Advisor, who thanked the Mayor, Commissioners and City Manager for the opportunity to attend the National League of Cities Congressional City Conference in Washington, D.C. and how important it was for them to attend the conference, network with other youth, and talk to the United States Senators and Representatives about issues of importance to them as youth and our community.

### **Announcements**

Thereupon, the Mayor announced:

1. March 22, 2006: Mayor's Prayer Luncheon at the OU Student Union at 11:45 am

### **Adjournment**

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

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Scott D. Bird, City Clerk  
March 22, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
March 27, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Jorgensen and Commissioner Fleer. A quorum was present.

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

**Public Comments**

None offered at this time.

**Interlocal Agreement: Between City and County**

Thereupon, there was considered an interlocal agreement between the City and Franklin County for the joint regulation of land outside the Ottawa corporate city limits within Franklin County that are designated as "Urban Growth" and "Rural Growth" areas. Thereupon, the Governing Body reviewed with the City Manager an updated map of the boundaries of the effected areas. Outlined in the agreement are conditions that grant certain authorities in zoning and subdivision regulation to the City in the Urban Growth Area. Areas designated as Rural Growth Areas will remain in the authority of the County, however, amendments to the County's zoning regulations or subdivision regulations shall be submitted to the City Planning Director for review and comment. The Governing Body reviewed this agreement and agreed to place on it the Regular Meeting scheduled for April 5, 2006.

**Property Tax Abatement Policy**

Thereupon, the Governing Body reviewed a draft of the Property Tax Abatement Policy, which had been updated following input from the Chamber of Commerce and O/FCED. It was noted that the Governing Body has the authority to adjust the amounts of abatement offered to potential industrial customers. It was further noted that the review committee for potential tax abatements has been expanded to include the Chairpersons of O/FCED and the Chamber. The Governing Body reviewed abatement policy and agreed to place it on the April 5 Regular Meeting Agenda for April 5.

**Resolution of Support**

Thereupon, the Governing Body reviewed a resolution of support for the latest initiative of the National League of Cities Council on Youth, Education and Families (YEF) submitted by Mayor Jackson and agreed to place this item on the April 5 Regular Meeting Agenda.

**Proclamation-Fair Housing**

Thereupon, the Governing Body agreed to place this proclamation on the next Regular Meeting Agenda.

March 27, 2006

### **Retreat**

Thereupon, the City Manager provided the Governing Body a synopsis of the meeting and noted that it will be used as the minutes for the retreat. A copy of the Enterprise Zone and TIF District maps was provided for the Governing Body's convenience.

### **Open Agenda**

Thereupon, Mayor Jackson noted that information had been recently released that indicates Franklin County is the 4th fastest growing county in the state of Kansas.

Thereupon, the Mayor thanked Nikki Spencer and Staff for their efforts during the Mayor's Prayer Luncheon. The Mayor noted he had heard a lot of positive feedback and maybe this event should be held more than once a year and there was a good spirit throughout the event.

### **Executive Session**

#### **Recess**

There being no further regular business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess into Executive Session to discuss attorney-client privilege for a period of 30 minutes and to reconvene in Open Session at 4:35 pm in the same Work Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

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

#### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess again for a period of 15 minutes and to reconvene at 4:50 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

#### **Reconvene**

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

March 27, 2006

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess again for a period of 10 minutes and to reconvene at 5 pm. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly recessed.

**Reconvene**

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

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to recess for a period of 5 minutes and to reconvene at 5:05 pm. 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 Jorgensen, to reconvene the meeting at 5:06 pm. 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 Henningsen made a motion, seconded by Commissioner Fleer, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 5:07 pm.

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Scott D. Bird, City Clerk

March 27, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 3, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Jorgensen, and Commissioner Fleer. Commissioner Henningsen was absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**Resolution-Condemnation 308 S Mulberry**

Thereupon, the Governing Body reviewed a resolution to condemn a structure located at 308 S Mulberry, which was damaged by fire in August 2005. Staff recommended this structure be ordered repaired or removed. It was noted the process for condemnation of this structure was previously completed before an error notification was discovered so the process needed to be repeated. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 5, 2006.

**Ordinance: Annexation-903 N Davis Avenue**

Thereupon, the Governing Body reviewed an ordinance to annex property located at 903 N Davis. It was noted that owners, Fredrick Foster and James Foster, have submitted the request voluntarily and the total area to be annexed is 2 acres. The Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Certificate of Appointment-KMEA**

Thereupon, the Governing Body reviewed a certificate of appointment to Kansas Municipal Agency (KMEA) Board of Directors for the position of Director #2 to the KMEA Board of Directors. Jim Bradley, Utilities Director, currently serves in this position and this certificate would reappoint him for another two-year term. The Governing Body agreed to place this item on the next Regular Agenda.

**Proclamation-Arbor Day**

Thereupon, the Governing Body reviewed a proclamation for Arbor Day and agreed to place this item on the next Regular Agenda for April 5, 2006. In addition, it was noted Arbor Day poster contest winners would be recognized at this meeting.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the March 20, 2006, Retreat and Study Session and the minutes from the March 22nd Regular Meeting and agreed to place these items on the next Regular Meeting Agenda.

April 3, 2006

**RMH Charitable Association: Kansas Dept. of Commerce Tax Credit**

Thereupon, the Governing Body reviewed a cover letter and endorsement form for Ransom Memorial Hospital (RMH) Charitable Association to apply for the Kansas Department of Commerce tax credits per the Kansas Community Service Program Act. It was noted this endorsement is for remodeling at the hospital and the Governing Body agreed by consensus to this endorsement.

**Preliminary Plat American Eagle**

Thereupon, Planner/Codes Officer Tom Yahl provided a presentation on the preliminary plat for American Eagle. It was noted this plat is associated with the proposed American Eagle facility and is just for information at this time with no action being necessary. Thereupon, the Governing Body and those in attendance were reminded of the groundbreaking ceremony taking place at American Eagle this Wednesday at 1:30 pm.

**Open Agenda**

Thereupon, City Manager Weldon Padgett provided information on how each precinct voted with regards to the sales tax question. It was noted that some of the precinct locations were incorrect on the chart provided.

Thereupon, Public Works Director Andy Haney discussed upcoming Arbor Day events scheduled for April 28th at Freedom Park and at the “winning poster” school. The announcement of the winners will be at the April 5, 2006 Regular City Commission Meeting.

Thereupon, Commissioner Jorgensen discussed a large sign located in the 900 Block of South Main. Thereupon, City Manager Weldon Padgett stated the sign was being addressed by letter to the current resident.

Thereupon, on behalf of a property owner Commissioner Ramsey asked about Skunk Run in the area of 5th and Cedar. Thereupon, Public Works Director Andy Haney asked that Commissioner Ramsey have the property owner contact him directly and he would be happy to visit with them about any concerns. Additional discussion followed regarding the sidewalk and steps being constructed at the corner of 5th and Cedar by Sacred Heart Church.

Thereupon, the Governing Body and Staff discussed what is currently going on in legislation and the additional hits the City may be facing and considered sending a letter to State legislators to address concerns the City has. The Governing Body agreed a letter should be sent to our legislators to address concerns and Mayor Jackson encouraged citizens to get involved in issues of concern.

**Executive Session**

April 3, 2006

**Recess**

There being no further regular business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to recess into Executive Session to discuss attorney-client privilege for a period of 15 minutes and to reconvene in Open Session at 4:15 pm in the same Work Study Session. 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 Jorgensen to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 4:15 pm.

**Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to recess again for a period of 15 minutes and to reconvene at 4:30 pm. 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 Flear, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 4:30 pm.

**Adjournment**

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

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Scott D. Bird, City Clerk

April 3, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
April 5, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan, from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included the agenda approval and minutes from the Retreat and Study Session on March 20, 2006, and the Regular Meeting Minutes from March 22 2006. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Fair Housing**

Thereupon, Mayor Pro-tem Henningsen read a proclamation declaring April Fair Housing Month in the City of Ottawa. The proclamation was received by Mayor Jackson who will be presenting the proclamation at a later event.

**Proclamation-Arbor Day**

Thereupon, Mayor Jackson read a proclamation declaring April 28, 2006 as Arbor Day in the City of Ottawa. Connie Gaeddert, Tree Board Chairperson, received the proclamation. Ms. Gaeddert thanked the Governing Body for the proclamation and introduced other members of the board who were present.

**Arbor Day-Poster Contest Winners**

Thereupon, Connie Gaeddert, Tree Board Chairperson asked Joe Moody, Assistant Park Superintendent, to come forward and present the poster contest winners.

April 5, 2006

Mr. Moody thanked everyone for supporting the Arbor Day Poster contest in Ottawa. He noted that of the 472 posters students drew in both North Central and Northeast Districts, 112 of them were from Ottawa students. Of the 33 teachers participating, 9 were from Ottawa. Mr. Moody stated this is a direct result of the efforts by the Ottawa Tree Advisory Board along with City staff visiting area 5th grade classrooms to promote the 2006 Tree City USA poster contest, as well as, our Annual 5th Graders in the Park.

Mr. Moody noted that on February 14th, the Tree Board met to judge the posters; six schools were selected with the winners following:

Denali Stigall is a student in Mrs. Diedre Altic's class at Eisenhower Elementary School. She is the daughter of Miki Stigall.

Alex Hasty is a student in Mr. Dan Doolittle's class at Eugene Field Elementary School. He is the son of Steven and Anne Hasty.

Brandon Morgan is a student in Mrs. Janet Messinger's class at Garfield Elementary School. He is the son of Jeff and Lisa Morgan.

Jacob NeSmith is a student in Mrs. Angie Bradley-Butt's class at Hawthorne Elementary School. He is the son of Kathy NeSmith.

Kim Beauchamp is a student in Mrs. Janet Huddlestun's class at Lincoln Elementary. She is the daughter of Gene and Stephanie Beauchamp.

Sara Marie Soph is a student in Mrs. Jo Robinson's class at Sacred Heart School. She is the daughter of Kirby and Susan Soph.

**Overall City Winner:**

Mr. Moody then announced the City of Ottawa's winner for 2006 as Jacob NeSmith. Jacob's poster was submitted to Kansas Forest Service for judging in the statewide competition in February. For being named the City winner, a tree will be planted at Hawthorne Elementary School in recognition of this achievement on April 28, 2006.

In addition, Mr. Moody announced the following "Other Activities/Arbor Day Activities".

- ❖ 5th Graders in the Park will be held during October this year where 5th graders from local elementary schools are invited to Forest Park for seminars on tree care, vintage woodworking tools, tree identifications, and other educational sessions.

April 5, 2006

- ❖ The City has been recognized as a Tree City USA community for the 7th consecutive year and has received the National Arbor Day's Growth Award for the 6th consecutive year.
- ❖ The City of Ottawa will officially celebrate Arbor Day on April 28, 2006. A ceremonial tree planting will take place at Freedom Park, as well as, at the winning school.

In closing Mr. Moody thanked the local Fifth Graders, Tree Board, Park Department Staff, and the Administrative Assistant to Public Works JoAnn Nowatzke for all of their help to make this event such a success.

### **Public Hearing-Condemnation of 308 S Mulberry**

Thereupon, a public hearing was scheduled to consider condemnation of a structure located at 308 S Mulberry.

It was explained at the February 15, 2006, meeting a public hearing was set for today to receive comments about the condemnation of a structure located at 308 S Mulberry. This structure was damaged by fire and staff recommends this property be declared unsafe and that it be demolished or repaired.

Thereupon, the Mayor opened the public hearing at 7:17 pm.

Thereupon, Planning and Codes Administration Director Wynndee Lee presented a slide show of the property being considered for condemnation.

There being no one else to speak to this issue the Mayor closed the public hearing at 7:19 pm.

### **Resolution-Condemn 308 S Mulberry**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 308 S Mulberry. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained a public hearing was duly held, a staff report and pictures were provided and staff recommends the resolution for condemnation be approved. 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. 1366-06.

### **Ordinance-Interlocal Agreement**

Thereupon, there was presented an ordinance to adopt an Interlocal Agreement with Franklin County, Kansas providing for the joint regulation of the use and development of land within territory designated as the Urban Growth and Rural Growth areas of Ottawa. Thereupon,

April 5, 2006

Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained this ordinance allows the execution of the Agreement between Franklin County and the City, which grants zoning, subdivision and building code authority to the City in the Urban Growth area, and a process of comments on the same within the Rural Growth 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. 3568-06.

### **Resolution-Property Tax Exemptions Policy & Procedures**

Thereupon, there was presented a resolution establishing and adopting the City's policy and procedures for property tax exemptions for economic development purposes; and repealing Resolution No. 835-94. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fler, to adopt the resolution.

During discussion it was explained this resolution the updates the City's tax abatement policy and procedures and repeal the previous policy. Staff has researched tax abatement policies around the state, and the new policy has been revised to address issues identified by the Governing Body and economic development partners such as the Chamber of Commerce and O/FCED. 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. 1367-06.

### **Resolution-Youth, Education, and Families (YEF)**

Thereupon, there was presented a resolution of support for the National League of Cities Council on Youth, Education and Families (YEF) and their initiative to strengthen families and improve outcomes for children and youth. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the resolution.

During discussion it was explained this resolution states the City's support for the NLC's YEF Council and their current initiative to strengthen families and create programs for youth. 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. 1368-06.

### **Ordinance-Annexing 903 N Davis Avenue**

Thereupon, there was presented an ordinance annexing land into the City of Ottawa, generally located at 903 N Davis Avenue. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

April 5, 2006

During discussion it was explained owners of property located at 903 N Davis, Frederick Foster and James Foster, have voluntarily submitted a request for annexation. The proposed annexation is two acres. 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. 3569-06.

### **Kansas Municipal Energy Agency (KMEA)**

Thereupon, the Governing Body reviewed an appointment to Kansas Municipal Energy Agency (KMEA) Board of Directors. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Henningsen, to appoint Jim Bradley, Utilities Director.

During discussion it was explained Mr. Bradley has served in the position of Director # 2 on the KMEA Board of Directors and the position requires a re-appointment every two years. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointment of Jim Bradley duly approved.

### **Performance Evaluation-City Manager**

Thereupon, it was explained that the City Commission has completed the annual performance evaluation of the City Manager, established goals and objectives for 2006, and under motion would increase the City Manager's base salary by 2%. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to approve the increase.

During discussion Mayor Jackson explained some of the City Manager's goals include the following: General Fund equipment reserve, Capital Improvement Plan and how it will be paid for, a better format for entities to report funds to the Governing Body; e.g. ORC, B. Martin Peck, Ottawa Main Street, and the Chamber of Commerce; Code enforcement within the City, participate in a Recreation Master Plan, apply for technical grants to assist with the auditorium needs, etc.

The Mayor stated the City Manager was out sick this evening but the Governing Body is very pleased with the City Manager's performance and he is very professional and detailed in what he does. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the base salary increase of 2% for City Manager Weldon Padgett duly approved.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Sara Humm who discussed the upcoming "Learn to Lead Day" and that the youth delegates have been speaking to youth in the local schools to promote the project. Ms. Humm reminded the Governing Body of the event that will take place April 22, 2006, 9-3, at the North Gym at OHS. Ms. Humm also mentioned fellow delegate Angie Jamison and herself hope to present a slide show at the next regular meeting.

April 5, 2006

**Reports by the Mayor**

Thereupon, the Mayor discussed the groundbreaking ceremony that took place at American Eagle today and what a blessing American Eagle is to the City of Ottawa.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:42 pm.

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Scott D. Bird, City Clerk

April 5, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
April 10, 2006

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

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

**Public Comments**

None offered at this time.

**Monthly Financial and Activity Reports**

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

**Reorganization of City Commission**

Thereupon, Mayor Jackson nominated Commissioner Henningsen to be Mayor for 2006-2007. The Governing Body agreed by consensus. The nomination is to be affirmed at the April 19th Regular Meeting.

Thereupon, Commissioner Ramsey nominated Mayor Jackson as Mayor pro tem for the next year. The Governing Body agreed by consensus. The nomination is to be affirmed at the next Regular Meeting.

Thereupon, the Governing Body agreed to place the above-mentioned nominations on the next Regular Meeting Agenda scheduled for April 19, 2006 with the meeting starting at 7 pm.

**Boards and Commission Vacancies**

Thereupon, the Governing Body reviewed upcoming vacancies on boards and commissioners that have terms expiring in 2006. Changes in Planning Commission and the Board of Zoning Appeals due to the Interlocal Agreement were noted and it was stated the applications are due by May 1. The Governing Body agreed to advertise in the Ottawa Herald, KOFO, the city website and the GAC. In addition, it was noted these appointments could be placed on the May 17, 2006, Regular Meeting Agenda.

**Ordinance-Weeds**

Thereupon, the Governing Body reviewed a proposed amendment to the City's weed ordinance. It was noted changes haven't been made since 1996, and the fee for administration had not been updated since 1993. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for April 19, 2006.

April 10, 2006

### **Proclamations**

Thereupon, the Governing Body reviewed proclamations for Volunteer Week and Westminster Presbyterian Church 140th Anniversary. Thereupon, the Mayor requested Commissioner Ramsey read the Westminster proclamation. Commissioner Ramsey agreed to the reading of this proclamation. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda for April 19, 2006.

### **Upcoming Events**

Thereupon, there was discussion on upcoming events that the Governing Body might be interested in attending. They included the following:

1. Tour of the Don Woodward Center: April 12 at 5:30 pm
2. Disability Mentoring: April 20
3. Youth in Government "Learn & Lead" program: April 22, 9-3, at OHS North Gym
4. North Elementary School: May 1, 11:30 am

### **Open Agenda**

Thereupon, Commissioner Ramsey discussed issues concerning LAVTR, KPERS, and the Kansas Tax Rate Fiscal Data Book insert in the Kansas Government Journal.

Thereupon, Mayor Jackson noted that the American Eagle groundbreaking went very well.

### **Adjournment**

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

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Scott D. Bird, City Clerk

April 10, 2006

**SPECIAL CALL  
"DON WOODWARD CENTER TOUR"  
OTTAWA, KANSAS**

Minutes of  
April 12, 2006

There had been a Special Call Meeting called on today's date for 5:30 pm at the Don Woodward Center, 517 East 3rd, to tour the facility with the Ottawa Recreation Board.

This Special Call was canceled due to a communication misunderstanding with the ORC.

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Scott D. Bird, City Clerk

April 12, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
April 17, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance/Contract: Mac Fasteners Tax Exemption**

Thereupon, the Governing Body reviewed an ordinance and contract for the 50% tax exemption for the 6,000 square foot addition to the Mac Fasteners facility. The addition is to allow the company to relocate storage of raw materials out of its primary manufacturing building and for shipping, thus creating more room for equipment in the current manufacturing space. Thereupon, the Governing Body agreed to place this item on the April 17th Regular Meeting Agenda.

**Resolution-Schuff Steel**

Thereupon, the Governing Body reviewed a resolution to authorize the creation of a contract with Schuff Steel for property tax exemption for equipment to provide an additional beam line enhancing the current facilities operational productivity and creating additional jobs. It was noted a public hearing has been set for May 3, 2006, at 7 pm to receive comments. Thereupon, the Governing Body agreed to place this item on a future Regular Meeting Agenda.

**Resolution-Unilateral Annexation, 603 Bennett Road**

Thereupon, the Governing Body reviewed a resolution establishing a public hearing and a report on extension of services to 603 Bennett Road in preparation for a unilateral annexation of this property owned by Roger Cromwell. It was explained this annexation is needed since the property is completely surrounded by the City, the owner will not sign consent to annex form, and the 2.2 acre property is located within the boundaries of what is being developed as a TIF District. A public hearing has been set for June 21, 2006, at 9:30 am to hear comments. Thereupon, the Governing Body agreed to place this item on the April 19th Regular Meeting Agenda.

**Ordinance-Vacate Right-of-Way**

Thereupon, the Governing Body reviewed an ordinance and staff memo regarding OU's request to have the City vacate 10 feet of right-of-way on the west side of Mulberry Street between 9th and 11th, which is necessary due to reconstruction of the track around Cook Field and placement of fencing and lighting. It was noted that the City has an electrical utility on the northern area so a utility easement will be retained by the city. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for April 19, 2006.

April 17, 2006

### **Ordinance-Vacation for Setback**

Thereupon, the Governing Body reviewed an ordinance to vacate a portion of the platted “front yard” setback from 25 feet to 20 feet in a portion of the Cuttings Addition. Dennis Miller and Larry Midyett made an application for vacation for the setback reduction for properties located at 438 W. 18th Terrace, 504, 544, 538 and 520 W. 18th Street.

During discussion it was explained this reduction would also allow more flexibility in the location and footprint of structures that could be built on these lots. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

### **Ordinance-Utility Easement 910 Fairway**

Thereupon, the Governing Body reviewed an ordinance to vacate an unnecessary 20-foot utility easement per the request made by Ed Schneeberger owner of 910 Fairway where the easement exists. The vacation will allow this lot to be developed. All local utility companies were contacted, in regards to this issue, but none responded with a request to retain the easement. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda for April 19, 2006.

### **Proclamations**

Thereupon, the Governing Body reviewed a proclamation for Equal Pay Day submitted by Laura Miller, BPW Vice President and agreed to place this item on the next Regular Meeting Agenda.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes for March 27, April 3, and April 10, 2006 Work Study Sessions and the April 5th Regular Meeting. The Governing Body agreed by consensus to place these items on the next Regular Meeting Agenda for April 19, 2006.

### **Special Call Meeting May 25, 2006**

Thereupon, the Governing Body discussed holding a Special Call Meeting on April 25, 2006. The Governing Body agreed to the following:

The City Governing Body shall meet in Special Session on May 25, 2006, at Noon, at City Hall in the Commission Chambers, 101 S Hickory, Ottawa, Kansas.

#### **Purpose:**

1. Take action on a resolution for a public hearing for a TIF Project Plan.

After the TIF Resolution has been addressed, the NOON meeting will be recessed to be reconvened at 5 pm at the Ottawa Municipal Swimming Pool, 310 N Locust, Ottawa, Kansas.

2. Ottawa Municipal Swimming Pool “improvements” tour and ceremony.

April 17, 2006

### **Ottawa Community Arts Council**

Thereupon, the Governing Body reviewed a request from the Ottawa Community Arts Council to use a portion of City Park near the Carnegie Center (from the bridge north to 5th Street) for a craft show to be held in conjunction with the Ole' Marais River Run on Friday, September 15th and Saturday, September 16th. Thereupon, the Governing Body agreed by consensus to this request.

### **Municipal Swimming Pool Ribbon Cutting/Dedication**

Thereupon, the Governing Body discussed with staff the ribbon cutting/dedication of the Municipal Swimming Pool project. The discussion included what type of dedication the Governing Body would like to have and the following items:

- ❖ Date and time
- ❖ Ribbon cutting/dedication
- ❖ Who to invite
- ❖ Tour of improvements
- ❖ Notice to press
- ❖ Plaque from contractor
- ❖ Hotdogs and drinks

It was decided a formal tour would be held at 5 pm with the ribbon cutting/dedication taking place at 5:30 pm.

### **Open Agenda**

Thereupon, the Governing Body reviewed a request from the Y.I.G. members, who had traveled to Washington D.C., who requested permission to present a PowerPoint presentation that covers both their experiences and also provides contact information encouraging other students to consider joining the Y.I.G. program. It was explained the presentation would be about 5 minutes and would be given by Y.I.G. members at the April 19, 2006 Regular Meeting if approval was granted. Thereupon, the Governing Body agreed by consensus to allow the presentation.

Thereupon, Commissioner Ramsey inquired if there was a joint meeting on April 19th or if the Chamber Quarterly Image Award luncheon took the place of the joint meeting. Thereupon, Staff responded affirmatively.

Thereupon, Commissioner Jorgensen congratulated Wynndee Lee from City staff and Barbara Dew from the Library, as well as, others in the community for the opportunities of recreation the youth had in our community during spring break. Mr. Jorgensen reflected on how wonderful it was for the community to work together towards a common goal. Discussion continued on movies, and disc golf during spring break with regards to participation. In addition, it was noted most feedback about disc golf was positive with the exception of some needing to use more "golf etiquette" around walkers. Thereupon, Mayor Jackson stated the "unknown" of new things is sometimes hard for people but it appears the disc golf has been positive.

April 17, 2006

**Adjournment**

There being no further business to come before the Governing Body Commissioner Henningsen 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 motion duly adjourned.

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Scott D. Bird, City Clerk

April 17, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
April 19, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Jackson, Commissioner Ramsey, Commissioner Henningsen, Commissioner Fler, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Kent Mathews, from Westminster Presbyterian Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the consent agenda. The consent agenda included the agenda approval with changes and minutes from March 27, April 3, 10, 2006, Study Session and the Regular Meeting Minutes from April 5 2006. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Westminster Presbyterian Church**

Thereupon, Commissioner Ramsey read a proclamation proclaiming April 23rd as Westminster Presbyterian Church Appreciation Day. Thereupon, Rev. Kent Mathews of Westminster Presbyterian Church received the proclamation and thanked the Governing Body for the proclamation and invited them to participate in the 140th church anniversary celebration.

**Proclamation-Ottawa Volunteer Week**

Thereupon, Mayor Jackson read a proclamation proclaiming the week of April 23-29 as Ottawa Volunteer Week in the City of Ottawa. The proclamation was received by Lisa Rivers, Volunteer Coordinator for ECKAN, who encouraged the Governing Body and those listening to participate in activities in our community and to volunteer.

**Proclamation-Ottawa Equal Pay Day**

Thereupon, Mayor Jackson read a proclamation to recognize April 25th as Ottawa Equal Pay Day in the City of Ottawa, Kansas. This proclamation was submitted by Business and Professional Women.

April 19, 2006

### **Ordinance-Weeds**

Thereupon, there was presented an ordinance relating to the cutting and removal of rank grass, noxious weeds, weeds, grass and other vegetation, providing for notice and for cutting by the City of Ottawa, Kansas, and for charges, to be included in the Municipal Code and repealing Ordinance No. 3226-97. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained the City's weed ordinance has not been updated since 1997, and the administrative fee has not been changed since 1993. One change is to mirror State statute with a reduction in the notice time from 10 days to 5 days, thus allowing more timely resolution on those properties that are abandoned and uncared for. In this ordinance this fee has been raised from \$35 to \$85 to more closely cover the staff time and resources used throughout the entire process. 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. 3570-06.

### **Contract-Mac Fasteners, Inc.**

Thereupon, there was presented a contract between Mac Fasteners, Inc., and the City of Ottawa describing the terms and conditions under which a property tax abatement would be issued for a 6,000 square foot addition to a current manufacturing facility located at 1110 E. Enterprise. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to approve the contract.

During discussion it was explained this contract outlines the terms and conditions of a 50% property tax exemption over a 10 year period. With the construction of the addition, it is anticipated that an additional 10 full-time positions will be created in 2007 and a total of 11 by 2009. The contract is a requirement needed prior to the adoption of the Ordinance granting the abatement and outlines specific terms such as job creation, annual renewal, and amount of investment and statement of intention. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the contract duly approved.

### **Ordinance-Mac Fasteners Inc.**

Thereupon, there was presented an ordinance exempting certain real property from ad valorem taxation for economic development purposes in the City of Ottawa, for a 6,000 square foot addition by Mac Fasteners to a current manufacturing facility, for the purpose of adding raw material storage, shipping and to allow expansion within the current manufacturing space. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

April 19, 2006

During discussion it was explained this ordinance sets forth 50% tax abatement on the 6,000 square foot addition to Mac Fasteners current facility. The tax abatement would start on January 1, 2007 and expire December 31, 2016. 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. 3571-06.

### **Resolution-Unilateral Annexation-603 Bennett Road**

Thereupon, there was presented a resolution of the City of Ottawa declaring an interest in, and establishing a public hearing date for considering the unilateral annexation of certain lands to the City of Ottawa, commonly known as 603 Bennett Road. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained 603 Bennett Road is a 2.2 acre parcel located north of K-68 Highway which is completely surrounded by the city limits following the consent annexations of the surrounding area. The owner has not signed an annexation request; the City must go through the statutorily defined process of a unilateral action. The unilateral annexation process requires creation of a report explaining how the extension of services to the proposed area would occur. A public hearing on this item has been set for June 21, 2006 at 9:30 am. The motion was considered and upon being put, passed by the following vote: Commissioner Ramsey nay, Commissioner Henningsen aye, Commissioner Jorgensen aye, Commissioner Fleer nay, and Mayor Jackson aye. Thereupon, the Mayor declared the resolution duly adopted by at 3-2 vote and the resolution was duly numbered Resolution No. 1369-06.

### **Ordinance-Right of Way: OU Cook Field**

Thereupon, there was presented and ordinance vacating 10-feet of right-of-way on the west edge of Mulberry Street between Ninth and Eleventh Streets. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained that due to the construction of the Ottawa University track around Cook Field, a request for the vacation of the proposed area was filed to allow for necessary fencing and lighting to be within their property. The City will retain an electrical utility easement on the northern area of the proposed section. 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. 3572-06.

### **Ordinance-Front Yard Setback**

Thereupon, there was presented an ordinance vacating and reducing the platted front yard setback from 25 feet to 20 feet for certain properties within the Cuttings Addition, in conformation with the Ottawa Zoning Ordinance, specifically for 438 W. 18th Terrace and 504, 520, 528, 538, and 544 W. 18th Street. Thereupon, Commissioner Henningsen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

April 19, 2006

During discussion it was explained an application was received from Dennis Miller and Larry Midyet for the reduction of platted front yard setbacks at the proposed properties due to the odd shape of one lot and to provide conformity within the area. The reduction would also allow more flexibility in the location and footprint of structures that could be built on these lots. 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. 3573-06.

#### **Ordinance-Vacating A Utility Easement**

Thereupon, there was presented an ordinance vacating a north/south utility easement running through 910 Fairway. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Henningsen, to adopt the ordinance.

During discussion it was explained an application was received by the property owner, Ed Shneeberger, requesting a vacation of a utility easement that runs through 910 Fairway. Vacation of the 20-foot utility easement will make the property easier to develop. All utilities have been contacted and none had a need for the easements. The only property affected by the vacation is 910 Fairway. 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. 3574-06.

#### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegates Sara Humm and Angie Jamison who presented a slide show on their recent trip to Washington, D.C. Ms. Jamison reminded everyone that the youth service project would be this Saturday and invited everyone to attend.

Thereupon, Mayor Jackson stated the League has requested a 5-page story for the Kansas Journal regarding the Youth In Government Program.

#### **Reports by City Manager**

Thereupon, the City Manager reported that the Municipal Swimming Pool ceremony has been set for May 25, 2006. The tour would begin at 5 and the ribbon cutting/ceremony would start at 5:30 pm. The Youth In Government Delegates have been asked to organize the free hot dogs and drink.

In the near future the Governing Body will be receiving a draft Woodward Center Contract and he reminded everyone about the upcoming Arbor Day celebration and tree plantings.

Thereupon, the City Manager announced that at today's Chamber "Quarterly Image Award" luncheon Carolyn Snethen, Deputy City Clerk, had received the award.

April 19, 2006

### **Comments from Mayor Jackson**

Thereupon, Mayor Jackson thanked City Staff for their help and support. He thanked the City Manager for his help, support and tolerance throughout the past year. Thanked his colleagues and City Commission for their support while he was President of the League of Kansas Municipalities. He thanked the City Commissioners for their contributions in the community and their personal accomplishments as commissioners during his tenure as Mayor. In addition, the Mayor thanked his charming wife LaDora, for her tolerance. Other items of interest taking place throughout the year and projects for consideration were:

- Swimming Pool Improvements
- Use of grants to save tax dollars
- The passing of the ½ cent sales tax
- Concerns with legislation that effects the city
- Former Mayor's coming together to discuss current community issues
- American Eagle expansion
- Annual report
- Chuck Bigham for Government Access Channel progress
- Continue to be proactive
- Recreation Center/Master Plan
- Street Improvement: Cedar Street 8th – 15th
- Street Improvement: Ash from 7th – Ash
- Signage and Gateways
- Housing
- Retail Trade – K-68 Corridor
- Proactive on Economic Development, recruit retail
- Build on partnerships
- Expand on Youth In Government to include 7th & 8th Grade
- Because of his passion for Youth, the Mayor and his wife will be starting a \$500 yearly scholarship to a Youth In Government delegate

### **City Commission Reorganization: Mayor 2006-2007**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to appoint Commissioner Henningsen as Mayor for 2006-2007 term. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Jackson duly appointed Commissioner Henningsen as Mayor.

### **Presentation: Outgoing Mayor**

Thereupon, Mayor Henningsen presented outgoing Mayor Jackson with a gavel and plaque and thanked him on behalf of the Governing Body for all of his contributions during the past year as Mayor.

April 19, 2006

### **City Commission Reorganization: Mayor pro tem 2006-2007**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to appoint Commissioner Jackson as Mayor pro tem for 2006-2007 term. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen duly appointed Commissioner Jackson as Mayor pro tem.

### **Oath of Office**

Thereupon, City Clerk Scott Bird conducted the oath of office for newly appointed Mayor Deborah Henningsen, and Mayor pro tem Richard Jackson.

### **Comments from Newly Appointed Mayor**

Thereupon, Mayor Henningsen had the following comments:

- She thanked Commissioner Jackson for his commitment as Mayor
- Thanked the Governing Body for their hard work on this year's budget and hard decisions made
- Thanked City Manager Weldon Padgett and Nikki Spencer for all their hard work and efforts on the sales tax and always being available when needed
- She commented on the dedicated City Staff and good employees the City has
- Ottawa is experiencing a great housing boom
- Businesses are growing and expanding
- Encouraged the community to become involved and take pride in the community
- Help make a difference in our community: volunteer, clean up your neighborhood, plant a tree, help at the Library, be involved in your church

In closing Mayor Henningsen encouraged everyone to make it a positive year, and continue dialogue on issues within our community. Thereupon, Mayor Henningsen thanked the community for allowing her the opportunity to serve as a City Commissioner and Mayor and the Governing Body for their support.

### **Reports by the City Commission**

Thereupon, Commissioner Ramsey congratulated both Mayor Henningsen and Mayor pro tem Jackson.

### **Announcements**

Thereupon, Mayor Henningsen announced:

1. April 24, 2006: Study Session moved to 5 pm with the TIF Public Hearing at 6 pm
2. May 1, 2006: Study Session at 4 pm
3. May 3, 2006: Regular City Commission Meeting at 7 pm

April 19, 2006

**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.

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Scott D. Bird, City Clerk

April 19, 2006

**SPECIAL CALL**  
**“Public Hearing TIF District”**  
**OTTAWA, KANSAS**  
Minutes of  
April 24, 2006

The Governing Body met at 6 pm this date for a Special Call Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Jackson, Commissioner Fleer, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order.

**City Commission Declarations**

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

**Purpose of Special Call**

Thereupon, Mayor Henningsen stated the purpose of the Special Call Meeting is to hold a Public Hearing to consider the formation of a Tax Increment Financing (TIF) District.

**Public Hearing**

Thereupon, the Mayor announced a Public Hearing is being held to consider formation of a Tax Increment Financing District located generally along K-68 from Davis Avenue East to I-35, along Wilson Street and portions south of K-68.

During discussion it was explained the public hearing was scheduled to hear comments on the creation of a TIF District located along east K-68. This district is within an eligible enterprise zone and is being formed in anticipation of a large multi-phased commercial and residential project (K-68 Estates), which would allow for the capturing of new property taxes for use in construction of public infrastructure that would serve both the project and the entire district. The Public Hearing will be opened for comments and then closed.

Thereupon, the Mayor opened the Public Hearing at 6:01 pm.

Thereupon, the Governing Body heard from Bob Marsh, 1123 S. Hickory who requested educational information on the formation of the TIF District.

Thereupon, Planning and Codes Administration Director Wynndee Lee noted the TIF District planning and public education as taken place over the past two years with several informational sessions taking place during that time. Ms. Lee gave a general overview on the formation of the TIF District; it’s purpose, possible KDOT participation, revenue streams, the increment reimbursements, possible development and projects, and the benefits to the community

April 24, 2006

and surrounding areas. Ms. Lee clarified the property at Wilson and Davis had voluntarily annexed and one small property remained not annexed. The process to complete a unilateral annexation on this property is in process. It was stated that the Franklin County Commission consented to annexation of road right-of-ways along Davis and Wilson so all of Wilson is in the district. Ms. Lee noted that after today's public hearing there is 30 days for the County Commission and School Board to determine if they want to veto or if they want the process to move forward. The City has called a Special Call meeting scheduled for May 25, 2006, at Noon to consider action on a resolution for a public hearing for the TIF Project Plan.

Thereupon, County Commissioner Roy Dunn, 2817 Stafford Road, spoke in favor of the TIF District and paid a compliment to the City for developing "the right way".

Thereupon, Bob Marsh stated he didn't understand the difference between the TIF District and Specials.

Thereupon, City Manager Weldon Padgett explained that the entire district, once established, freezes the property tax. The increment that is created from any place in the district can be used any place in the district and would usually go through a development agreement process that would serve the area, as well as, around the area. Mr. Padgett explained these projects could be set up for 20-year increments. However, the entire district could see improvements for longer than 20 years.

Thereupon, Mr. Marsh stated he saw this as an opportunity but would ask the Governing Body and staff to consider downtown when considering these projects.

Thereupon, the City Manager stated the Neighborhood Revitalization Act and that program is predominately downtown and is in conflict with TIF. One rebates the taxes to property for development and the other keeps it and uses it. So we have a tool in place now for older neighborhoods that already have streets, infrastructure in place. NRA is more towards development and redevelopment.

There being no one else to speak to this issue Mayor Henningsen closed the public hearing at 6:20 pm.

### **Adjournment**

There being no other issue to be discussed at this Special Call Meeting Commissioner Ramsey made a motion, seconded by Commissioner Fleeer, 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 6:20 pm.

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Scott D. Bird, City Clerk  
April 24, 2006

**SPECIAL CALL  
"RICHFEST"  
OTTAWA, KANSAS**  
Minutes of  
May 1, 2006

There had been a Special Call Meeting called this date for 11:30 am, at the new NE Elementary School, 1102 Milner, to attend a "topping off ceremony".

This Special Call has been rescheduled for May 8.

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Scott D. Bird, City Clerk

May 1, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
May 1, 2006

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

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

**Public Comments**

None offered at this time.

**2005 Audit**

Thereupon, the Governing Body and staff heard from Harold Mayes, and Cynde Frick, representatives of Agler & Gaeddert, who reported on the 2005 City audit. It was noted that overall the City had a good audit to be proud of. Mr. Mayes explained the City's basis of accounting as very conservative and how it affects the audit. Mr. Mayes pointed out a needed change by the auditors and requested all hardcopies of the audit be returned so the change could be made. Once the change is made Agler & Gaeddert will provide the City corrected copies.

**Ordinance-Municipal Court Fees**

Thereupon, the Governing Body reviewed an ordinance with City Manager Weldon Padgett to establish fees for Municipal Court in response to suggestions made by Judge Campbell to remove the existing \$75 court fees on certain violations (parking, tobacco, etc.). The ordinance proposed to reduce the fee to \$10 since there is some administrative time spent, and also to make it applicable only to first-time offenses within a 12-month period. After considerable discussion the Governing Body agreed to have the City Manager revisit this issue with the Judge for better clarification on why this request is being made.

**Rezone-Mr. Robert K. Smith**

Thereupon, the Governing Body reviewed a request from Robert K. Smith who submitted a request to rezone properties located at 1020, 1028, and 1032 S Willow, along with contiguous properties located at 1017 and 1027 S Ash. The request is to change this location from R-2 (Two-family Residential Zoning District) to R-3 (Multi-family Residential Zoning District). The Planning Commission reviewed this request, held a public hearing and recommends denial of the rezone. Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for May 3, 2006.

**Endorsement for Tax Credits-Bob Marsh**

Thereupon, the Governing Body heard from Mr. Bob Marsh who requested an "endorsement" from the City of Ottawa for tax credits from the Kansas Community Service Program Act to be used at Washburn Towers. Thereupon, the Governing Body agreed to place this request on the next Regular Meeting Agenda for May 3, 2006.

May 1, 2006

**Appointments to Boards: City Commissioners**

Thereupon, the Governing Body discussed Commission appointments to boards and agreed to place the appointments on the Regular Meeting Agenda on May 3, 2006.

**Proclamation-Building Safety Week**

Thereupon, the Governing Body reviewed a proclamation for “Building Safety Week” and agreed to place this on the Regular Meeting Agenda for May 3, 2006.

**Proclamation-Mental Health Month**

Thereupon, the Governing Body reviewed a proclamation for “Mental Health Month” and agreed to place this item on the Regular Meeting Agenda for May 3, 2006.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from Study Session April 17, Regular Meeting April 19, and Special Call Meeting 12, 24 and agreed to place these items on the next Regular Meeting Agenda for May 3, 2006.

**Open Agenda**

Thereupon, the Governing Body heard from the City Manager regarding the recent Interlocal Agreement the City adopted April 5, 2006. The agreement had been sent to Franklin County Commission for further consideration. However, the City has been notified without changes the County will not be in support of the agreement. Thereupon, the Governing Body agreed to have City Staff meet with the County and see if concerns could be addressed.

Thereupon, Commissioner Jackson reported on Senate Bill 379 referring to consolidation of cities/counties.

**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 presented voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

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Scott D. Bird, City Clerk

May 1, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
May 3, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Jackson, Commissioner Fler, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and asked everyone one to please remember a recent City employee, Richard Hollon, Power Plant Superintendent, who had passed away. The invocation was given by Rev. Katrina Palan, from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fler, to approve the consent agenda. The consent agenda included the agenda approval and minutes from April 17, 2006, Study Session, April 19 Regular Meeting, and Special Call Meetings April 12, 24, and May 1, 2006. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamation-Building Safety Week**

Thereupon, the Mayor read a proclamation declaring the week of May 7 through May 13, 2006 as "Building Safety Week" in the City of Ottawa. Planner/Codes Officer Tom Yahl received the proclamation on behalf of the Planning Department. Mr. Yahl thanked the Governing Body for the recognition of the hard work the department does with special thanks to Gary Skiles, David Piotrowsky, Fire Chief Carner and Assistant Fire Chief Rick Oglesby. In addition, the City Manager noted that the Ottawa High School Building Trade class would be working with staff on some inspections, as well as students at Garfield School. There will also be an Open House in the Planning Department.

**Proclamation-Mental Health Month**

Thereupon, the Mayor read a proclamation declaring the May 2006 as "Mental Health Month" and further recognized Franklin County Mental Health Clinic, Inc., for 49 years of dedicated service.

May 3, 2006

Diane Drake, Director of Franklin County Mental Health Center, received the proclamation and thanked the Governing Body for the Proclamation. In addition, Ms. Drake thanked the City, Police and Fire Departments for always being there when needed.

**Public Hearing-Tax Exemption Schuff Steel**

Thereupon, Mayor Henningsen opened a public hearing at 7:10 pm for consideration of tax exemption for Schuff Steel Company.

During discussion it was explained a public hearing has been scheduled to receive comments about a 100% tax abatement for Schuff Steel Company, for the purchase of new equipment to provide an additional beam line, which will create additional jobs and enhance productivity. Following public comment, it is recommended that the hearing be closed and the resolution be adopted.

Thereupon, the Governing Body heard from Mr. Dennis Randall, Executive Vice President, of Schuff Steel Company. Mr. Randall gave a brief history of Schuff Steel acquiring the former Havens Steel, the current workforce, improvements, and the challenge to hire qualified staff.

Commissioner Jorgensen asked how many employees Schuff Steel currently had and how many new employees might be added if the tax exemption was approved. Thereupon, Mr. Randall stated currently there were 140 people with the possibility of 20-25 new employees being added.

Thereupon, Tom Weigand, President and CEO Ottawa Area Chamber of Commerce spoke in favor of the tax abatement for Schuff Steel and noted NCCC and others are working together and have been meeting to address the challenge of qualified staff for development and growth.

Thereupon, City Manager Weldon Padgett stated he was very impressed with the facility.

There being no one else to speak to this issue the Mayor closed the public hearing at 7:22 pm.

**Resolution-Tax Exemption Schuff Steel**

Thereupon, there was presented a resolution authorizing the City of Ottawa to create and enter into a contract with Schuff Steel. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution authorizes the City Manager to develop a contract describing the terms and conditions under which Schuff Steel Company would be provided a 100% property tax exemption for the purchase of new equipment to provide an additional beam line. Once the contract has been finalized it will be brought to the City Commission, along with an Ordinance, to finalize the abatement. 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. 1370-06.

May 3, 2006

### **Ordinance-Rezone Request-Robert Smith**

Thereupon, the Governing Body reviewed an ordinance to rezone properties located at 1020, 1028, and 1032 S Willow and 1017 and 1027 S Ash from R-2 (Two-family Residential Zoning District) to R-3 (Multi-family Residential Zoning District). Thereupon, Commissioner Jorgensen made a motion to deny the request as recommended by the Planning Commission and Commissioner Jackson seconded the motion.

During discussion it was explained that Robert Smith submitted a request to rezone the above-mentioned properties, which is comprised of 1.3 acres with three single-family units and one multi-family building. Approval of the rezone would allow Mr. Smith to build up to 23 units, where currently only 13 to 14 units are allowed. This is a second request for rezone. A 2001 request was denied. Staff completed a report and found nothing has changed in the area that would support the rezone. The Planning Commission, after holding a public hearing, recommends denial of the rezone by the City Commission by a 6-0 vote.

Further, if the City Commission agrees with the Planning Commission and staff recommendations, a motion should be made to disapprove the rezoning request, and ordinance presented would not be adopted. If the City Commission decides to support the rezone request, Staff recommends that the City Commission remand the matter to the Planning Commission with clear directions as to what it should specifically reconsider. The motion was considered and upon being put, was denied by the following 4-1 vote: Commissioner Jorgensen aye, Commissioner Jackson aye, Commissioner Ramsey aye, Commissioner Fleer nay, and Mayor Henningsen aye. Thereupon, the Mayor declared the ordinance to rezone duly denied.

### **Kansas Community Service Program Act Application Endorsement**

Thereupon, there was presented an application from the Kansas Community Service Program Act requesting endorsement by the City. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jorgensen, to approve this endorsement.

During discussion it was explained approval of this item will provide City endorsement for an application to the Kansas Community Service grant program on behalf of the Friends of Historical Buildings related to the former Ottawa Middle School at 5th and Main, now named Washburn Towers. The grant is seeking financial assistance to support development of the theater and community room areas by purchasing furnishings and equipment. No City financial obligation results from this endorsement. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the endorsement duly approved.

### **City Commission Appointments**

Thereupon, there was presented delegates for annual City Commission appointments to boards and committees following the reorganization of the City Commission as follows:

May 3, 2006

Chamber of Commerce: Mayor Henningsen  
O/FCED: Mayor pro tem Jackson (will require an O/FCED by-law change)  
Ottawa Main Street Association: City staff  
Convention and Tourism: Commissioner Jorgensen  
Neighborhood Revitalization Committee: Commissioner Fleer  
Bea Martin Peck Animal Shelter Board: Commissioner Ramsey  
It was noted the 4th Judicial Correction Advisory Board position is being advertised and will be on the next agenda.

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jorgensen to approve the appointments as mentioned above.

Thereupon, Commissioner Ramsey asked for some clarification of appointments due to his being absent from the Study Session on Monday. Thereupon, clarification of changes was provided.

**Reports by Youth Delegates**

Thereupon, Angie Jamison thanked the Governing Body for their participation in the “Learn and Lead” program success and stated the Youth In Government was coming to a close for this school year and invited the Governing Body to join the youth in a Barbeque on May 15th at 6:30.

**Reports by City Manager**

City Manager Weldon Padgett reminded the Governing Body about the Open House/Ribbon Cutting at the Ottawa Municipal Swimming Pool, which has been scheduled for Thursday, May 25, 5:30 pm – 7:00 pm. In addition, ORC will sponsor a “Free Swim Day” on May 27th and from Noon – 2 provide free hot dogs, drinks, and family activities.

Mr. Padgett commented that the discussion on court fees is continuing and as soon as additional information is available it will be brought back to the Governing Body.

**Reports by City Commission**

Thereupon, Commissioner Fleer stated she will continue to follow the outcome of the Main Street awning would be handled in the 200 Block.

**Reports by Mayor**

Thereupon, Mayor Henningsen mentioned the following recent awards that have been given to City Employees and stated these awards are just another example of the wonderful employees the City has.

Carolyn Snethen, Finance/Administration, was chosen last week as the recipient of the Ottawa Area Chamber of Commerce’s Quarterly Image Award.

May 3, 2006

Nikki Spencer, Administration, received the Scott Brooks Award on April 28. She was nominated by her fellow KU Students for exemplifying compassion for colleagues, dedication to public service and enthusiasm for life. Nikki also graduated from KU receiving a Master's Degree Friday evening.

Ron Snethen, Water Plant Superintendent, was awarded the Kansas Rural Water Association's 2005 Municipal Water Plant Superintendent of the Year Award.

Andy Stauffer, Public Works Superintendent, received the Excellence in Field Supervision Award on April 27, from the Kansas Chapter of the American Public Works Association.

Thereupon, Mayor Henningsen thanked Angie Jamison, and the other Youth in Government delegates for the great success of the "Learn and Lead" program.

### **Announcements**

Thereupon, the Mayor announced:

1. May 8: Study Session at 4 pm
2. May 8: The RICHFEST, at 1102 Milner (NE Elementary School Event) has been canceled until a later date.
3. May 15: Study Session at 4 pm
4. May 17: Joint City/County/School Luncheon at NOON, at the County.
5. May 17: Next Regular Meeting at 9:30 am

### **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.

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Scott D. Bird, City Clerk

May 3, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
May 8, 2006

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

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

**Public Comments**

None offered at this time.

**Boards/Commissions/Committee Appointments**

Library Board (2): Agreed to appoint Mary Redeker and Temmie Lehman

4th Judicial Correction Advisory Board (1): Agreed to name Commissioner Richard Jackson

Thereupon, the Governing Body agreed to place these appointments on the next Regular Meeting Agenda for May 17, 2006.

Thereupon, the Governing Body agreed the following appointments will be deferred until applications are received.

Planning Commission (2)  
Board of Zoning Appeals (3)  
Construction Board of Appeals (4)

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from Study Session May 1 and agreed to place this item on the next Regular Meeting Agenda for May 17, 2006.

**2007 Budget Discussion**

Thereupon, the Governing Body, City Manager, and City Clerk reviewed the proposed 2007 Budget for the following Special Revenue Funds: Special Alcohol, Revolving Loan, Risk Management, WWTP Debt, and Power Supply.

**Open Agenda**

Thereupon, the Governing Body discussed the April Monthly Activity and Financial Report.

**Announcements**

Thereupon, the Mayor announced:

1. May 15: Study Session at 4 pm
2. May 17: Regular Meeting at 9:30 am
3. May 17: Joint City/County/USD 290 Luncheon at Noon, at the County
4. May 22: Study Session at 4 pm

May 8, 2006

**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.

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Scott D. Bird, City Clerk

May 8, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
May 15, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance-Gas Franchise, Kansas Gas Service**

Thereupon, the Governing Body reviewed an ordinance that outlines the terms of a non-exclusive gas franchise with Kansas Gas Service (KGS), which will represent a renewal of the existing franchise with updated language and a continuation of the 5% franchise fee on gross receipts. It was noted that all other provisions are common for gas franchises including construction standards, etc. The current ordinance is for a 10-year period. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda for May 17.

**Ordinance-Collection of Franchise Fee**

Thereupon, the Governing Body reviewed an ordinance that is required for collection of the franchise fee on gas that is transported across KGS lines or other carriers (called wheeling) and provided to clients within the City limits, in order to provide a level playing field. The ordinance outlines the applicable definitions, terms, calculation of fees, time requirements, and violations. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for May 17, 2006.

**Lease Agreement-Don Woodward Facility**

Thereupon, the Governing Body discussed a draft lease agreement between the City and ORC outlining the terms under which the ORC may use the Woodward Center facility. The lease addresses responsibility for building maintenance and alterations, insurance, access and term lease. The ORC Board has reviewed the lease and the ORC Director relayed several minor change request in wording and content, all of which have been made in this draft. It was noted that one of the changes (Section 2, B, (f)) is a request for the City to paint the walls of the gymnasium, which the Governing Body and Staff should discuss. Further, an addendum with a Memorandum of Understanding is included in the lease basically outlining the communications, meetings, information that the City and ORC would share. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for May 17, 2005 with discussed changes.

May 15, 2006

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from May 3 Regular Meeting and agreed to place this item on the next Regular Meeting Agenda.

### **Budget Discussion # 2**

Thereupon, the Governing Body, City Manager Weldon Padgett, City Clerk Scott Bird, and Fire Chief Jeff Carner reviewed the budget worksheets for the City Commission and City Manager's Office, Equipment Reserve, Fire and Auditorium.

Thereupon, Mayor Henningsen requested a breakdown of travel in the City Commission budget.

### **KMEA Presentation**

Thereupon, the Governing Body discussed a request that a presentation by Diann Bures of KMEA be made at the Regular Meeting May 17, 2006. Ms. Bures will be presenting the City of Ottawa a plaque commemorating 100 years of electrical service. City Manager Weldon Padgett respectfully requested that the City Commission allow the plaque be installed on the power plant with an additional plaque to acknowledge that it is dedicated in the memory of Richard Hollon, Power Plant Superintendent, who served our community for 1/3 of the 100 years that the city has provided electrical service. Thereupon, the Governing Body agreed by consensus to this request.

### **Open Agenda**

#### **Interlocal Agreement: City and County**

Thereupon, the City Manager discussed the Interlocal Agreement with the Governing Body and stated a meeting would be held this Friday, May 19, at 9 am to continue discussions on the agreement. Mr. Padgett explained the plan is to have the County Planning Commission approve the agreement, take it to their Governing Body, and then forward it to the City for action. It was noted it would be over a month before our Governing Body receives the information.

Thereupon, applications for the Planning Commission were reviewed and the Governing Body agreed by consensus to place these applications on the Regular Meeting Agenda for May 17, 2006. One application was received for the Board of Zoning Appeals and this application will be placed on the Regular Agenda as well. Thereupon, Planning and Codes Administration Director Wynndee Lee asked that in the future, if more applications were received for the Planning Commission the Governing Body consider interviewing applicants. Ms. Lee commented that if the Governing Body had any additional contact names of those who might be interested in serving on the Planning Commission to pass those to her throughout the year.

Thereupon, City Manager Weldon Padgett reminded the Governing Body that the City Commission photo would be taken June 21 before the Regular Meeting.

May 15, 2006

Thereupon, Commissioner Ramsey discussed the Schuff Steel tax abatement with regards to current legislation on machinery.

**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.

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Scott D. Bird, City Clerk

May 15, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
May 17, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Collin Richards, from Calvary Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from May 1, 2006, Study Session, and May 3 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Presentation-KMEA**

Thereupon, Diann Bures of the Kansas Municipal Energy Agency presented the City of Ottawa with a plaque commemorating 100 years of electrical service. The plaque will be installed at the Power Plant along with an additional plaque to be made that will acknowledge that it is dedicated in the memory of Rich Hollon, Power Plant Superintendent, who served our community for 1/3 of the 100 years the City of Ottawa has provided electrical service. Thereupon, the Mayor thanked Ms. Bures for the plaque.

**Boards/Commissions/Committees Appointments**

Thereupon, the Mayor noted action was needed to appoint or reappoint citizens to available positions on the following Boards/Commissions/Committees: Planning Commission, Library Board, 4th Judicial Corrections Advisory Board and Board of Zoning Appeals. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to appoint or reappoint the following:

May 17, 2006

Planning Commission: 2 positions

Gary Jones (new appointment) and Philip Hatfield (new appointment)

Library Board: 2 positions

Mary Redeker (reappointment) and Temie Lehman (new appointment)

4th Judicial Corrections Advisory Board: 1 position

Richard Jackson (reappointment)

Board of Zoning Appeals: 1 position

Laura Ansley (reappointment)

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

**Ordinance- Kansas Gas Service Franchise**

Thereupon, there was presented an ordinance granting to Kansas Gas Service, a Division of Oneok, Inc., its successors and assigns, a non exclusive natural gas franchise and the right and privilege to construct, use and maintain natural gas service lines in the public rights-of-way within the present or future corporate limits of the City of Ottawa, Kansas for the purpose of supplying natural gas services to the City of Ottawa and its inhabitants pursuant to K.S.A. 12-2001 et. seq., and repealing conflicting ordinances in whole or in part. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance outlines the terms of a non-exclusive gas franchise with Kansas Gas Service (KGS) and represents a renewal of our existing franchise with updated language and a continuation of the 5% franchise fee on gross receipts. All other provision are common for gas franchises including construction standards, and this agreement is for a 10-year period. 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. 3575-06.

**Ordinance-Transportation/Kansas Gas Service**

Thereupon, there was presented an ordinance pertaining to the transportation, distribution, and sale of natural gas or other energy through pipelines or distribution systems in the city requiring a franchise. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

Thereupon, Commissioner Jorgensen arrived at 9:40 am.

May 17, 2006

During discussion it was explained this ordinance, separate from the previous ordinance, is required for the collection of the franchise fee on gas that is transported across KGS lines or other carriers and provided to clients within the City limits. 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. 3576-06.

### **Woodward Center Lease Agreement**

Thereupon, there was presented an agreement between the City and the Ottawa Recreation Commission (ORC). Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the agreement.

During discussion it was explained the agreement describes the terms and conditions for ORC to lease the Woodward Center from the City. The agreement outlines the responsibilities of both parties concerning the building and grounds. The lease is set to automatically renew annually. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the agreement duly adopted.

### **Youth Delegate Report**

Commissioner Jackson announced Angie Jamison Youth-In-Government delegate will be awarded the "You Make A Difference" award sponsored by the Kansas Volunteer Commission and Angie will be invited to attend a presentation of the award in Wichita later this year. An adult volunteer Beverly Hajorth will also be honored.

### **Reports by Mayor**

Thereupon, the Mayor reminded everyone that the Pool Improvement Ribbon Cutting and Open House will be May 25 at 5:30 pm. The City Commission will tour the facility at 5 pm.

### **Announcements**

Thereupon, the Mayor announced:

1. May 17: Joint City/County/School luncheon will be held today at noon, at the County
2. May 22: Study Session at 4 pm (The City Manager noted this meeting may need to start earlier.)
3. May 25: Special Call Meeting for TIF at noon
4. May 25: Pool Improvement ribbon cutting and Open House (free hot dogs and refreshments) at 5:30 pm
5. June 7: Next Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:47 am.

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Scott D. Bird, City Clerk  
May 17, 2006

## **STUDY SESSION MINUTES OTTAWA, KANSAS**

Minutes of  
May 22, 2006

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

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

### **Public Comments**

None offered at this time.

### **Ottawa Main Street Presentation**

Thereupon, Mary Allison Haynie, Director of Ottawa Main Street, provided a power point presentation to the Governing Body, which provided information on the following:

- Why support downtown?
- Why support a Main Street organization?
- Main Street accomplishments
- National Register District Establishment
- Downtown Development
- Promotions & Recognition
- Income
- Fundraising

Thereupon, Commissioner Fleer arrived at 3:12 pm.

In addition, Ms. Haynie requested \$35,000 from the City 2007 Budget on behalf of Ottawa Main Street. Thereupon, Commissioner Ramsey requested this item be brought back so Commissioner Jackson could have input. Commissioner Fleer stated if the Governing Body approved the amount requested this might give Main Street the opportunity to get back to where they were.

### **Ottawa Area Chamber of Commerce Presentation**

Thereupon, the Governing Body heard from Tom Weigand, CEO/President of Ottawa Area Chamber of Commerce who provided information on the following:

- Industrial Review
- Commercial/Retail
- Other Development
- Qualified staffing salary

In addition, Mr. Weigand stated he would be requesting an additional \$3,000 from the City and County to primarily fund a staff position. The 2006 City budget provided \$45,000 in funding and the requested 2007 funding request would bring the total request to \$48,000.

May 22, 2006

### **Donation of Property**

Thereupon, City Manager Weldon Padgett explained the request to donate property to the City of Ottawa and recommendations for supporting its acquisition. The property is 0.6 to 0.7 acres in size and could ultimately serve as a location for a landscaped "Welcome to Ottawa" gateway sign in the southwest corner of Davis/Montana and Sand Creek Rd. It was noted the only thing the donating party requested was a signature acknowledging receipt of a subsequent Realtor/Associate opinion that the potential value of the property is around \$12,000. The City Manager asked for a consensus or motion to accept the donation and annex the property into the City Limits. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jorgensen, to accept the donation and move forward to annex. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the donation of this property duly approved.

### **Annexation of 3696 Montana Road**

Thereupon, the City Manager stated the "Consent for Annexation" form would need to be signed by the City. Thereupon, the Governing Body reviewed the ordinance to annex 3696 Montana Road, as a donation to the City. The area is anticipated as a gateway location upon the completion of the I-35 and US-59 bypass and the dilapidated structure will be demolished. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 7, 2006.

### **Traffic Control Signs**

Thereupon, the Governing Body reviewed a report and ordinance to amend a section of the Municipal Code that requires installation of traffic control signs at exit driveways from commercial and industrial properties. This requirement has been determined unnecessary, costly to businesses and an administrative burden to enforce. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 7, 2006.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from May 8th and 15th Study Sessions and agreed to place these items on the Regular Meeting Agenda for June 7, 2006.

### **Budget Discussion # 3**

Thereupon, City Manager Weldon Padgett and City Clerk Scott Bird discussed the City Clerk/Finance Office and G.O. Debt Retirement fund for 2007 Budget with the Governing Body. It was noted that due to IRS findings the City Attorney will now be a City employee. Therefore, the City Attorney will now be listed in the City Clerk/Finance Office (0115) personnel schedule.

### **City Employee and Volunteer Appreciation Picnic**

Thereupon, City Manager Weldon Padgett discussed funding and donations with the Governing Body for the City Picnic. The City Manager expressed concerns with the perception that might be given in requesting donations from those the City may contract work with or be involved with  
May 22, 2006

regards to other issues. The concern included that a false impression and/or pressure might be felt from others that wasn't intended. Therefore, the Governing Body agreed by consensus that the City could fund the appreciation picnic up to \$1,000 in support of the City employees, retirees, and numerous volunteers on the City boards and commissions.

### **Metal Awning-200 Block of Walnut**

Thereupon, the Governing Body reviewed and discussed a "Management Report" from the City Manager, which provided information on the history/background, issues surrounding the awning, and current considerations.

Thereupon, it was noted for information only that as the structure deteriorates in either an aesthetic way or structurally, the City may ultimately be asked, or have a duty, to enforce its laws related to environmental nuisances, property maintenance and/or building codes. If public safety is threatened, the amount of time to abate such a concern can be relatively fast (meaning anywhere from immediate action to a few months). If the violation is more aesthetic, a longer period might be allowed for the abatement of the violation. Either way, it doesn't allow the property owners much time to consider their options and cost, as the current and more proactive approach being considered by the Chamber of Commerce's Image and Affairs and Main Street Association committee.

### **Woodward Center Gym Painting**

Thereupon, the Governing Body discussed with the City Manager and Staff two different quotes from Pelton Painting for painting the walls and ceiling at the Woodward Center. The wall quote was for \$2,275 and the ceiling was for \$2,065. Thereupon, the Governing Body agreed by consensus to recommend cost sharing with ORC to get the painting done. If ORC agreed the City could fund the walls being painted and ORC could pay to have the ceiling painted.

### **Recreation Master Plan**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett the direction the City should take on a Recreation Master Plan. The Governing Body agreed there should be a joint meeting held in the near future.

### **Open Agenda**

Thereupon, City Manager Weldon Padgett reminded the Governing Body about the Pool Ribbon Cutting to be held May 25, 2006, with the tour beginning at 5 pm and the ribbon cutting at 5:30 pm. and noted that the plaque would be ready.

### **Announcements**

Thereupon, the Mayor announced:

1. May 25, 2006: Special Call – TIF Ordinance at Noon, in the Commission Chambers.

May 22, 2006

## **Executive Session**

### **Recess**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess into Executive Session to discuss Non-elected personnel matters for a period of 15 minutes and reconvene in the same Work Study Session at 4:45 pm. 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 Fleer, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 4:45 pm.

### **Recess**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to recess again for a period of 5 minutes and to reconvene at 4:50 pm. 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 Jorgensen, to reconvene the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly reconvened at 4:50 pm.

## **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 at 4:51 pm.

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Scott D. Bird, City Clerk

May 22, 2006

**City Commission**  
**Special Call Meeting Minutes**  
Ottawa, Kansas  
May 25, 2006

The Governing Body met at NOON this date for the Special Call Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Jorgensen, and Commissioner Jackson. Commissioner Fler was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience.

**City Commission Declarations**

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

**Ordinance-Establishing a Tax Increment Financing Redevelopment**

Thereupon, there was presented an ordinance making certain findings and establishing a tax increment financing redevelopment district in the City of Ottawa, Kansas (K-68 Corridor). Thereupon, Commisisoner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained a public hearing was held on April 24 to hear public discussion on the formaiton of a Tax Increment Financing District (TIF) located generally along K-68 from Davis Avenue east to I-35, along Wilson Street and portions South of K-68. This district is within an eligible enterprise zone and is being formed in anticipation of several projects; one lare multi-phased commercial and residential project (68 Estates), and a second project that is all residential. These projects will allow for the capturing of new property taxes for use in construction of public infrastructure that will serve both the project and the entire District. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted. Thereupon, the Ordinance was duly numbered Ordinance No. 3577-06.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 12:04 pm.

Continued-

May 25, 2006

**Ottawa Municipal Swimming Pool Ribbon Cutting**

The Governing Body met at the Ottawa Municipal Swimming Pool, 310 N Locust, Ottawa, Kansas at 5 pm to take part in a tour of the new updates at the Forest Park swimming pool and at 5:30 pm for the Chamber of Commerce ribbon cutting and free hot dogs. Thereupon, the ribbon cutting/open house concluded at 7 pm.

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Scott D. Bird, City Clerk

May 25, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 5, 2006

The Governing Body met at 3 pm this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Fler and Commissioner Jackson. Commissioner Jorgensen was absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**Bea Martin Peck Budget Presentation**

Thereupon, the Governing Body heard from Dr. Larry Mages and Bea Martin Peck Animal Shelter Director Emily Mathis who presented information on shelter needs, animal intake from within Ottawa (832), amount billable per animal (**2006:** \$56.45, **2007:** \$70.16), and a budget funding request from the City in the amount of \$58,373.12. The Governing Body will consider the request during the budget process.

**OU-First Supplemental Loan Agreement**

Thereupon, the Governing Body heard from Ottawa University Representative Brenda Guenther and City Manager Weldon Padgett.

It was explained in 1998, the City issued \$6,000,000 in Educational Facilities Refunding and Improvement Bonds and the proceeds were used to refund some prior bonds and finance some capital projects (renovation of various buildings, construction of an addition, parking improvements, etc.). The 1998 bonds are secured by OU's unrestricted revenues and a mortgage. Because the definition of "unrestricted" revenues is so broad there was concern that the student loans might be in conflict with or impair the security for the bonds. This supplemental agreement explains that the student loans are not part of the unrestricted revenues and therefore are not part of the loan security. Thereupon, City Clerk Scott Bird stated the transcript of proceedings clearly states the City has no liability for this loan. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for June 7, 2006.

**Comprehensive Plan**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee amendments to the City's Comprehensive Plan. It was explained changes consisted of the revision of some goals and includes an update to the area between 19th and 23rd Street between Main and Eisenhower that is expected to develop in the next few years. The Planning Commission held a public hearing and recommended approval of the text and map changes to the City Commission. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for June 7, 2006.

June 5, 2006

**Condemnations: 1336 N Sycamore, 517 E Wilson, 717 S Locust**

Thereupon, the Governing Body reviewed information and descriptions of requested condemnations of structures located at 1336 N Sycamore, 517 E Wilson, and 717 S Locust with Planning and Codes Administration Director Wynndee Lee. The buildings are deemed to be hazards, blight on the neighboring properties, and a threat to the health, safety and welfare of the public. Thereupon, the Governing Body agreed by consensus to place these items on the next Regular Meeting Agenda for June 7, 2006.

**Budget Discussion # 4**

Thereupon, City Manager Weldon Padgett, Finance Director Scott Bird, Police Chief Dennis Butler, HR Director Melissa Fairbanks, and Utility Director Jim Bradley discussed with the Governing Body the budget worksheets for Police, Municipal Court, Human Resources, Water Production and Distribution.

**Open Items**

Thereupon, Public Works Director Andy Haney gave an update of the 2006 airport improvements, which will include Airport Apron Rehabilitation and PAPI Lights. It is estimated the City's share will be approximately \$50,000. The Public Works Director anticipates the improvements will be completed by October.

**Outdoor Concert Request**

Thereupon, the Governing Body reviewed a request from David Wooge for blocking off 2nd Street from Main Street to the alley between Main and Hickory, Friday June 23rd from 3 pm until 10:30 pm for an outdoor concert to raise money and awareness for the cancer foundation. Thereupon, the Governing Body approved this request with it being remanded back to staff to work out details.

**K-68 Corridor**

Thereupon, City Manager Weldon Padgett stated his Assistant Nikki Spencer and himself had attended a meeting in Miami County last week with the Miami County Planning Commission regarding the area around Paola. Mr. Padgett noted other entities were invited to attend and will meet again to continue discussions surrounding Paola and K-68 Highway. Additional information will be brought back as it is available.

**Ottawa Jaycees 2006/2007 Funds**

Thereupon, the City Manager stated he had received a call from Ottawa Jaycees requesting funding from this years budget and noted they will be requesting funding for 2007.

**Swimming Pool Data**

There City Manager stated he has been in contact with ORC Interim Director Nancy Baker and the data shows the swimming pool numbers are much higher this year. Probably attributed to weather and the new pool improvements. Ms. Baker will continue to provide this information to the City Manager throughout the season.

June 5, 2006

### **Open Agenda**

Thereupon, Commissioner Ramsey requested that organizations wanting to request funding for 2007 come before the Governing Body early in the budget process to make those request.

Thereupon, City Manager Weldon Padgett noted the Franklin County Commission had agreed to provide the Franklin County Historical Society with a ½ mill funding and this will put them in a very good position.

Thereupon, Commissioner Jackson stated he had recently traveled to Washington, D.C. and attended sessions on “After School Programs”. The sessions included the message that youth concern cost less upfront as opposed to those youth who may end up in juvenile detention.

Thereupon, Commissioner Jackson announced the local Youth Action Council will be awarded the “Governors Point of Light Award” on June 22 at the Governor’s Office.

Thereupon, Commissioner Jackson explained he had reviewed the Study Session Minutes from May 22 and provided the following comments:

- Ottawa Main Street budget should continue to be reduced
- Chamber Budget-staff salaries are not the City’s responsibility budget funds should be tied to productive recruiting
- Recreation Master Plan- move forward it has been talked about enough

Thereupon, it was mentioned that members of the Governing Body had received a telephone call from a gentleman who expressed concern with the Governing Body approving tax dollars to fund private organizations such as Ottawa Main Street, Bea Martin Peck etc.

Thereupon, Commissioner Ramsey noted he would not be attending the Small Cities and Council Day in Greenville, Maryland.

Thereupon, Mayor Henningsen reminded the Governing Body that they all needed to be responsible for conferences and meetings they attend. The Governing Body needs to ask themselves what they are getting from attending a conference and what is being brought back to the community. The Mayor asked the Governing Body to consider this issue.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 4:45 pm.

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Scott D. Bird, City Clerk  
June 5, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
June 7, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Fleer, Commissioner Ramsey, and Commissioner Jackson. Commissioner Jorgensen was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the consent agenda. The consent agenda included the agenda approval and minutes from May 8, 15, 22, 2006, Study Session, May 17 Regular Meeting, and May 25 Special Call Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Ordinance-Annexing 3696 Montana Road**

Thereupon, there was presented an ordinance annexing land to the City of Ottawa, Kansas generally located at 3696 Montana Road. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained the 6/10ths of an acre parcel, donated to the City by Mr. Roy Dunn, is located on the southwest corner of Sand Creek and Montana Road. The City has accepted the donation and the property has been identified as a promising location for a gateway sign once the I-35 and US 59 bypass and the Davis/Montana and Sand Creek intersection projects are done. The demolition of the dilapidated buildings will occur and the removal or refining of current easements needs to be done and the property can serve as a temporary staging area for the intersection 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. 3578-06.

June 7, 2006

**Ordinance-Ottawa Municipal Code, Chapter 70**

Thereupon, there was presented an ordinance deleting two sections of Chapter 70 of the Municipal Code, which currently require traffic control devices at Commercial and Industrial Driveway exits. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance will amend the Municipal Code, which requires placement of stop signs at the exit driveways of commercial and industrial properties. The requirement is costly to developers for the installation and maintenance of signs, places an administrative burden on the City for enforcement. State statute and the Standard Traffic Ordinance already addresses the issue of traffic entering from a driveway or alley. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Fleer aye, Commissioner Ramsey nay, Commissioner Jackson aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the ordinance duly adopted by a 3-1 vote and the ordinance was duly numbered Ordinance No. 3579-06.

**Resolution-Public Hearing Condemnation, 517 E Wilson**

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 at the address commonly known as 517 E Wilson, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this resolution calls for a public hearing to be set for July 19, 2006 at 9:30 am at which time comments will be heard on the condemnation of structures located at 517 E Wilson. A fire occurred at the residence in February of 2005 and contact has been made with the owner on several occasions, although the owner has not tried to repair the structure and it currently sits vacant. 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 1371-06.

**Resolution-Public Hearing condemnation, 1336 N Sycamore**

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 at the address commonly known as 1336 N Sycamore, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution.

June 7, 2006

During discussion it was explained this resolution calls for a public hearing to be set for July 19, 2006 at 9:30 am at which time comments will be heard on the condemnation of structures located at 1336 N Sycamore. City staff began writing the owner in April of 2005 regarding the condition of the structures on the property. Utilities have been placed on hold due to a dangerous electrical condition. The owner has signed for all letters sent by certified mail, and there has been no verbal communication back from the owner and they have not tried to repair 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. 1372-06.

**Resolution-Public Hearing Condemnation, 717 S Locust**

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 at the address commonly known as 717 S Locust, may appear and show cause why said structures should not be condemned and order repaired or demolished. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution calls for a public hearing to be set for July 19, 2006 at 9:30 am at which time comments will be heard on the condemnation of structures located at 717 S Locust. The City first began communication with the owner of the property in March of 2002. Several permits have been issued to the owner; however, each time the permit expires with no work commencing. The owners have been notified that the lack of action has resulted in condemnation proceedings. 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. 1373-06.

**Ordinance-Amendments Comprehensive Plan**

Thereupon, there was presented an ordinance adopting amendments to Chapters One through Five of the Comprehensive Plan for the City of Ottawa, Kansas. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance approves the amendments to the Comprehensive Plan including the completion and refining of some stated goals, as well as, a change to the land uses in the area between 19th and 23rd Street, Main to Eisenhower. The area is expected to develop in the next few years and a new map reflects the "neighborhood" plan for land uses and infrastructure. The Planning Commission held public hearings for both the text changes and future land use map changes and recommends approval to the City Commission by a vote of 6-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3580-06.

June 7, 2006

### **Ottawa University-1st Supplemental Loan Agreement**

Thereupon, there was presented action to approve the Ottawa University request for first supplemental loan agreement to the educational facilities refunding and improvement bond. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the agreement.

During discussion it was explained in 1998, the City issued \$6,000,000 in Educational Facilities Refunding and Improvement Bonds, which were used by OU to refund some prior bonds and finance some capital projects. OU recently began originating student loans, which are immediately sold to a third party. This supplemental agreement explains that the student loans do not affect the previous bond issuance. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the action to approve the Ottawa University request duly approved.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Angie Jamison who announced this would be her last City Commission meeting she would be attending as a Youth Delegate. Ms. Jamison thanked the Governing Body for the educational opportunities she had received in many levels of Government.

Thereupon, Mayor Henningsen thanked Ms. Jamison for all of her hard work and support she had contributed to our community and wished her well.

### **Reports by City Manager**

Thereupon, the Governing Body heard from City Manager Weldon Padgett who reminded the Governing Body that the City Employee/Volunteer Picnic would be held at Forest Park June 16, 2006, starting at 4:30 pm.

### **Announcements**

Thereupon, the Mayor announced:

1. June 12: Study Session at 3:30 pm
2. June 16: City of Ottawa Employee and Volunteer Picnic 4:30-7 pm
3. June 19: Study Session at 3:30 pm
4. June 21: Next Regular Meeting at 9:30 am
5. June 21: Joint City/County/USD Joint Luncheon at Noon, City will host

### **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.

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Scott D. Bird, City Clerk  
June 7, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 12, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Fleer and Commissioner Jackson. Commissioner Jorgensen was absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**Neighborhood Revitalization Applications**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee Neighborhood Revitalization applications and staff reports for properties located at 530 N Mulberry, 212 S Poplar, 928 N King, 202 S Locust, 129 S Main and 419 S Main. Ms. Lee explained the first four properties are single-family residences and the last two are commercial properties. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda for June 21, 2006.

**Ordinance-Unilateral Annexation of 603 Bennett Road**

Thereupon, the Governing Body reviewed a staff memo and ordinance regarding the unilateral annexation of 603 Bennett Road. Planning and Codes Administration Director Wynndee Lee explained this small parcel was remaining as the last parcel in the K-68 area, as all other property owners were voluntarily annexed. The public hearing for this annexation is scheduled for June 21st. Following the public hearing it is recommended the ordinance be adopted for annexation. Thereupon, the Governing Body agreed by consensus to place this item on the next Regular Meeting Agenda for June 21, 2006.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the June 5th Study Session and agreed to place this item on the Regular Meeting Agenda with one change.

**Wastewater Collection Infrastructure-K-68 River Lift**

Thereupon, the Governing Body discussed wastewater collection infrastructure with City Manager Weldon Padgett and staff. It was explained the wastewater collection infrastructure is needed to serve the northeast part of Ottawa.

*Thereupon, Commissioner Jorgensen arrived at 3:47 pm*

Tax Increment Financing will be the mechanism for financing most of the public infrastructure needs in this area, timing of the projects that will create the tax revenues is in conflict with the

June 12, 2006

amount of time it takes to design the primary sewer collection trunk line that will cross the river to the treatment plant. It was recommended the City initiate the design engineering for the sewer project. Thereupon, the Governing Body agreed by consensus to allow staff to proceed with engineering.

### **Budget Discussion #5**

Thereupon, City Manager Weldon Padgett, and Public Works Director Andy Haney discussed the budgets for Special Park & Recreation, Special Street, Airport, Cemetery, Street, Flood Control, Fleet Management, and Parks with the Governing Body.

### **Budget Calendar**

Thereupon, the Governing Body reviewed an update on the 2007 Budget process. A budget calendar was provided and there was discussion of whether a July 3rd meeting would be needed. The Governing Body agreed they would not meet on July 3rd unless agenda items made it necessary.

### **Roberta Rhoades Letter and Petition**

Thereupon, the Governing Body heard from City Attorney Bob Bezek who discussed a letter describing a neighborhood issue with dogs at a residence in the 1300 block of South Elm Street. Mr. Bezek explained the matter has been handled through municipal court and explained what action has been taken. Thereupon, the Governing Body asked the City Manager to address the City penalty provisions on multiple infractions of city rules and bring back recommended changes.

### **May- Monthly Financial and Activity Reports**

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

### **Study Session July 3rd**

Thereupon, City Manager Weldon Padgett discussed with the Governing Body the possibility of not having a study session meeting on July 3rd before the Tuesday July 4th holiday, or (if needed) meet ahead of the July 5th regular meeting. Discussion continued regarding changing the meeting times in August so that the adoption of the budget would take place at an evening meeting. Thereupon, the Governing Body agreed by consensus to hold a meeting July 3rd if agenda items required it and the Regular City Commission Meeting for August 2nd will be held at 9:30 am with the August 16th meeting being at 7 pm to adopt the budget.

### **Adjournment**

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

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Scott D. Bird, City Clerk  
June 12, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 19, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance-Adopt Interlocal Agreement**

Thereupon, the Governing Body reviewed an ordinance to adopt the revised Interlocal Agreement and repealing the previously adopted ordinance. City Manager Weldon Padgett explained the County Commission has adopted the agreement. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for June 21, 2006.

**Airport Update**

Thereupon, the Governing Body heard from David G. Hadel, Project Manager for Burns & McDonnell who reviewed the bid opening for the Apron and PAPI Project, which occurred Thursday, June 15. It was reported that bids on the Apron project came in lower than the engineers estimated cost. The construction estimate for these two projects as reported by Mr. Hadel totaled \$718,630.65. The city's share of the total construction amounts to \$35,931.53. As is the case with construction costs, the city is responsible for 5% of engineering expenses, or \$3,936.77.

**Review of Minutes**

Thereupon, the Governing Body reviewed the Minutes from June 7, 2006 Regular Meeting and agreed to place this item on the Regular Meeting Agenda for June 21, 2006 with one change.

**Joint Meeting Agenda Items**

Thereupon, Commissioner Ramsey reviewed information with the Governing Body he had requested from the City Clerk. The information was the total county taxes paid by Ottawa citizens. Commissioner Ramsey asked for this item to be on the agenda for the Joint City/County/School meeting scheduled for June 21st at noon. Discussion included the degree to which citizens of Ottawa fund the County operations in comparison to the limited amount of benefit received within the City. The City Commission has talked about the possibility of a systematic program whereby the County could chip and seal our gravel roads, and during budget discussions staff and the City Manager have talked about other possible areas such as waiving the landfill fees for our street sweeping collections (\$22,000), and spraying for weeds on the riprap along the river (\$6,500).

June 19, 2006

### **Bea Martin Peck Request**

Thereupon, the Governing Body reviewed a request from Bea Martin Peck Animal Shelter Board who requested Forest Park to use for its Trails for Tails fundraiser this fall. The tentative date for the event is October 1, 2006. The event would take place from 1-6 pm and it is estimated there would be 75-100 owners and dogs participating. With no objections or problems noted from staff the Governing Body agreed by consensus to allow the event in Forest Park.

### **Budget Discussion #6**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, Utility Director Jim Bradley, and Finance Director Scott Bird the wastewater fund, which included treatment and collection.

### **Monthly Report-ORC**

Thereupon, the Governing Body reviewed monthly report information from the Ottawa Recreation Commission.

Thereupon, Commissioner Jorgensen asked to confirm a Joint Meeting scheduled for ORC/School/City on July 17 at 5:30 pm. Thereupon, the City Manager answered affirmatively.

Thereupon, Commissioner Ramsey stated he was opposed to spending money on a Master Plan for recreation. Thereupon, discussion ensued on the importance of getting public feedback, noting that items have changed with additional gym space at the new schools.

### **Gaynor Addition No. 2 Phase, 1 Final Plat**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who requested Gaynor's Addition No. 2, Phase 1 Final Plat be placed on the Regular Meeting Agenda for June 21. Ms. Lee explained Taylor Design Group submitted a final plat for a tract located at the corner of Main Street (Old US Hwy 50) and Twenty-third Street. The proposed plat is for a single lot. The plat is intended to support development of an assisted living complex, for which a site plan has been approved. The preliminary plat for this development has been reviewed and approved by the Planning Commission. Thereupon, the Governing Body agreed to place this item on the Regular Agenda for June 21.

### **Open Agenda**

Thereupon, City Manager Weldon Padgett discussed with the Governing Body the recent City Employees/Volunteer Picnic. Mr. Padgett stated the number of participants taking advantage of the free swimming as part of the picnic had increased from last year. The City Manager discussed some possible changes to the picnic for next year.

June 19, 2006

Thereupon, Commissioner Ramsey announced a recent video had been made for the “You Make A Difference Award” that Angie Jamison and Beverly Hajorth would be awarded in October.

### **Announcements**

Thereupon, the Mayor announced:

1. June 21: Regular Commission Meeting at 9:30 am-Commission Photo scheduled before meeting at 9 am
2. July 3: Study Session is tentatively cancelled.

### **Adjournment**

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

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Scott D. Bird, City Clerk

June 19, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
June 21, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Collin Richards, from Calvary Baptist Church.

**Consent Agenda**

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson, to approve the consent agenda. The consent agenda included the agenda approval and minutes from June 5, 2006, Study Session, and June 7 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Introduction of New Employees:**

Thereupon, Matthew Hammes, Water Distribution Maintenance Worker I was introduced by Water/Wastewater Superintendent Eric Soper.

Thereupon, Doug Reinert, Parks Equipment Operator was introduced by Public Works Director Andy Haney.

Thereupon, Kacey Wiltz, Police Officer was introduced by Police Chief Dennis Butler.

Thereupon, the new employees thanked the Governing Body for the opportunity to work for the City of Ottawa. Mayor Henningsen welcomed the new employees on behalf of the Governing Body and stated this was another fine example of great City employees.

**Public Hearing-Unilateral Annexation 603 Bennett Road**

Thereupon, the Mayor opened a public hearing at 9:38 am for a unilateral annexation of property located at 603 Bennett Road.

June 21, 2006

During discussion it was explained the public hearing has been set to hear comments on the annexation of 603 Bennett Road. This small parcel is surrounded by the City limits following numerous voluntary annexations that occurred in the K-68 area. The City has an obligation to create boundaries that are regular and easily defined, and this parcel creates an island of unincorporated land within the City.

There being no one to speak to this issue the Mayor closed the public hearing at 9:39 am.

### **Ordinance-Annexing 603 Bennett Road**

Thereupon, there was presented an ordinance for a unilateral annexation commonly known as 603 Bennett Road. Thereupon, Commission Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained that the approval of this ordinance would annex 603 Bennett Road. 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. 3581-06.

### **Neighborhood Revitalization Program**

Thereupon, the Governing Body reviewed applications to participate in the City's Neighborhood Revitalization Program. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Ramsey, to approve the applications.

During discussion it was explained the applications for the Neighborhood Revitalization Program have been submitted for the following projects: 530 N Mulberry, 212 S Poplar, 928 N King, 202 S Locust, 129 S Main and 419 S Main. It was noted that the first four properties are residential applications and the last two are commercial applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

### **Ordinance-Interlocal Agreement**

Thereupon, there was presented an ordinance of the City of Ottawa, Kansas adopting an Interlocal Agreement with Franklin County, Kansas providing for the joint regulation of the use and development of land within territory designated as the Urban Growth Area of Ottawa and repealing Ordinance No. 3568-06. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained this ordinance repeals and replaces a previous ordinance passed by the City Commission and adopts the Interlocal Agreement for regulation of land immediately adjacent to the City of Ottawa. The ordinance allows the execution of the Agreement between Franklin County and the City, which grants zoning, subdivision and building code

June 21, 2006

authority to the City in the Urban Growth area, and a process of comments on the same within the Rural Growth 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. 3582-06.

### **Bid Award-PAPI Light Project**

Thereupon, there was presented a notice of award bid to Permanent Paving for the Municipal Airport PAPI Light Project. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to accept the bid.

During discussion it was explained the low bid from Permanent Paving for the Airport PAPI Light Project for a base bid of \$78,575.90. The bid came in over the project engineer's estimates; however, it is the unqualified opinion of Burns and McDonnell (acting on behalf of the City) that the City should accept Permanent Paving's bid for the project. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the PAPI Light bid duly approved.

### **Bid Award-Municipal Airport Apron Project**

Thereupon, there was presented a notice of award bid to Emery Sapp and Sons for the Municipal Airport Apron Project. Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jorgensen, to accept the bid.

During discussion it was explained the low bid was from Emery Sapp and Sons for the Airport Apron Project. The bid came in within the project engineer's estimates and it is the unqualified opinion of Burns and McDonnell (acting on behalf of the city) that the City should accept Emery Sapp and Sons' base bid for the project. Thereupon, Commissioner Ramsey asked that for the record the amounts for these projects be stated.

Thereupon, City Manager Weldon Padgett explained that keeping with the Airport Master Plan, the city received bids on the Apron Rehabilitation and PAPI Light projects on June 15, 2006. The report that bids on the Apron project came in lower than the engineer estimated offered by Mr. Hadel of Burns & McDonnell was encouraging. The construction estimate for these two projects as reported by Mr. Hadel totaled \$718,630.65. The city's share of this amounts to \$35,931.53. In addition, Mr. Haney informs that engineering on the two projects total \$78,735.34. As is the case with construction costs, the city is responsible for 5% of engineering expenses, or \$3,936.77.

Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Municipal Airport Apron Project bid duly approved.

June 21, 2006

### **Resolution-Final Plat Gaynor's Addition No. 2, Phase I**

Thereupon, there was presented a resolution to approve the final plat for Gaynor's Addition No. 2, Phase I. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained Taylor Design Group has submitted the final plat for a tract located at the northwest corner of Old Highway 50 and Twenty-third Street. The proposed plat is for a single lot intended to support development of an assisted living complex for which a site plan has been approved. The preliminary plat for this development has been reviewed and approved by the Planning Commission and the Planning Commission approved the final plat by a 5-0 vote. 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. 1374-06.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Steven Staneslow who stated the City Employee/Volunteer Picnic was awesome and encouraged others to attend next year. Youth Action Council and Youth In Government delegates will be having a recognition reception on July 31, 2006, 7-8 pm at the Franklin County Visitors Center and Mr. Staneslow invited the Governing Body to attend. In addition, Mr. Staneslow announced applications for YIG and YAC are now being accepted for the 2006-2007 school year.

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett discussed agenda items for the Joint Meeting with the School District and County scheduled at Noon and information will be made available to the other entities at the meeting.

### **Announcements**

Thereupon, the Mayor announced:

1. June 21: Joint City/County/USD 290 Luncheon today at Noon (City Host)
2. June 26: Study Session at 4 pm
3. July 3: Study Session Cancelled
4. July 5: Regular City Commission Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:48 am.

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Scott D. Bird, City Clerk  
June 21, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
June 26, 2006

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

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

**Public Comments**

None offered at this time.

**Resolution-TIF Project Plan**

Thereupon, the Governing Body reviewed with Bond Counsel Dotty Riley, City Manager Weldon Padgett, and Planning and Codes Administration Director Wynndee Lee the K-68 Corridor TIF Project Plan, and Feasibility Study. It was explained these items are required to move forward with the two TIF projects (the Coves at Tallgrass and the Estates at Tallgrass). Thereupon, the Governing Body agreed by consensus to place this item on the Regular Meeting Agenda for July 5.

**Resolutions-Response to Petitions to Form Benefit Districts**

Thereupon, the Governing body heard from Bond Counsel Dotty Riley, City Manager Weldon Padgett, and City Clerk Scott Bird who explained three proposed resolutions are in response to petitions to form a benefit district to fund internal improvements for phase one of the Coves at Tallgrass Subdivision. The benefit improvement district assesses 100% of the cost of the water, sewer and street/storm sewer projects back to the individual parcels within the subdivision, which are all currently owned by the developer. A fourth petition is expected to be forthcoming to establish a benefit district to construct improvements on the periphery of the subdivision such as paving Wilson Street, sidewalk, water line, deceleration lane on Davis Avenue, etc. Thereupon, the Governing Body agreed to place this item on the next Regular Agenda for July 5.

**City of Princeton-Treated Water**

Thereupon, the Governing Body reviewed with Staff a modified agreement to provide treated water to the City of Princeton, as well as, a memo explaining why it is recommended that the previously adopted agreement be amended. Thereupon, the Governing Body agreed to place this agreement on the next Regular Meeting Agenda for July 5.

**Resolution-K-68 Corridor Management Plan**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee who discussed the resolution and an updated K-68 Corridor Management Plan. It was explained changes in growth patterns of the City have prompted an update of the current

June 26, 2006

plan, which was originally adopted by the Planning Commission in 1998. The goal of the plan continues to be to provide a safe and efficient transportation system while maximizing development potential and land use. The Governing Body agreed to place this item on the next Regular Agenda for July 5.

### **Miami/Franklin County- K-68 Corridor**

Thereupon, City Manager Weldon Padgett discussed a meeting he had attended recently in Miami County regarding the K-68 Corridor from I-35 East. Thereupon, the City Manager requested permission from the Governing Body to allow the Mayor to sign a letter on behalf of the City to KDOT in regards to funds for a study in this area. Thereupon, the Governing Body agreed by consensus to this request.

### **Construction Board of Appeals**

Thereupon, the Governing Body reviewed applications for the Construction Board of Appeals. It was noted two are for reappointment (Randy Bruner and Phillip Gibson) and the third is a new appointment (Kevin Pietro). Thereupon, the Governing Body agreed to place these applications on the next Regular Meeting Agenda for July 5.

### **Lakeside Estates (900 W. 17th Street)**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee the preliminary plan for Lakeside Estates (900 W. 17th Street), a Planned Unit Development request. The property is located between 15th and 17th Streets and currently contains a single residential structure. The proposal calls for the property to be subdivided into 22 building lots and a tract containing a common area and retention pond. Ms. Lee made it clear the City is not responsible for this street. The street will be a "private" street and the developer will be responsible for all maintenance now and in the future. This "private" street is currently not expected to be built to City standards.

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from Study Session June 12 and agreed to place them on the Regular Meeting Agenda for July 5.

### **Budget Discussion #7**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, Utility Director Jim Bradley, and Finance Director Scott Bird the following 2007 Budget request: electric production, warehouse distribution and utility billing.

### **Ottawa Jaycees Budget Request**

Thereupon, the Governing Body reviewed a request from the Ottawa Jaycees for funding in the 2007 budget. Thereupon, the Governing Body agreed to consider the request during the budget process.

June 26, 2006

## **Other Items**

### **Coves at Tallgrass-Preliminary Plat**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee a preliminary plat for Coves at Tallgrass. Ms. Lee explained the preliminary plat is for a development (The Coves at Tallgrass) to be located on a tract near the northeast corner of Davis Avenue and Wilson Street. The preliminary plat is for information only at this time with no action being required.

### **Sunrise Estates-Preliminary Plat**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee a preliminary plat by Taylor Design Group for Sunrise Estates. The development is to be located at the northeast corner of N Cherry and E Wilson Streets (a mobile home park previously occupied the area). The preliminary plat is for information only at this time with no action being required.

### **Open Agenda**

Thereupon, City Manager Weldon Padgett stated he would be attending the USD 290 School Board meeting tonight to request funding for a Recreation Master Plan.

Thereupon, Commissioner Ramsey provided some positive feedback on the cost sharing of road repair with the County from the Joint Meeting.

Thereupon, Mayor Henningsen discussed the starting time of the Study Sessions with the Governing Body. The Governing Body agreed the City Manager would call to request an earlier start time as needed and with as much advanced notice as possible.

### **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.

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Scott D. Bird, City Clerk

June 26, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
July 5, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Fler, Commissioner Ramsey, Commissioner Jackson, and Commissioner Jorgensen. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Fler made a motion, seconded by Commissioner Jackson, to approve the consent agenda. The consent agenda included the agenda approval and minutes from June 12, 2006, Study Session. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Resolution-Redevelopment Project Plan (Tallgrass Projects within the K-68 Redevelopment District)**

Thereupon, there was presented a resolution providing for the consideration of a redevelopment project plan within a redevelopment TIF District in the City of Ottawa, Kansas (Tallgrass projects within the K-68 redevelopment district), and setting the date and time of a public hearing. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this resolution is the next step in moving forward the Tallgrass Projects within the K-68 TIF Benefit District. The Planning Commission has reviewed the project plan and determined that it is consistent with the intent of the City's comprehensive plan. The resolution sets the date for the public hearing to consider the adoption of the project plan on August 16, 2006 at 7 pm. 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. 1375-06.

July 5, 2006

### **Resolution-Agreement City of Princeton Water Treatment**

Thereupon, there was presented a resolution authorizing an agreement between the City of Ottawa and the City of Princeton describing the terms and conditions related to providing treated water. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained this resolution authorizes a new water agreement for the City of Princeton's purchase of treated water. Following the authorization of last year's agreement, Princeton requested an amendment to allow future additional renewals for 10-year terms upon mutual agreement. Thereupon, 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. 1376-06.

### **Resolution-Adopting K-68 Corridor Plan**

Thereupon, there was presented a resolution to adopt the K-68 Highway Corridor Plan for the City of Ottawa and repealing the plan adopted in February 1998. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained the changes to the K-68 Highway Corridor Plan include maps showing current City limits, a new future land use map and the re-classification of relative roadways. The goal of the plan continues to be to provide safe and efficient transportation, while maximizing development potential and land use. The plan will be incorporated in the City's Comprehensive Plan. 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. 1377-06.

### **Board Appointments-Construction Board of Appeals**

Thereupon, it was explained that three vacancies exist on the Construction Board of Appeals: two members have applied for reappointment (Randy Bruner and Phillip Gibson) and there is one new applicant (Kevin Pietro). Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to approve the applicants. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointments to the Construction Board of Appeals duly approved.

### **Resolution-Coves at Tallgrass Sanitary Sewer**

Thereupon, there was presented a resolution setting forth findings as to the advisability of an improvement, and authorizing and ordering the construction of such improvement consisting of a sanitary sewer line extension, all as provided in K.S.A. 12-6a01 et. seq. Thereupon, Commissioner Flear made a motion, seconded by Commissioner Jackson, to adopt the resolution.

July 5, 2006

During discussion it was explained this resolution is in response to a petition filed by the property owner for creation of a benefit district to fund construction of a sanitary sewer line extension to serve the proposed lots in the Coves at Tallgrass Subdivision. The benefit district assesses 100% of the improvement costs to the parcels in the subdivision, which are owned by the developer. No City at-large participation is involved. 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. 1378-06.

**Resolution- Coves at Tallgrass Waterline Extension**

Thereupon, there was presented a resolution setting forth findings as to the advisability of an improvement, and authorizing and ordering the construction of such improvement consisting of a waterline extension, all as provided in K.S.A. 12-6a01 et. seq. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution is in response to a petition filed by the property owner for creation of a benefit district to fund construction of a waterline extension in the Coves at Tallgrass Subdivision. The benefit district assesses 100% of the improvement costs to the parcels in the subdivision, which are owned by the developer. No City at-large participation is involved. 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. 1379-06.

**Resolution-Coves at Tallgrass Public Streets/Stormsewer**

Thereupon, there was presented a resolution setting forth findings as to the advisability of an improvement, and authorizing and ordering the construction of such improvement consisting of public streets including stormsewer, all as provided in K.S.A. 12-6a01 et. seq. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this resolution is in response to a petition filed by the property owner for creation of a benefit district to fund construction of a public streets and stormsewer in the Coves at Tallgrass Subdivision. The benefit district assesses 100% of the cost of the improvement costs to the parcels in the subdivision, which are owned by the developer. No City at-large participation is involved. 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. 1380-06.

**Preliminary Plan-Lakeside Estates**

Thereupon, there was presented information to approve the preliminary plan for Lakeside Estates located at 900 W. 17th Street, a Planned Unit Development (PUD) request. Thereupon,

July 5, 2006

Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the plan.

During discussion it was explained this property is located between 15th and 17th Streets and currently contains one residential structure. The proposal calls for the property to be subdivided into 22 building lots and a tract containing a common area and retention pond. The Planning Commission recommends approval of the PUD request with conditions, on a 3-1-1 vote. The conditions are as follows:

- The applicant shall satisfy the Planning Commission that he or she has the financial ability to carry out the proposed plan and shall prepare and submit a schedule of construction.
- Provisions for the ownership and maintenance of the common open spaces and private streets as are reasonably necessary to insure its continuity, care, conservation and maintenance.
- The proposed street shall remain a private street under private maintenance. The street shall not be considered for dedication in the future as a public street until such time it is constructed to standards established by the City.

The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Preliminary Plan for Lakeside Estates located at 900 W. 17th Street duly approved.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Sara Humm who indicated that the Youth In Government/Youth Action Council was preparing for recruitment of new members and testing members knowledge of local government. She also mentioned that Angie Jamison would be receiving the "You Make A Difference" award.

### **Reports by City Commission**

Thereupon, Commissioner Jackson reported the Youth Action Council and Youth In Government delegates have been busy collecting food for Hope House and fans for those in need due to the heat. Commissioner Jackson commented on the article published this month in the Kansas Government Journal on the Youth In Government and a bit of a twist with the Kansas Kids Voting article.

### **Reports by Mayor**

Thereupon, Mayor Henningsen thanked the Ottawa Jaycees for the wonderful fireworks display.

### **Announcements**

Thereupon, the Mayor announced:

1. July 10: Study Session at 4 pm
2. July 17: Study Session at 4 pm
3. July 19: Regular Meeting at 9:30 am
4. July 24: Study Session at 4 pm

July 5, 2006

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Flear, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:17 pm.

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Scott D. Bird, City Clerk

July 5, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 10, 2006

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

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

**Public Comments**

None offered at this time.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from June 19, 26, 2006 Study Session and June 21st Regular Meeting Minutes and agreed to place these items on the Regular Meeting Agenda for July 19, 2006.

**Budget Discussion #8**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, Library Director Barbara Dew and Board Member Mary Redeker, IT Director Chuck Bigham, Planning and Codes Administration Director Wynndee Lee, and City Clerk Scott Bird the following budgets for 2007.

- Library
- Information Technology
- Planning and Codes Administration
- Economic Development
- Emergency 911 Budget

Thereupon, the Governing Body suggested a committee be re-established with County and City participation to address issues or concerns involving Emergency 911.

Thereupon, City Manager Weldon Padgett reviewed with the Governing Body a City Mill Levy By Fund report, City Clerk Scott Bird had created, and noted the last time the mill levy was this low was 1978.

**Monthly Financial and Activity Report**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Report for the month of June.

**Petition-Greenwood Estates Homeowner's Association**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett a petition submitted by the Greenwood Estates Homeowner's Association. The City Manager has responded to the petition by a letter dated July 6, 2006 addressed to Mr. Mark Tank and provided the Governing Body a copy of the letter.

July 10, 2006

**Open Agenda**

Thereupon, the City Manager requested agenda items from the Governing Body for the Joint Meeting with the City/County/USD 290 to be held July 19.

Thereupon, Commissioner Fler requested permission to report on the NALEO Conference she had attended in Dallas. Thereupon, the Governing Body agreed to place this item on the next Study Session for July 17.

**Announcements**

Thereupon, the Mayor announced:

1. July 17: Study Session at 4 pm

**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.

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Scott D. Bird, City Clerk

July 10, 2006

**City Commission Special Call**  
**Joint Meeting**  
**City Commission/Ottawa Recreation Commission**  
**USD 290 School District**  
**5:30 pm – City Hall Commission Chambers**  
Ottawa, Kansas  
July 17, 2006

The meeting was called to order at 5:30 pm on July 17, 2006 in the City Hall Commission Chambers.

Present:

**City Representatives:** Mayor Henningsen, Commissioner Jackson, Commissioner Ramsey, Commissioner Fleer, Commissioner Jorgensen and staff.

**Ottawa Recreation Representatives:** Jason Camis, Brian Sharp, Randy Oliver, Linda Spensor, Adam Lynch, and staff.

**USD 290 Representatives:** Dean Katt, Susan Ward, Jeanette Lowry, Marge Stevens, Jack Bushman, Mike Sipple, Dennis George, and staff.

In addition to the above-mentioned there were approximately 10 others present.

Jason Camis, Chair of the Ottawa Recreation Commission, made opening remarks stating that it is the intent of ORC to do a Recreation Master Plan regardless of the level of the involvement of the City and the School District. However, he expressed a hope that a sense of unity would be resulting from this meeting.

Mr. Camis gave an overview of the need for a Recreation Master Plan and indicated that several studies had been previously conducted; however, it was explained some studies had not been approached in a scientific and statistical manner, and others were old enough that they might not reflect current demographics. He explained this study of recreation programs would be to the benefit of the community and could include recreational activities beyond sports, which seems to be the Recreation Commission's focus at this time. He further explained, the plan would include a heavy emphasis on the stakeholders, that is, the entities involved in this meeting and the public at large.

Questions arose regarding whether or not another survey would serve its purpose and actually be utilized. School Board Representative Dennis George stated that he liked the idea of planning with a new recreation board, but expressed concern that the ORC has been accumulating funds for a new building, that is as of yet, not off the drawing board. Mr. George suggested the ORC fund the Master Plan, lower the mill levy, and wait until the building is closer to being constructed to raise the mill levy again.

July 17, 2006

Mr. Camis explained that the Recreation Commission has committed \$25,000 towards this project and would move forward. He expressed hope that other participation would be forthcoming. He stated it was his understanding that the City has also budgeted funds. Commissioner Jorgensen clarified that the budget for the City has not been set yet and the \$15,000 in question is still undecided.

Thereupon, Jeanette Lowry of the School Board expressed some concern that the 2 full size gyms at both of the new facilities might be overlooked. She stated that it is the school board's intention to allow full utilization of these gymnasiums upon completion of the projects.

Thereupon, Commissioner Jackson stated there is no question a Recreation Master Plan is needed. Had a Master Plan already been in place the community wouldn't be wondering what the recreation funds that have been accumulated so far were to be used for. He also pointed out that it costs to participate in recreation and as this community continues to grow and as housing continues to develop, leisure time activities will be in greater demand. He stated that recreation needs to be more efficient and the stakeholders need to work together on how tax dollars are spent to meet the future needs of the community.

The issue of the 2003 survey was raised. It was again pointed out that this survey was not statistically based nor was it conducted with a blind sample.

Mike Sipple of the School Board asked if the historical surveys had been analyzed sufficiently to provide some direction to the recreation commission? Thereupon, representative George reminded the Recreation Commission that the school district is already a stakeholder, in that their constituents already pay taxes, which support the Recreation Commission. He suggested the \$40,000-\$50,000 needed to conduct a survey could be done from the building funds which are currently being held until needed.

City Manager Weldon Padgett explained that those funds were accumulated and ear marked for a recreation building and questioned whether using those funds towards the Master Plan would be the most appropriated use.

Thereupon, Recreation Commissioner Brian Sharp stated that perhaps the Recreation Commission should move ahead with this project on their own.

Thereupon, the City Manager emphasised the City should not merely be a consultant during the process. The City would not be satisfied to just know the results after the project was completed, but would like to be an active player in this process.

Mr. Camis made a few closing remarks.

July 17, 2006

**Adjournment**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, 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 6:52 pm

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Scott D. Bird, City Clerk

July 17, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
July 17, 2006

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

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

**Public Comments**

None offered at this time.

**Resolutions-Condemnations**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee three resolutions for the condemnation of 1336 N Sycamore, 517 E Wilson and 717 S Locust. A public hearing is scheduled for the July 19th Regular Meeting. Following the closing of the public hearing the Governing Body will be asked to take action on the resolutions. Thereupon, the Governing Body agreed to place these resolutions on the Regular Meeting Agenda for July 19, 2006.

**Appointments-Board of Zoning Appeals**

Thereupon, the Governing Body reviewed applications for two appointments to the Board of Zoning Appeals. Both applicants, Almeda Edwards and Steve Anderson, would fulfill the requirement of two additional members located within the Urban Growth Zone as designated in the Interlocal Agreement. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for July 19.

**Amendments to Zoning Ordinance and Subdivision Regulations**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee amendments to the Zoning Ordinance and Subdivision Regulations. The City has recently entered into an Interlocal Agreement with Franklin County, thus triggering the changes to the two documents. A public hearing was held and the Planning Commission recommends approval of the amendments by a 5-0 vote. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for July 19.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from July 10, 2006 Study Session and July 5 Regular Meeting Minutes and agreed to place these items on the Regular Meeting Agenda for July 19, 2006.

**Budget Discussion #9**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, and Finance Director Scott Bird, the entire 2007 Budget proposal. The Governing Body agreed to the following July 17, 2006

2007 Budget amounts and requested staff to reflect these amounts in the current budget documents:

- Ottawa Main Street: \$27,500
- B. Martin Peck: \$45,500
- Chamber: \$45,000

Thereupon, Finance Director Scott Bird stated the budget presented includes a 6-mill reduction as promised during the sales tax election.

### **NALEO Report**

Thereupon, Commissioner Fleer reported on her recent trip to the NALEO Conference in Dallas, Texas.

### **ORC Audit and Management Letter**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett the Ottawa Recreation Audit and Management letter. The Governing Body requested one of the City Representatives on the ORC Board report to the Governing Body at least once a quarter.

### **Announcements**

Thereupon, the Mayor announced:

1. July 19: Joint City/County/USD luncheon at noon, at USD 290

### **Adjournment**

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

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Scott D. Bird, City Clerk

July 17, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
July 19, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Keith Jones, from Ottawa First Assembly.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from June 19, 26, and July 10, 2006 Study Session, and June 21, and July 5, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Public Hearing-Condemnation 1336 N Sycamore**

Thereupon, Mayor Henningsen opened a public hearing at 9:34 am to consider the condemnation of a structure located at 1336 N Sycamore.

During discussion it was explained that at the June 7 Regular Meeting, a public hearing was set for this date to receive comments about the condemnation of structure(s) located at 1336 N Sycamore. Electric service has been off at this site since December 2003 and a hold was placed in April of 2004 due to dangerous electrical conditions. The City has sent letters since April 2005 regarding the condition of the structure and accessory buildings, with no response from the owners. In addition, Planning and Codes Administration Director Wynndee Lee presented slides regarding this issue.

There being no one to speak to this issue the Mayor declared the Public Hearing closed at 9:35 am.

July 19, 2006

**Resolution-Condemnation 1336 N Sycamore**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 1336 N Sycamore in the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jorgensen, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted and the resolution was numbered Resolution No. 1381-06.

**Public Hearing-Condemnation 517 E Wilson**

Thereupon, Mayor Henningsen opened a public hearing at 9:37 am to consider the condemnation of a structure located at 517 E Wilson.

During discussion it was explained that at the June 7 Regular Meeting, a public hearing was set for this date to receive comments about the condemnation of structure(s) located at 517 E Wilson. This structure sustained extensive fire damage in February 2005 and due to financial difficulties, the owner has been unable to repair or demolish the structure. Planning and Codes Administration Director Wynndee Lee presented slides of this property.

There being no one to speak to this issue the Mayor declared the Public Hearing closed at 9:40 am.

**Resolution-Condemnation 517 E Wilson**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 517 E Wilson in the City of Ottawa, Kansas. Thereupon, Commissioner Jorgensen 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 motion duly adopted and the resolution was numbered Resolution No. 1382-06.

**Public Hearing-Condemnation 717 S Locust**

Thereupon, Mayor Henningsen opened a public hearing at 9:41 am to consider the condemnation of a structure located at 717 S Locust.

During discussion it was explained that at the June 7 Regular Meeting, a public hearing was set for this date to receive comments about the condemnation of structure(s) located at 717 S Locust. The Planning and Codes Department has issued multiple permits to remodel and demolish this structure and accessory buildings, however, no repairs or demolition have been completed to date. Planning and Codes Administration Director Wynndee Lee presented slides of this property.

There being no one to speak to this issue the Mayor declared the Public Hearing closed at 9:43 am.

July 19, 2006

### **Resolution-Condemnation 717 S Locust**

Thereupon, there was presented a resolution to condemn an unsafe and dangerous structure located at 717 S Locust in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the resolution. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted and the resolution was numbered Resolution No. 1383-06.

### **Appointments-Board of Zoning Appeals**

Thereupon, there was presented applications for appointment to the Board of Zoning Appeals. Thereupon, Commissioner Fleer, made a motion seconded by Commissioner Jorgensen, to approve the appointments.

During discussion it was explained that in response to the passing of the Interlocal Agreement between the City and Franklin county, two people within the Urban Growth Zone have submitted applications for appointment to the Board of Zoning Appeals: Almeda Edwards and Steve Anderson. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the appointments duly approved.

### **Ordinance-Amending Zoning Ordinance**

Thereupon, there was presented an ordinance amending Article I, Section Heading, Sections 1-401, 1-405 and 1-501 dealing with jurisdiction and Article 19, Section 19-301, General Provisions, of Zoning Ordinance No. 3501-05, for the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained that in response to the adoption of the Interlocal Agreement, amendments to the Zoning Ordinance was necessary. Changes include jurisdiction within the Urban Growth Area as defined by the Interlocal Agreement. A public hearing was held, at which time there were no comments. 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. 3583-06.

### **Ordinance-Amending Subdivision Regulations**

Thereupon, there was presented an ordinance amending Article 1, Section Heading, and Section 1-1002, acceptance of Subdivision Plats; Article 2, Section 2-501, duties of the Planning Commission; Article 5, Section 5-302, action by Governing Body; Article 6, Section 6-302, Preliminary Plats and Article 8, Section Heading, Sections 8-1201 and 8-1202, acceptance of improvements, of the Subdivision Regulations, Ordinance No. 3510-05, for the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

July 19, 2006

During discussion it was explained that as with the Zoning Ordinance, amendments to the Subdivision Regulations were necessary following the adoption of the Interlocal Agreement. Changes include jurisdiction in the Urban Growth Area and clarification of "Governing Body" in instances where this refers to the Franklin County Commission as opposed to the City Commission. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3584-06.

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett stated he had been working with the City Bond Council on the issue of the intersection and road in the TIF area and it is hoped a favorable Attorney General Opinion will be forthcoming.

Mr. Padgett announced the ORC is looking to increase the amount they will pay towards a Master Plan to \$50,000. As a result the City will probably reduce its budget amount to zero. Commissioner Jackson had previously discussed a Memorandum of Understanding between the City/School District/ORC laying out ground work that the City is an equal partner while working together on the Master Plan to assure we are all involved.

### **Reports by Mayor**

Mayor Henningsen asked the community to use caution during the extreme heat.

### **Announcements**

Thereupon, the Mayor announced:

1. July 19: Joint City/County/School luncheon today at noon at USD 290
2. July 24: Study Session at 4 pm
3. July 31: Study Session at 4 pm
4. August 2: Regular Meeting at 9:30 am (NOTE TIME CHANGE)
5. August 7: Study Session CANCELLED

Thereupon, Commissioner Jackson reminded everyone about the candidate forum being held tonight at the Ottawa Municipal Auditorium at 7 pm, stating it would be another great opportunity for citizens to be informed. Thereupon, City Manager Weldon Padgett stated the event would be taped for rebroadcast on the Government Access Channel.

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Flear, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:52 am.

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Scott D. Bird, City Clerk  
July 19, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
July 24, 2006

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Ramsey, Commissioner Fler, Commissioner Jackson, and Commissioner Jorgensen. A quorum was present. The Mayor called the meeting to order.

**Ordinance-Nuisance Violations**

Thereupon, the Governing Body heard from Planning and Codes Administration Director Wynndee Lee who reviewed proposed changes to the Nuisance and Inoperable Vehicle Ordinances. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda for August 2, 2006.

**Public Comments**

Thereupon, the Governing Body heard from representatives of Ottawa Main Street Mr. Harold Mayes, Tully Fowler, Bob Greenfield and Lenni Giacini who spoke to the Governing Body about the proposed 2007 budget funding from the City. The discussion included the possibility of increasing the amount in the 2007 Budget from \$27,500 to \$30,000. This item will be brought back to the Governing Body.

**Revised Budget Sheets**

Thereupon, the Governing Body reviewed with City Manager Weldon Padgett revised budget sheets to be added to the draft version of the budget that was distributed at last weeks Study Session. The revised sheets included:

- City Commission & City Manager
- Municipal Court
- Community Services Support
- Special Park and Recreation
- Equipment Reserve
- Water Production

**Mid-America Nutrition Request**

Thereupon, the Governing Body reviewed a request from Mid-America Nutrition Program, Inc. who requested use of the Ottawa Municipal Auditorium Sunday, October 8, 2006 at 3 pm. The request included the use of OMA free of charge to hold a concert to benefit the Meals on Wheels Program. Thereupon, the Governing Body agreed to this request.

**Announcements**

Thereupon, Commissioner Ramsey asked why the August 7, 2006 Study Session was being cancelled. It was explained the Mayor and City Manager would not be available to attend.

July 24, 2006

Thereupon, Commissioner Jackson reminded the Governing Body and Staff that there would be a Youth Action Council, and Youth In Government ceremony next Monday evening at Ottawa University. If you plan to attend please contact ECKAN as reservations are needed.

**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.

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Carolyn S. Snethen, Deputy City Clerk

July 24, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
July 31, 2006

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

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

**Public Comments**

Thereupon, the Governing Body heard from Laura Ansley who encouraged the Governing Body to adopt an ordinance to ban smoking in restaurants in the City of Ottawa in.

*Thereupon, Commissioner Jorgensen arrived at 4:04 pm.*

Ms. Ansley stated she had recently visited the City of Hutchison and provided the Governing Body information on the success of their ban on smoking in restaurants.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from July 17, 24, Study Sessions, July 19 Regular Meeting and July 17 Special Call and agreed to place this item on the Regular Meeting Agenda for August 2, 2006.

**OU Homecoming Fireworks**

Thereupon, the Governing Body reviewed a request from Ottawa University to celebrate Homecoming on October 20-22, 2006 with fireworks at Forest Park on October 20. Thereupon, the Governing Body approved this request with the condition that staff works with Ottawa University on the details of location and insurance.

**Notice of Budget Hearing**

Thereupon, the Governing Body reviewed a certificate for publication of a notice of budget hearing provided by City Clerk Scott Bird. Thereupon, the Governing Body agreed by consensus to allow the City Clerk to publish the budget hearing notice.

**Budget Discussion #11**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett, and Finance Director Scott Bird, the Community Services budget. Additional discussion was held on the following:

- Cash ending balance
- Cash carry over
- KMEA Power Supply
- State Highway fund

July 31, 2006

- Economic Development
- B. Martin Peck

Thereupon, Commissioner Ramsey and Commissioner Fler stated they will not be able to attend the August 2, 2006 Regular City Commission.

### **Potter's Wheel Coffeehouse**

Thereupon, the Governing Body reviewed a request from the Potter's Wheel Coffeehouse to host a 2<sup>nd</sup> Annual Street Concert on Sunday, August 20<sup>th</sup>, from 6-9 pm. The request included closing off part of First Street (from Main Street to the alley behind the coffeehouse). The actual time for the street to be blocked off would be starting at 4 pm. Thereupon, the Governing Body agreed to this request.

### **Pooch Plunge**

Thereupon, the Governing Body reviewed a request from the Ottawa Recreation Commission to hold a Pooch Plunge at the City Pool on Tuesday, September 5, from 4-7 pm with proceeds going to Bea Martin Peck Animal Shelter. In addition, ORC will be advertising the "rules of the event" as well. Thereupon, the Governing Body agreed to this request.

### **Movie at Forest Park**

Thereupon, the Governing Body reviewed a request from the Ottawa Recreation Commission to hold a movie at Forest Park on Saturday, September 23<sup>rd</sup>, with show time at 8:30 pm and no fee will be charged. Thereupon, the Governing Body agreed to this request.

### **Open Agenda**

Thereupon, Commissioner Jorgensen asked when the next TIF meeting would be held. Thereupon, Planning and Codes Administration Director Wynndee Lee responded August 16 would be the Coves at Tallgrass public hearing.

Thereupon, City Manager Weldon Padgett asked for direction in bringing information or an ordinance forward on the ban of smoking in local restaurants. Thereupon, the Governing Body asked that more information be provided and to check with the Chamber as they have been working on this issue as well.

Thereupon, the Governing Body heard from Youth in Government Delegate Angie Jamison who reminded everyone that there would be a banquet held this evening to honor Youth Action Council, Youth In Government Delegates and others in our community. The event starts at 7 pm at Ottawa.

July 31, 2006

### **Announcements**

Thereupon, the Mayor announced:

1. August 2: Regular Meeting at 9:30 am NOTICE TIME CHANGE
2. August 7: Study Session Cancelled
3. August 16: Joint City/County/School Luncheon at County Noon
4. August 16: Public Hearing for Budget and Regular Meeting at 7 pm NOTICE TIME CHANGE

Thereupon, Commissioner Ramsey asked if there would be a Study Session on August 14 and the response was yes and it would be added to the next agenda.

### **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.

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Scott D. Bird, City Clerk

July 31, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
August 2, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to approve the consent agenda. The consent agenda included the agenda approval and minutes from July 17, 24, 2006 Study Session, July 19, Regular Meeting, and July 17 Special Call. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Ordinance-Salvage, Junk and Motor Vehicle Nuisances**

Thereupon, there was presented an ordinance declaring certain matters as salvage, junk and motor vehicle nuisances within the City of Ottawa, Kansas; providing for notice and penalty of noncompliance; and replacing Article II of Chapter 10 of the Municipal Code of the City of Ottawa, Kansas, 1997 and repealing Ordinance No. 3134-95 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained this ordinance amends the previous inoperable vehicle ordinance that allowed a 30-day courtesy period for an inoperable vehicle, salvage or junk material. Changes require an owner remove the nuisance within 10 days of being noticed by the city. A second option allows the property owner or agent to request a hearing within 5 days of receiving a notice of violation. 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. 3585-06.

August 2, 2006

### **Ordinance-Nuisances**

Thereupon, there was presented an ordinance declaring matters as nuisances within the City of Ottawa, Kansas; providing for the notice and penalty of noncompliance; and replacing Article VI, Chapter 10, of the Municipal Code of the City of Ottawa, Kansas, 1997 and repealing Ordinance No. 3133-95 of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained due to increasing the administrative fee associated with the nuisance ordinance, staff has reviewed the ordinance for re-adoption. Changes include storage of building materials and the abatement of immediate threat nuisances. 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. 3586-06.

### **Reports by City Commission**

Thereupon, Commissioner Jackson reported the “reception for recognition” at Ottawa University held on Monday evening was very well attended and numerous awards were presented.

### **Reports by Mayor**

Thereupon, Mayor Henningsen, also reported on the reception held for the Youth and others on Monday evening and provided the following information on the awards presented:

### **The President’s Volunteer Service Award**

#### **Youth Adult Category:**

Cassie Hopkins: 100-174 hours – Bronze Award  
Kelsie Shambaugh: 100-174 hours – Bronze Award  
Tiffany Morrow: 100-174 hours – Bronze Award  
Trevor Corbin: 100-174 hours – Bronze Award

#### **Youth Category (Up to 14 years old):**

Kaitlyn Lawrence: 40-74 hours – Bronze Award  
Nicole Hopkins: 74-100 hours – Silver Award

In addition, Mayor Henningsen noted that she wanted to recognize other volunteers in the community. Not only young adults but older adults as well. Ms. Beverly Hjorth received “You Make A Difference Award” and she has been volunteering at Hope House and various other places.

Mayor Henningsen thanked all volunteers and noted what an impact volunteers have in our community. She stated currently Florence Hart is seeking volunteers for Meals on Wheels if someone would be interested in volunteering in this area.

August 2, 2006

The Mayor thanked her fellow Commissioners and noted that being a City Commissioner involves a lot of volunteering of ones time and time away from regular jobs and she appreciated the efforts the Commissioners made for our community.

### **Announcements**

Thereupon, the Mayor announced:

1. August 7: Study Session Canceled
2. August 14: Study Session at 4 pm
3. August 16: Joint City/County/USD 290 Lunch at the County at Noon
4. August 16: Budget Hearing and Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:40 am.

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Scott D. Bird, City Clerk

August 2, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
August 14, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance/Contract-Tax Exemption Schuff Steel**

Thereupon, the Governing Body reviewed an ordinance and contract for property tax exemption for Schuff Steel for approximately \$1,000,000 of equipment and improvements relating to the addition of a beam line and storage at the Schuff Steel facility. The Governing Body considered this action item, recognizing that this will be a 100% exemption only on the applicable property for a period of 10 years starting January 1, 2007 and agreed to place these items on the Regular Meeting Agenda for August 16, 2006.

**Ordinance: K-68 TIF District**

Thereupon, the Governing Body considered an ordinance approving the redevelopment plan and authorizing the execution of a redevelopment agreement in the City known as the Tallgrass Project within the K-68 redevelopment district and agreed to place this item on the Regular Meeting Agenda for August 16, 2006.

**Resolution /Ordinance: Temporary Notes-Coves at Tallgrass**

Thereupon, the Governing Body considered a resolution authorizing the public sale of approximately \$1,155,000 principal amount of General Obligation Temporary Notes, Series 2006, of the City of Ottawa, Kansas.

During discussion it was explained these notes will be sold as a special benefit district project. Along with this resolution the Governing Body considered an ordinance levying and assessing special assessments on 56 lots within the Coves at Tallgrass development area for sewer, and an ordinance to consider special assessments for the same lots for water improvements, and an ordinance assessing special assessments on street improvements for the same development lots.

Commissioner Jorgensen asked about interest cost on the projects. It was noted that the intent is for these special assessment temporary notes to be “flipped” to “TIF Bonds” before the maturity of the notes. However, if they do go to Special Assessments interest will be included. The Governing Body considered these issues and agreed to place them on the Regular Meeting Agenda for August 16, 2006.

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**Resolution-American Eagle: Retail Distribution West**

Thereupon, the Governing Body considered a resolution and final plat for Retail Distribution West (American Eagle). The resolution accepts the dedication of rights-of-way and easements relating to the final plat. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for August 16, 2006.

**Fashion Inc.-CDBG Grant**

Thereupon, the Governing Body considered a notice of hearing set for August 16 for the evaluation of a CDBG awarded to Fashion Inc. to expand and create jobs. It was noted that Fashion had met and exceeded the goals previously established for this project and this public hearing is needed to help close the grant with the State of Kansas. The Governing Body agreed to place this item on the agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from July 31, Study Session, and August 2 Regular Meeting and agreed to place this item on the Regular Meeting Agenda for August 16, 2006.

**Financial and Activity Report-July**

Thereupon, the Governing Body reviewed the July Monthly Financial and Activity Reports. Discussing several issues such as sales tax, local development, pest control, and fire.

Thereupon, Commissioner Ramsey asked if someone from the Recreation Commission could attend a meeting and further explain the ORC Budget.

Thereupon, the question of a smoking ban was raised and whether or not any group from the community had raised this issue. The City Manager responded that no group has come forward.

**Recess**

There being no further business to come before the Governing Body at this time it was moved and seconded to recess and to reconvene at the new Lincoln School for a tour of both Lincoln School and Garfield starting at 5:30 pm.

**Reconvene**

Thereupon, the Governing Body reconvened at 5:30 pm at the new Lincoln Grade School. The Governing Body toured Lincoln Grade School, as well as, the improvements made to Garfield Elementary.

August 14, 2006

**Adjournment**

Thereupon, at 6:45 pm Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned.

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Scott D. Bird, City Clerk

August 14, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
August 16, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Jorgensen, Commissioner Fler, and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Lori Stevens from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from July 31, 2006 Study Session, and August 2, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Public Hearing-City's Proposed 2007 Budget**

Thereupon, Mayor Henningsen opened a public hearing at 7:04 pm to consider the City's proposed 2007 budget.

During discussion it was explained this public hearing was scheduled to receive comments about the proposed 2007 City Budget. The City Manager made a short presentation on the highlights of the proposed budget. It was explained the published mill levy cannot be increased, but can be reduced. After public comments have been received it is recommended that the hearing be closed and, barring any amendments, the budget be adopted.

Thereupon, City Manager Weldon Padgett presented the 2007 Budget Highlights. Mr. Padgett thanked the Department Heads for their efforts in working with their budgets and keeping budgets

August 16, 2007

flat during the last few years. In addition, Mr. Padgett thanked staff members for all their effort and time spent on the entire budget process for 2007.

There being no one else to speak to this issue the Mayor declared the Public Hearing closed at 7:11 pm.

### **Adoption of 2007 Budget**

Thereupon, following 11 public budget discussions at Work Study Sessions, as well as, tonight's presentation and comments during the public hearing, adoption of the 2007 budget was recommended. Commissioner Jorgensen made a motion, seconded by Commissioner Jackson, to adopt the City 2007 Budget as presented. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the City 2007 Budget duly adopted.

### **Public Hearing-Tallgrass Projects/K-68 Redevelopment District**

Thereupon, Mayor Henningsen opened a public hearing at 7:13 pm for the consideration of the Tallgrass Projects within the K-68 Redevelopment District.

During discussion it was explained this public hearing has been scheduled to receive comments about the Tallgrass Projects located within the K-68 Tax Increment Financing (TIF) Benefit District.

Thereupon, Mr. Bob Marsh, 1123 S Hickory expressed concern about the projects and asked the Governing Body to use caution with regards to incurring debt, and in taking property off the tax rolls.

Thereupon, City Clerk Scott Bird explained the tax roll dollars aren't lost as the dollars come back in other public infrastructure, housing demands, new jobs, and internal and external improvements.

There being no one else to speak to this issue Mayor Henningsen closed the public hearing at 7:27 pm.

### **Ordinance-Adopting Redevelopment Plan for Redevelopment District**

Thereupon, there was presented an ordinance approving and adopting a redevelopment plan for the redevelopment district in the City of Ottawa, (Tallgrass Projects within the K-68 Redevelopment District). Thereupon, Commissioner Jackson made a motion, seconded by Mayor Henningsen, to adopt the ordinance.

During discussion it was explained a public hearing had been held and staff provided the necessary documents outlining the Tallgrass Projects consisting of improvements to sanitary

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sewer, waterline and street and storm sewer. The motion was considered and upon being put, passed by the following vote: Commissioner Jackson aye, Commissioner Jorgensen aye, Commissioner Fleer nay, Commissioner Ramsey aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the ordinance duly adopted by a 4-1 vote and the ordinance was duly numbered Ordinance No. 3587-06.

**Ordinance-Special Assessments: Coves at Tallgrass**

Thereupon, there was presented an ordinance levying and assessing special assessments on certain lots, pieces and parcels of land liable for such special assessments to pay the costs of internal improvements in the City of Ottawa, Kansas, as authorized by Resolution No.'s 1378-06, 1379-06, and 1380-06 of the City (Coves at Tallgrass Subdivision Sewer, Water and Street Improvements). Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this ordinance approves the assignment of special assessments on those lots within the Tallgrass Subdivision that will benefit from the improvements of the proposed sanitary sewer, waterline, and street and storm sewer. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly adopted and the ordinance was duly numbered Ordinance No. 3588-06.

**Resolution-General Obligation Temporary Notes: Coves at Tallgrass**

Thereupon, there was presented a resolution authorizing the public sale of approximately \$1,155,000 principal amount of General Obligation Temporary Notes, Series 2006, of the City of Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained this temporary note issue will provide funding for water, sewer, street and storm sewer improvements within the Coves at Tallgrass Project area. The developer has agreed to pay special assessments on the affected building lots, however, the intent is to use TIF financing to pay off the temporary notes before maturity. Thereupon, the motion was considered and upon being put, passed by the following vote: Commissioner Fleer nay, Commissioner Ramsey aye, Commissioner Jackson aye, Commissioner Jorgensen aye, and Mayor Henningsen aye. Thereupon, the Mayor declared the resolution duly adopted by a 4-1 vote and the resolution was duly numbered Resolution No. 1384-06.

**Public Hearing-Evaluation: CDBG Fashion Inc.**

Thereupon, Mayor Henningsen opened a public hearing at 7:33 pm for the evaluation of performance for a Community Development Block Grant (CDBG) awarded to Fashion, Inc.

During discussion it was explained a public hearing has been scheduled to hear comments on the performance of Fashion, Inc. in relation to the CDBG grant that was awarded to assist in

August 16, 2006

expansion of the business. The grant was for the amount of \$455,000 and had requirements of a minimum of 13 new additional jobs created, 51% of which were to meet the LMI (Low to Moderate Income) Guidelines.

Thereupon, Planning and Codes Administration Director Wynndee Lee noted that Fashion, Inc. had exceeded all requirements in all categories and created 14.5 new jobs.

There being no one else to speak to this issue Mayor Henningsen closed the public hearing at 7:35 pm.

#### **Ordinance-Tax Exemption Schuff Steel**

Thereupon, there was presented an ordinance exempting certain property from ad valorem taxation for economic development purposes in the City of Ottawa, Kansas, specifically for equipment and improvements to be used for manufacturing articles of commerce. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained this ordinance approves the 100% tax exemption for Schuff Steel for the addition of a beam line and storage handling to the current facilities. The tax exemption is for all applicable property taxes for a 10-year period. A contract between the City and Schuff Steel has been completed and a public hearing has been conducted. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3589-06.

#### **Ordinance-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 2006, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing Ordinance No. 3521-05. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fler, to adopt the ordinance.

During discussion it was explained this ordinance is required to be passed annually to reflect any changes in the Standard Traffic Ordinance (STO). The STO is developed by the League of Kansas Municipalities. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3590-06.

#### **Resolution-Retail Distribution West Final Plat (American Eagle)**

Thereupon, there was presented a resolution accepting the dedication of rights-of-way, and all easements within the Retail Distribution West Final Plat, Ottawa, Kansas. Thereupon,

August 16, 2006

Commissioner Fleer, made a motion, seconded by Commissioner Jorgensen, to adopt the resolution.

During discussion it was explained this resolution accepts the dedication of rights-of-way and easements relating to the final plat of Retail Distribution West (American Eagle). 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. 1385-06.

### **Reports by City Commission**

Thereupon, Commissioner Ramsey stated that with regards to the budget the next 10 years of sales tax would be a great benefit to the community and thanked voters for their support.

### **Reports by Mayor**

Thereupon, Mayor Henningsen thanked City Clerk Scott Bird for his help in reading the agenda tonight.

### **Announcements**

Thereupon, the Mayor announced:

1. August 21, 2006: Study Session at 4 pm
2. August 28, 2006: Study Session at 4 pm
3. September 4, 2006: STUDY SESSION CANCELLED-Labor Day
4. September 6, 2006: Regular Meeting at 7 pm

### **Adjourn**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:40 pm.

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Scott D. Bird, City Clerk

August 16, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
August 21, 2006

The Governing Body met at 4 pm this date with the following members present and participating to wit: Mayor pro tem Jackson, Commissioner Ramsey, Commissioner Fler, and Commissioner Jorgensen. Mayor Henningsen was absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**Ordinance: Rezone 2149 Montana Road, 3696 Montana Road, 305 N Cherry, & 1004 E Logan**

Thereupon, the Governing Body reviewed proposed ordinances to rezone: 2149 Montana Road, 3696 Montana Road, 305 N Cherry, and 1004 E Logan with City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee. The following was provided:

**2149 Montana Road:** From Franklin County Zoning A-1 to City Zoning District P (Public Use) the property is owned by the City and was annexed in 2004. A public hearing was held, at which time comments were made about the use of the land (currently used by K-State Research and Extension). There are no plans to change anything on the site at this time.

**3696 Montana Road:** From Franklin County Zoning R-1 to City Zoning District (Public Use). This property was recently donated to the City, annexed and cleared, and is intended for a gateway into the City once the Highway 59 bypass is constructed.

**305 N Cherry:** From Franklin County Zoning R-3A to City Zoning District R-1 (Low Density Dwelling District). This property was recently annexed into the city limits.

**1004 E Logan:** From Franklin County Zoning C-3 (General Commercial) to City Zoning District C-3 (General Commercial District). A public hearing was held, at which time a letter of protest was read into the record. The letter questioned the rezone, however, staff assured that the change was from one commercial designation to another.

The Planning Commission recommends approval by a vote of 6-0 on all of the above mentioned rezone request. Thereupon, the Governing Body agreed to place these ordinances on the next Regular Meeting Agenda for September 6.

August 21, 2006

### **Resolutions-KDOT**

Thereupon, the Governing Body reviewed two resolutions developed by KDOT to a) establish the Urban Area Boundary lines and b) approving the Urban Functional Classification Systems of road for Ottawa.

*Thereupon, Mayor Henningsen arrived at 4:09pm.*

A map and list was provided explaining changes as well as. It was noted once the resolutions are adopted they will be forwarded to KDOT. Thereupon, the Governing Body agreed to place these items on the next Regular Meeting Agenda for September 6.

### **Report by City Manager**

Thereupon, the City Manager discussed the following items:

- Draft information on “repeat offenders”
- Court fees being reviewed due to a \$9 increase by the State
- Working on Budget letter
- League of Kansas Municipalities/National League of Cities Conferences
- Legislative Dinner (date to hold)
- ICMA/City Manager Conference Sept. 9-13 (Scott Bird will be present for the Sept. 11<sup>th</sup> Study Session on behalf of the City Manager)
- Smoking ban
- Awning (overhang) in the 200 Block of S Main facing Walnut
- Kansas City Homebuilders Association-the City is a member
- ORC Audit-a representative from ORC will attend the Study Session 8/21/06

### **Open Agenda**

Thereupon, Commissioner Ramsey mentioned Ingram’s Magazine having Ottawa listed as part of the metro area.

Thereupon, there was discussion regarding the City of Ottawa recent population count. Thereupon, City Clerk Scott Bird stated the certified population count by the State on July 1, 2006 was 12,597.

Thereupon, Commissioner Jackson asked when the issue of Disc Golf would be brought back to the Governing Body. The City Manager responded it would be at the September 18, 2006 Study Session and reminded the Governing Body that this meeting will be held in the Commission Chambers due to the items on the agenda.

August 21, 2006

Thereupon, Commissioner Fleer stated she had received a letter from a concerned citizen about swimming taking place at the Second Street Dam. Thereupon, the Governing Body discussed having an ordinance brought forward to address this issue in order for the Police Department to enforce "No Swimming" in this area.

**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.

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Scott D. Bird, City Clerk

August 21, 2006

## STUDY SESSION MINUTES OTTAWA, KANSAS

Minutes of  
September 18, 2006

The Governing Body met at 4 pm this date in the City Commission Chambers with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Ramsey, and Commissioner Fler. Commissioner Jorgensen was absent. A quorum was present.

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

### **Public Comments**

*Thereupon, Commissioner Jorgensen arrived at 4:01 pm.*

### **Community Task Force**

Thereupon, the Governing Body heard from some members of the Community Center Partnership Task Force. Members include:

- Ed York, Community President, Solutions Bank
- Tom Weigand, CEO, Chamber of Commerce
- Wayne Duderstadt, CFO, Ottawa University
- Craig Davis, Sheriff, Franklin County
- Larry Felix, CEO, Ransom Memorial Hospital
- Bill Allegre, Pharmacist
- Steven Harris, Chairman, Chamber of Commerce Board and Director of Human Resources, Wal-Mart.
- Ron Chambless, Consultant, **the idea house**

### **Key Leaders include:**

- City of Ottawa Mayor, Deb Henningsen
- City of Ottawa City Manager, Weldon Padgett
- Ottawa Recreation Chairman and Convention & Tourism Director, Jason Camis
- Ottawa Recreation Interim Director, Nancy Baker
- YMCA, Curtis Bittner
- YMCA, Kay Pederson
- Ottawa Library Director, Barbara Dew
- Library Board President, Mary Redeker
- Franklin County Convention & Tourism Bureau Chairman, Deborah Barker
- NCCC Dean, Mark Eldridge
- NCCC President, Dr. Vicky Smith

September 18, 2006

### Prospective Partners

- Franklin County Administrator, Jay Newton
- Franklin County Commission Chair, Ed Taylor
- USD 290 Superintendent, Dean Katt
- Ransom Memorial Hospital President/CEO, Larry Felix
- Area Agency on Aging Director, Elizabeth Maxwell
- Mid-American Nutrition Director, Sharon Geiss
- Ottawa University President, Dr. Fred Snow
- Other Non-Profit Organizations

Thereupon, Mr. Bill Allegre gave a PowerPoint presentation on the proposed Community Center highlighting the following:

- Vision Statement
- Need
- Unique Opportunity
- Challenge
- Strategic Community Partnership
- Goal Community Center Partnership Task Force
- Task Force Leadership Role
- Community Center Partners
- Recommended Roles: City of Ottawa, ORC, YMCA, Library, Convention & Tourism Bureau, NCCC
- Facility Concept Design
- Capital funding Concept
- Capital Funding Strategies: Campaign, Finance, and Operation
- Governance & Management Concept: Governance, Ownership, Management, Lease Concept
- Benchmarking: Partnership with Parks & Recreation, Public Schools, Hospitals, Public Library, San Antonio YMCA, Community College, and Developers
- Case for Support

Thereupon, in closing, Mr. Bill Allegre, representative of the task force, stated the task force would like for the City to take ownership of the Community Center because as a government entity they would be eligible for financing and/or grants that wouldn't be available to other entities. In addition, in order to move forward the Task Force asked the City to earmark up to \$10,000 towards the City's support for this endeavor. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to earmark up to \$10,000 for the Community Center endeavor. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

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### **Ottawa Rotary Club-Disc Golf**

Thereupon, the Governing Body heard from Ottawa Rotary Club representative Ms. Janice Rake who thanked the Governing Body for their support at the first 9 holes of the Disc Golf Course located in Kanza Park. Ms. Rake asked the Governing Body to support the permanent installation of all 18 holes noting that the community had received the first 9 holes warmly.

The Governing Body discussed this issue and heard opposition from Cecilia McGehee, 1147 S Elm, noting that she was worried about Senior Citizens who walked the trail around Kanza Park who might be in danger of flying disc. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to accept Rotary's plan to install 18 permanent baskets for disc golf in Kanza Park. The motion was considered and upon being put, passed by the following vote: Commissioner Jorgensen aye, Commissioner Ramsey aye, Commissioner Fleer nay, Commissioner Jackson aye, and Mayor Henningsen nay. Thereupon, Mayor Henningsen declared the motion duly approved by a 3-2 vote.

### **Resolution-\$1,155,000 General Obligation Temporary Notes**

Thereupon, the Governing Body reviewed a resolution authorizing the issuance of \$1,155,000 in general obligation temporary notes for the purpose of temporarily financing the improvements in the Coves at Tallgrass Subdivision. It was explained that the developer of the Coves at Tallgrass Subdivision is assuming the risk of repayment through special assessments in a benefit district to include a development agreement. The Governing Body considered this item and agreed to place it on the Regular Meeting Agenda for September 20, 2006.

Thereupon, the City Manager suggested to the Governing Body the meeting be moved to 10 am to better accommodate the bid issue noting that City Bond Council Dotty Riley would be in attendance to assist the facilitation of the bid process. Thereupon, the Governing Body agreed to this suggestion.

### **Ordinance-Enhancement of Repeat Violations**

Thereupon, the Governing Body considered a draft ordinance for the enhancement of repeat violations of certain sections of the Ottawa Municipal Code and discussed this issue noting that it had been brought back to the Governing Body.

City Attorney Bob Bezek explained staff's desire for this ordinance and that the five year period for specific violators had been a suggestion rather than leaving the period open indefinitely. The Governing Body considered this item and agreed to place it on the Regular Meeting Agenda for September 20, 2006.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes for August 28, 2006, Study Session and September 6, 2006, Regular Meeting Minutes and agreed to place these items on the next Regular Meeting Agenda for September 20, 2006.

September 18, 2006

### **Proclamations**

Thereupon, the Mayor noted that 4 proclamations had been submitted including: Breast Cancer Awareness Month, Racial Equality Week, Constitution Week, and Community Planning Month. The Governing Body considered these items and agreed to place them on the next Regular Meeting Agenda.

### **Breast Cancer Support Group**

Thereupon, a request from Cora Kunard, Chairperson Franklin County Breast Cancer Support Group requested to place pink ribbons on light poles on Main Street from 5<sup>th</sup> to 1<sup>st</sup> and noted the ribbons would remain for the month of October to raise awareness for Breast Cancer Support. The Governing Body considered this request and agreed by consensus to allow the ribbons.

### **Monthly Financial and Activity Report-August**

Thereupon, the Governing Body briefly discussed the Monthly Financial and Activity Reports for the month of August.

### **Open Agenda**

Thereupon, City Manager Weldon Padgett noted that December 4<sup>th</sup> looked like an opportune date to schedule the annual Legislative Dinner and suggested a possible change of location perhaps the Carnegie Building, as well as, other suggested locations. The Mayor requested the City Manager contact the Legislators as soon as possible.

### **Announcements**

Thereupon, the Mayor announced:

1. September 20, 2006: Regular Meeting 9:30 am
2. September 20, 2006: Joint City/County/USD lunch at Ottawa University Mowbray Union, Haigh Room at noon

### **Adjournment**

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

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Scott D. Bird, City Clerk

September 18, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
September 20, 2006

The Governing Body met at 10 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Jorgensen, Commissioner Fleer, and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Pastor Keith Jones, from Ottawa First Assembly.

**Consent Agenda**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from August 28, 2006 Study Session, and September 6, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamations**

Thereupon, the following proclamations were presented:

- a. Breast Cancer Awareness Month: Presented by Mayor Henningsen and received by Pat Atchison, Secretary of Franklin County Breast Cancer Awareness Group
- b. Racial Equality Week: Presented by Mayor pro-tem Jackson and received by Melissa Fairbanks, Human Resources Director
- c. Constitution Week: Presented by Mayor Henningsen and received by Emily Kirkpatrick, Vice-Regent of General Edward Hand Chapter, Daughters of the American Revolution
- d. Community Planning Month: Presented by Mayor Henningsen and received by Wynndee Lee, Director of Planning and Codes Administration

**Ordinance-Enhancement of Sentences Repeat Violations**

Thereupon, there was presented an ordinance providing for the enhancement of sentences for various violations in the City of Ottawa, which affects Municipal Code. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance as presented.

September 20, 2006

During discussion it was explained this ordinance allows the enhancement of sentences for repeat violations of sections of the municipal code, specifically: Chapter 3, Animals, and Chapter 10, Article VI Sanitary Nuisances. 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. 3595-06.

**Acceptance of Low Bid (\$1,155,000 GO Temporary Notes)**

Thereupon, City Bond Counsel, Dotty Riley and City Clerk, Scott Bird presented and reported on the following bids for consideration to accept a low bid of \$1,155,000 principal amount of general obligation temporary notes, Series 2006, of the City of Ottawa, Kansas.

<b><u>Bidder</u></b>	<b><u>True Interest Cost</u></b>
M & I Bank	3.79999
Commerce Bank	3.8
UMB Bank	3.899475
Kansas State Bank	3.79
Country Club Bank	3.645816

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Jackson, to accept the low bid from Country Club Bank as presented. 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. 1390-06.

**Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Scott Miliman who announced 6 applications have been received for Youth in Government.

**Reports by City Manager**

Thereupon, the City Manager stated he would bring back a report on the Enhancement of Sentences for various violations to the Governing Body in approximately a year.

The City Manager thanked the Governing Body for their efforts in accommodating the bid process by changing the meeting time.

Mr. Padgett asked the Governing Body to provide Nikki Spencer with any changes in reservations for the League Conference before the deadline of September 22.

**Reports by City Commission**

Thereupon, Commissioner Ramsey asked that the City provide a letter of instruction to the Community Center Task Force, which states requested information from the task force on the spending of funds by the Task Force and any other reports to the Governing Body as requested. Thereupon, the City Manager responded that he could create such a document.

September 20, 2006

Thereupon, Commissioner Jackson reminded the Governing Body about the guest speaker (Mr. Jack Alexander) at the Joint Luncheon being held at Ottawa University today. Commissioner Jackson noted the guest speaker would be addressing Diversity issues/Valuing Diversity. Mr. Jackson stated we are working to build a Diverse Community and the City of Ottawa has been working on this issue for a long time.

**Reports by the Mayor**

Thereupon, Mayor Henningsen read a short statement on what Diversity means.

Thereupon, Commissioner Ramsey stated the City of Ottawa has probably one of the most diverse City Commissions in the State.

**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:31 am.

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Scott D. Bird, City Clerk

September 20, 2006

## **STUDY SESSION MINUTES**

### **OTTAWA, KANSAS**

Minutes of

September 25, 2006

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

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

#### **Public Comments**

Thereupon, the Governing Body heard from John Wise, President, and Ed Clark, Vice President, of the Over the Road Gang. Mr. Wise and Mr. Clark thanked all the City Staff who helped in many ways for another successful car show. Next year's event will held September 15<sup>th</sup> & 16<sup>th</sup> and permission was given to use Forest Park in 2007. It was noted that this organization provided 7-\$750 scholarships to area youth this year.

#### **Ordinance-Rezone 1905 S Princeton**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee an ordinance to rezone 1905 S Princeton from County I-1 to City R-2 (Medium Density Dwelling District). The City annexed the property (about a quarter acre) in 2005, and the rezone is merely to assign a city zoning designation. A public hearing was held, at which time no comments were made and the Planning Commission recommends approval of the rezone. Thereupon, the Governing Body agreed to place this item on the Regular Agenda for October 4.

#### **Ordinance-Rezone An Area At 19<sup>th</sup> & Princeton**

Thereupon, the Governing Body reviewed with Planning and Codes Administration Director Wynndee Lee an ordinance to rezone an area at 19<sup>th</sup> and Princeton from County A-1 to City R-2 and C-3. This area contains 28 acres of City R-1 zoning (Medium Density Dwelling District) and 4 acres of City C-3 (General Commercial District). The owners, Fogle Rentals, LLC, are requesting the rezone in order to facilitate residential and commercial development. A public hearing has been held, at which time comments were made regarding location of the road, sizes of the lots and where the commercial business would be located and the Planning Commission recommends approval of the rezone. Thereupon, the Governing Body agreed to place this item on the Regular Agenda for October 4.

#### **Proclamation-Fire Prevention Week**

Thereupon, the Governing Body reviewed a proclamation for Fire Prevention Week and agreed to place this item on the Regular Meeting Agenda for October 4.

#### **Youth In Government-Bylaw Changes**

Thereupon, the Governing Body reviewed with Youth Director Lisa Rivers proposed changes to the Youth In Government bylaws. The proposed change would allow 8<sup>th</sup> grade students to be

September 25, 2006

members of Youth In Government. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 4, 2006.

### **Update on Lawsuit**

Thereupon, City Attorney Bob Bezek updated the Governing Body on the Swan wrongful arrest lawsuit settlement. Mr. Bezek stated a trial was avoided which is always good. The settlement was in the amount of \$27,500, to be paid through City insurance with the exception of the \$5,000 deductible.

### **Open Agenda**

Thereupon, Commissioner Ramsey asked for an update on the swimming and ownership at Second Street Dam. Thereupon, City Attorney Bob Bezek explained he is currently looking at all City owned Dam's with regards to ownership and will be bringing information back to the Governing Body. Currently there doesn't seem to be swimming taking place and signs are in place.

Thereupon, Commissioner Fler stated the citizen that had expressed concern about the swimming expressed thanks to the Governing Body and Staff for action taken.

Thereupon, Commissioner Ramsey mentioned the jump in Sales Tax on the Monthly Reports. Thereupon, City Clerk Scott Bird stated the September report should reflect the sales tax increase.

Thereupon, Library Director Barbara Dew announced a Chamber Coffee to be held downstairs in the Library, Thursday, September 28, 2006 at 8 am. Ms. Dew explained the "Coffee" would be in celebration of the Library being in their current location for 10 Years.

### **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.

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Scott D. Bird, City Clerk

September 25, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
October 2, 2006

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

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

**Public Comments**

None offered at this time.

**Ottawa Main Street**

Thereupon, the Governing Body reviewed with the City Manager an updated report on comparable data from Main Street programs in Kansas. In addition, the City Manager introduced the new Main Street Director P.J. Stephenson. Thereupon, Mr. Stephenson gave a brief overview of his previous experience, goals left from previous survey, and membership.

**Ordinance-Sight Triangle**

Thereupon, City Manager Weldon Padgett, Planning & Codes Administration Director Wynndee Lee, and the Assistant to the City Manager Nikki Spencer presented to the Governing Body a staff memo, current ordinance and a proposed ordinance amending the sight triangle requirements for traffic hazards. It was explained the sight triangle process has not been amended since 1989 a staff has reviewed ordinances from other cities and received comments from the City Engineer. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 4, 2006.

**Resolution-Youth in Government Bylaws**

Thereupon, the Governing Body reviewed a proposed resolution with ECKAN Youth Director Lisa Rivers to amend the Youth In Government Bylaws to include 8<sup>th</sup> graders for membership eligibility. Membership requirements would be 8<sup>th</sup> grade to 12<sup>th</sup> grade. Ms. Rivers explained the 3 youths present today would be interviewed after the City Commission Study Session. Ms. Rivers explained that with the proposed bylaw change more 8<sup>th</sup> graders have shown interest and will be interviewed at a later date. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for October 4, 2006.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the September 18, 25, 2006 Study Session Minutes and September 20<sup>th</sup> Regular Meeting Minutes. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for October 4, 2006.

October 2, 2006

### **Youth In Government Delegates**

Thereupon, there was presented names of Youth In Government delegates approved to be sworn in at the Regular Meeting on October 4, 2006. In addition to the following delegates three 8<sup>th</sup> grade applicants will be interviewed following today's study session and if approved will be sworn in at the October 4, 2006 Regular Meeting.

Jill Francis (12)  
Sierra Wright (12)  
Jack Shannon (9)

Sara Humm (12)  
Scott Milliman (12)

Thereupon, the delegates to be interviewed introduced themselves:

Anna Stone (8)  
Paul Thomas (8)

Darrah Jorgensen (8)

### **Resolution-Public Improvements Lincoln School**

Thereupon, the Governing Body reviewed a proposed resolution accepting public improvements related to the new Lincoln School, specifically Milner Street (Wilson to Enterprise) and water and sewer (Grant to Enterprise). Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 4, 2006.

### **Other Items**

Thereupon, City Manager Weldon Padgett discussed a request from the Ottawa High School Booster Club who requested a bonfire at Orlis Cox Field for Homecoming Activities. Thereupon, the Governing Body remanded this issue to Fire Chief Carner.

Thereupon, the City Manager asked the Governing Body who would be attending the Quarterly Image Award luncheon on October 17<sup>th</sup> at the Country Club. Thereupon, Mayor Henningsen stated she did plan to attend.

Thereupon, the City Manager discussed the recent article in the paper regarding the previous youth soccer fields at Industrial Park. Mr. Padgett stated he would continue discussions with Nancy Baker, Interim ORC Director and bring information back to the Governing Body.

Thereupon, there was discussion on Disc Golf at Kanza Park. Commissioner Jorgensen stated a person playing would have to have a very long bad throw in order to hit a walker with a disc. Commissioner Ramsey stated he had received several calls but the feedback was more positive than negative.

Thereupon, Mayor Henningsen inquired as to why the trees had been cut down in the Northwest area of Kanza Park. Thereupon, Public Works Director Andy Haney stated the trees were removed because they were diseased.

October 2, 2006

Thereupon, City Manager Weldon Padgett stated he had received several calls on the skateboard park regarding possible changes. Mr. Padgett noted that when the skate park was in the planning stages more than one phase was discussed. Discussion continued on what "group" in the community might be willing to paint over the current graffiti.

### **Announcements**

Thereupon, the Mayor announced:

1. October 4: Regular Meeting 7 pm
2. October 7-10: LKM Annual Conference at Topeka
3. October 9: No Study Session
4. October 16: Study Session
5. October 17: Chamber Quarterly Image Award Luncheon at 11:45 am at Country Club

### **Adjournment**

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

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Scott D. Bird, City Clerk

October 2, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
October 4, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Jorgensen, Commissioner Fleer, and Commissioner Ramsey. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to approve the consent agenda. The consent agenda included the agenda approval and minutes from September 18, 25, 2006 Study Session, and September 20, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamations/Recognition**

Thereupon, Mayor Henningsen read a proclamation declaring October 8<sup>th</sup> – 14<sup>th</sup> 2006 as Fire Prevention Week. Thereupon, the proclamation was received by Fire Chief Jeff Carner. Chief Carner thanked the Governing Body for their support and explained that throughout the month of October the Fire Department will have participated in over 148 educational programs in the community.

**New Employee Introduction**

Thereupon, Police Chief Dennis Butler introduced two new department employees Larabe Alexander as the Animal Control Officer and Tyler Branine as the newest Police Officer. Both employees thanked the Governing Body for the opportunity to work for the City of Ottawa.

**Ordinance-Rezone 19<sup>th</sup> and South Princeton Street**

Thereupon, the Governing Body reviewed an ordinance rezoning 32 acres commonly known as 19<sup>th</sup> and South Princeton Street within the City of Ottawa and repealing the corresponding section

October 4, 2006

of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the owners, Fogle Rentals, requested a re-zone in preparation for developing the property into residential and commercial lots. Twenty-eight acres will be rezoned from Franklin County A-1 (Agricultural) to City Zoning District R-2 (Medium Density Dwelling District) and four acres will be zoned from Franklin County A-1 to City Zoning C-3 (General Commercial). A public hearing was held, at which time comments were made regarding location of the road, sizes of lots and location of commercial lots. It was explained these issues will be addressed in the subdivision and site planning. 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. 3596-06.

#### **Ordinance-Rezone 1905 S Princeton**

Thereupon, there was presented an ordinance rezoning a ¼ acre commonly known as 1905 S Princeton within the City of Ottawa, and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained this .25 acre panel, abuts the parcel described in the previous item and was requested for rezoning as part of the same potential development. This parcel would rezone from Franklin County I-1 (Light Industrial) to City Zoning District R-2 (Medium Density Dwelling District). A public hearing was held and the Planning Commission recommends approval by a vote of 6-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3597-06.

#### **Ordinance-Sight Triangle**

Thereupon, there was presented an ordinance deleting and replacing Section 126 of the Standard Traffic Ordinance and Section 13-400 in the Municipal Code of the City of Ottawa, Kansas, and defining obstruction in the City of Ottawa 1997, and repealing Ordinance No. 2918-89. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained this ordinance outlines the sight triangle process that identifies traffic hazards. This process had not been reviewed since 1989, thus staff reviewed ordinances from peer cities and received comment from the City Engineer. Changes include the differentiation between controlled and uncontrolled intersections, the addition of an abatement procedure and location of measurement. 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. 3598-06.

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**Resolution-Youth In Government Bylaws**

Thereupon, there was presented a resolution amending the bylaws of the Ottawa Youth in Government program. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this resolution amends the school grade requirement from 9<sup>th</sup> grade to 8<sup>th</sup> grade. Therefore, students between the grades of 8<sup>th</sup> through 12<sup>th</sup> will now be eligible to participate in the 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. 1391-06.

**Swearing In Ceremony: Youth In Government**

Thereupon, there was presented delegates for swearing in the 2006-2007 Youth in Government Program. Thereupon, Mayor Henningsen announced the following Youth In Government (and their grade levels) have been approved to be sworn in at tonight's meeting.

Jill Francis (12)	Sara Humm (12)	Darrah Jorgensen (8)
Sierra Wright (12)	Scott Milliman (12)	Paul Thomas (8)
Jack Shannon (9)	Anna Stone (8)	

Thereupon, Deputy City Clerk Carolyn Snethen administered the Oath of Office to the above-mentioned Youth In Government members.

**Resolution-Public Improvements New Lincoln Elementary School**

Thereupon, there was presented a resolution accepting the public improvements installed for the New Lincoln Elementary School, specifically consisting of Milner Street from Wilson Street to Enterprise Street, and Water and Sanitary Sewer improvements from Grant Street to Enterprise Street, in Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the resolution.

During discussion it was explained this resolution accepts the public improvements that were required for the new Lincoln Elementary School. The City Engineer and staff recommend acceptance. 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. 1392-06.

**Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Sara Humm who expressed appreciation for having more Youth In Government members in the program for the upcoming year. Currently members will be attending the Candidate Forum at OMA, orientation on Friday, and traveling to Topeka for the League Meeting.

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### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett announced PDC, a phone directory company, published the current Franklin and Miami Counties directory and used a print of the Mary Hall original artwork which depicts many of the historic buildings of Ottawa.

The City Manager announced to the Youth In Government delegates, parents and/or guardians that copies of the recorded Commission Meetings are available as needed.

The City Manager invited the Planning and Codes Administration Director Wynndee Lee to come forward and provide an update on housing. Thereupon, Ms. Lee reported to the Governing Body that several months ago 3 houses/structures were condemned. None of the owners pursued permits or began any type of improvements. These structures have been removed and were located at 717 S Locust, 1325 N Sycamore, and 517 E Wilson. Ms. Lee has received positive feedback from the neighbors who are grateful the structures are gone.

### **Reports by City Commission**

Thereupon, Commissioner Fler commented on the removal of the structure at 517 E Wilson. She stated the workers who removed the house did a great job. Previous drainage concerns were addressed with a positive outcome.

Thereupon, Commissioner Jackson stated he had missed the Study Session on October 2 but wanted to comment on the soccer issue. His comment would be to locate a space with suitable parking and be proactive in this area instead of reactive.

Commissioner Jackson commented on the need for painting at the skateboard park that he would visit with Lisa Rivers but the painting might be a youth project during "Make A Difference Day".

Commissioner Jackson stated that some of the youth would be involved in the League Meeting in Topeka on Monday and they would be hearing from several state leaders and the Governor would speak at lunch. After lunch the youth will be networking with other youth and providing a presentation to show the other youth what "Ottawa Youth" have been doing.

### **Reports by Mayor**

Thereupon, the Mayor welcomed all the new 2006-2007 Youth In Government delegates and encouraged them to contact any of the Governing Body with any help they may need or questions they may have.

Thereupon, the Mayor requested the following items be put on a Work Study Session agenda: Discussion to assign a mentor for each of the youth delegates, Committee appointments, and travel.

October 4, 2006

### **Announcements**

Thereupon, the Mayor announced:

1. October 9: No Study Session (League Meetings)
2. October 16: Study Session at 4 pm
3. October 17: Chamber Image Award Luncheon at Country Club at 11:45 am
4. October 18: Joint City/County/School lunch at USD 290 at noon
5. October 18: Next Regular Meeting

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:27 pm.

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Carolyn S. Snethen, Deputy City Clerk

October 4, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 16, 2006

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

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

**Public Comments**

Thereupon, the Governing Body heard from Mike Ratliff, 1034 N Cedar, who spoke about the ordinances on inoperable vehicles and other environmental code matters related to junk and debris. After considerable discussion the Governing Body agreed to have the City Manager look at an ordinance used by the City of Lawrence and bring back information for discussion.

Thereupon, the Governing Body heard from Harold Mayes, Chairperson of Veteran's Day Celebration Committee, who requested the use of Forest Park for a special feature "Healing Fields" as part of the of Veteran's Day Celebration. Thereupon, the Governing Body agreed to \$1,000 of funding that had been approved in the 2006 Budget and agreed to the other request with the condition that City Staff be involved in working out some of the requested detail. In addition, Mr. Mayes requested a proclamation and invited someone from the Governing Body to speak at the opening ceremony. Thereupon, the Governing Body agreed to present a proclamation to the Veteran's Day Committee at the November 1, 2006 Regular Meeting.

**Ordinance-Amending Municipal Code Regarding Agricultural Buildings**

Thereupon, the Governing Body reviewed an ordinance with City Manager Weldon Padgett and Planning and Codes Administration Director Wynndee Lee who explained that with the passage of the City/county agreement on zoning, subdivision and building codes, the City has jurisdiction for issuing building permits for agriculture buildings. These amendments would exempt property owners from the requirement of a building permit for agricultural buildings, while still requiring that setbacks established by the International Building Code be met. Exemption would be granted upon receipt of an application and plot plan showing distances to the property line. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 18, 2006.

**Lakeside-Planned Unit Development (PUD)**

Thereupon, Planning and Codes Administration Director Wynndee Lee explained at the last Planning Commission meeting the final plat for Lakeside Estates was turned down by a 3-1 vote, against staff's recommendation. Ms. Lee recommended to the City Commission that the most recent practice of remanding the matter back to the Planning Commission for further

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reconsideration be followed. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to remand this item back to the Planning Commission for further reconsideration and to make clear the reason for denial. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

### **Resolution-Sewer Tap Fees**

Thereupon, the Governing Body reviewed a resolution with City Manager Weldon Padgett and Utility Director Jim Bradley that would update the City's sewer tap fees. It was explained the previous tap fee method was adopted in 1982. In the past few years it has become apparent that Ottawa tap fees are much lower than surrounding communities, and that the current methodology can be awkward. Examples from communities have only proven that there is no clear basis underlying how fees are set. City staff has met a number of times and have a new method proposed along with examples of what the current and proposed methods would look like on a residential, commercial and industrial customer. The City rarely needs to assess sewer tap fees since most large developments extend the City's sewer lines at their cost and therefore we waive the tap fee. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for October 18, 2006.

### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the October 2 Study Session and October 4 Regular Meeting and agreed to place this item on the Regular Meeting Agenda for October 18, 2006.

### **Proclamation-Disability Mentoring Day**

Thereupon, the Governing Body reviewed a proclamation for Disability Mentoring Day and agreed to place this item on the Regular Meeting Agenda for October 16, 2006.

### **Proclamation-Alzheimer's Awareness Day**

Thereupon, the Governing Body reviewed a proclamation for Alzheimer's Awareness Day requested by Mayor Henningsen. The following was noted for those interested in raising awareness for Alzheimer's can:

1. Donate \$1.00 by purchasing a Forget Me Not Ribbon or Alzheimer's Awareness Bracelet at either the OU Theatre Office or the East Central Kansas Area Agency on Aging (ECKAAA)
2. Attend the play "Taking Leave" about a Professor with Alzheimer's being performed at OU Theater on Sunday, October 22. A portion of ticket sales will go to the Alzheimer's Association.

### **Mayor-Commission Participation on Committees**

Thereupon, Mayor Henningsen opened discussion with the Governing Body with regards to Commission participation on committees and the associated costs and benefits of attending.

October 16, 2006

Thereupon, the Mayor reviewed a proposal she had put together for a committee appointment procedure and being accountable for the taxpayer's dollars.

**Review of Monthly Financial and Activity Reports**

Thereupon, the Governing Body reviewed the Monthly Financial and Activity Reports for the months of August and September.

**Reports:League of Kansas Municipalities Conference**

Thereupon, Commissioners that attended the recent League of Kansas Municipalities conference in Topeka reported on meetings they attended. In addition, Commissioner Ramsey announced the League of Kansas Municipalities has named Commissioner Jackson as the recipient of the "Excellence in Local Government" award for 2006.

**Youth In Government Mentors**

Thereupon, Youth In Government Advisor Lisa Rivers noted she would provide the City Manager's office the information on the youth delegate request for Commission Mentors so it could be provided to the Governing Body.

**Announcements**

Thereupon, the Mayor announced:

1. October 17: Chamber Coffee for Main Street Director at 8 am at Courthouse Square Apartments
2. October 17: Chamber Quarterly Image Award Luncheon at 11:45 am at the Country Club

**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.

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Scott D. Bird, City Clerk

October 16, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
October 18, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and City Clerk Scott Bird gave the invocation.

**Consent Agenda**

Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from October 2, 2006 Study Session, and October 4, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Introduction: New Ottawa Main Street Director**

Thereupon, the Mayor introduced the new Ottawa Main Street Director P.J. Stephenson. Thereupon, Mr. Stephenson thanked the Mayor for the introduction and stated he was currently working on a membership drive, and had previously worked at Emporia as an Assistant Director of their Main Street Program.

**City Commission Declarations**

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

**Proclamations/Recognition**

**Disability Mentoring Day**

Thereupon, Mayor Henningsen read a proclamation for "Disability Mentoring Day". The proclamation was received by Nina Fisher, COF Training Services.

**Alzheimer's Awareness Day**

Thereupon, Mayor Henningsen read a proclamation for "Alzheimer's Awareness Day". The proclamation was received by Caren Rugg of the East Central Kansas Area Agency on Aging who

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thanked the Governing Body for their support. Thereupon, the Governing Body heard from Ottawa University Theatre Director Jeanne Chinn who thanked the Governing Body and Kansas State Bank for their support and invited everyone to attend the OU Theater play "Taking Leave" Thursday through Sunday. Ms. Chinn noted that a portion of Sunday ticket sales would go to the Alzheimer's Association.

### **Ordinance-Intergovernmental Agricultural Buildings "Plot Plan"**

Thereupon, there was presented an ordinance amending Chapter VI, Article I, Section 6-109, Article III, Section 6-309 and Article IV, Section 6-407 of the Municipal Code of the City of Ottawa, Kansas 1997. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained that after finalizing the Intergovernmental Agreement, the matter of agricultural buildings arose. The county does not require a building permit for agricultural buildings. City staff researched the issue and believes that eligible non-occupied (non-residential) agricultural buildings within the City and intergovernmental area can be built without a permit, but the owner would need to submit a plot plan showing that the minimal setback requirements would be met. The proposed amendments would establish this exemption and the process. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3599-06.

### **Resolution-Tap Fees/Wastewater**

Thereupon, there was presented a resolution finding the advisability of and ordering the adoption of applicable rates and charges by the Utility Department of the City of Ottawa, Kansas for "tapping" into the public wastewater collection system for the purpose of discharging wastewater, providing certain discretionary decisions, and repealing Resolution No. 320. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion it was explained the current method of calculating "tap fees" was adopted in 1982 and thus city staff has realized that fees are much lower than surrounding communities. Current calculations use an equation that factors front footage and square footage of the property, neither of which represent the true demand placed on the sanitary sewer system. A new method of calculating tap fees based on usage is proposed with this resolution, along with a section added that will allow for staff and the City Manager to adjust or waive fees for reasons of economic development. 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. 1393-06.

### **Reports by City Commission**

Thereupon, Commissioner Jackson stated there was a youth in attendance today that was interested in becoming a youth delegate. Mr. Jackson announced some of the youth were  
October 18, 2006

currently attending training in Wichita on leadership skills. Beverly Hajorth and Angie Jamison will be receiving their "You Make A Difference" award.

### **Reports by City Manager**

Thereupon, City Manager Weldon Padgett explained he had checked with the City of Lawrence with regards to an ordinance addressing inoperable vehicles code enforcement exempting "derby cars". The City Manager explained the City of Lawrence did not exempt "derby cars" from enforcement and this item will be placed on Monday's Study Session Agenda.

The City Manager announced a suspect had been arrested for the attempted abduction of two local children which was a great effort on behalf of law enforcement within the City and County.

### **Reports by Mayor**

Thereupon, the Mayor asked the youth interested in the Youth In Government program to come forward and introduce herself. Thereupon, Alexandra Burgoon came forward and stated she was in the 8<sup>th</sup> grade.

### **Announcements**

Thereupon, the Mayor announced:

1. October 18: Joint City/County/School lunch at USD 290, at Noon
2. October 23: Study Session at 4 pm
3. October 30: Study Session at 4 pm
4. November 1: Next Regular Meeting at 7 pm

### **Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 9:48 am.

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Scott D. Bird, City Clerk

October 18, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
October 23, 2006

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

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

**Public Comments**

None were offered.

**Inoperable Vehicles**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Staff explaining the research results of the Lawrence ordinance purported to allow derby cars. It was explained the City of Lawrence does not exempt inoperable vehicles, it has a clear definition that would apply to most vehicles we are concerned about from a public health and safety point of view, and it also clearly states that such vehicles are also not allowed on public streets. Language changes to Ottawa's ordinances are recommended to allow for enforcement of the storage of nuisances on the City's streets. After considerable discussion the Governing Body asked the City Manager to research language changes that would address storage of such items on public streets and allow enforcement. A draft ordinance will be brought back.

**Legislative Dinner December 4**

Thereupon, the City Manager discussed the upcoming Legislative Dinner to be held December 4 and the need to compile topics for discussion. Thereupon, Commissioner Jackson suggested the Governing Body review the handout of Legislative Priorities provided by the League to develop a list. Commissioner Ramsey suggested the issues of legislation to support local government to use eminent domain for economic development, and funding for transportation. Thereupon, the Governing Body agreed to bring this item back.

**Neighborhood Revitalization Applications**

Thereupon, the Governing Body reviewed applications for Neighborhood Revitalization for the following properties: 308 S Mulberry, 633 S Hickory, 917 N Hickory, 812 N Sycamore, 1223 E 9<sup>th</sup>, 1222 E 8<sup>th</sup>, 702 S Hickory, 1037 N Main, 134 S Main, and 503 & 505 N Main. It was noted that all properties are residential except for 134 S Main and 503 & 505 N Main, which are commercial. The Review Committee has evaluated each application and recommends these properties be approved. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for November 1.

October 23, 2006

### **Resolution-Westwood Addition II Improvements**

Thereupon, the Governing Body reviewed a resolution accepting the street, water and sewer improvements installed in Westwood Addition II. The City Engineer recommended approval. Thereupon, it was suggested this type of acceptance be placed on the consent agenda since the Consent Agenda has only been used for minutes and these types of simple actions can be added to help meeting agendas flow more smoothly. Thereupon, the Governing Body agreed by consensus that this type of item would be addressed on a case-by-case basis for placement on the Consent Agenda. Thereupon, the Governing Body agreed to place this item on the Consent Agenda for November 1, 2006.

### **Ordinance-Sign Regulations**

Thereupon, the Governing Body reviewed an ordinance to amend the Sign Regulation section of the Zoning Ordinance. This section of the sign regulations restricts signage for businesses in the C-4 (Central Business District) to those signs flat against the building, with the exceptions of awnings, canopies, marquees or directional signs. The amendment to section (e) states that monument signs in the C-4 District may be permitted, but only with an approval of a variance by the Board of Zoning Appeals. In addition, section (f) is being added to regulate tourism signs. A public hearing was held and a letter of support was read. The Planning Commission recommended approval of section (e) by a vote of 5-0 and section (f) by a vote of 4-1. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for November 1, 2006.

### **Ordinance-Mixed Use District**

Thereupon, the Governing Body reviewed an ordinance amending the Mixed Use District section of the Zoning Ordinance. This amendment is in response to a developer concern raised about a non-conforming, multi-family use on Main Street. The intent of the previous MU/RC (Mixed Use/Residential-Commercial) was to buffer low density residential from general commercial. In upgrading the uses permitted from R-1 or R-2 to R-2 or R-3, the Mixed Used District will truly aim to mix neighborhood commercial with higher density residential. A public hearing was held as which time no comments were made. The Planning Commission recommended approval by a vote of 5-0. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for November 1, 2006.

### **Ordinances: Rezone Property Annexed in 2005**

Thereupon, the Governing Body reviewed three Ordinances to rezone property annexed in 2005. A public hearing was held for each of the rezone requests, which were initiated by City staff, and no comments were received. The Planning Commission recommended approval of each rezone by a vote of 5-0.

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The rezone requests were described as follows:

- (1) 1725-1735 Princeton Street:** 5.5 acres located at 1725-1735 Princeton Street from Franklin County Zoning C-2 (Commercial and A-1 Agricultural) to City Zoning R-1 (Low Density Dwelling District). The R-1 designation is in conformance to the tracts west of the area.
- (2) 1909 Princeton Street:** 4.5 acres located at an area east of 1909 Princeton Street from Franklin County Zoning I1NN (Light Industrial) to City Zoning R-2 (Medium Density Dwelling District). This tract has no frontage on a public road; however, it is served by an access easement. This tract is being suggested for re-zone as it is adjacent to a proposed development currently zoned R-2.
- (3) 1801 Princeton Street:** 1.3 acres located east of 1801 Princeton Street from Franklin County Zoning I1NN (Light Industrial) to City Zoning R-1 (Low Density Dwelling District). This tract was previously divided by the city limits, with the owners living in a house on Princeton St. and having an accessory building on the annexed part of the parcel. This re-zone would put the tract under one zoning classification.

It was noted each of these rezones were at the request of the property owner. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for November 1, 2006.

#### **Resolution-Final Plat 600 Block North Spruce**

Thereupon, the Governing Body reviewed a resolution approving the final plat vacating a utility easement and accepting the dedication of all new easements within Guyett Estates, located in the 600 Block of North Spruce. This 2-acre tract was excluded from surrounding subdivisions. The lot was split in January of 2005, and now the owner would like to sell more land. Subdivision regulations permit only a single lot split of any tract or lot, therefore the owner is required to submit a plat for any additional subdivision. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for November 1, 2006.

#### **Review of Minutes**

Thereupon, the Governing Body reviewed minutes from October 16 Study Session and Regular Minutes from October 18 and agreed to place this item on the Regular Meeting Agenda for November 1, 2006.

#### **Open Agenda**

Thereupon, Mayor Henningsen announced the City Commission mentors for the Youth In Government delegates.

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Commissioner Jackson reminded the Governing Body of the upcoming League summit to be held in Salina, November 1.

Commissioner Ramsey and Commissioner Jorgensen agreed that the NLC, University of Cites meetings are geared towards larger cities than Ottawa.

The City Manager stated the last interview for auditing service would take place this week.

**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.

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Scott D. Bird, City Clerk

October 23, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
October 30, 2006

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

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

**Public Comments**

None were offered.

**Ordinance-Handicapped Parking**

Thereupon, the Governing Body reviewed an ordinance related to handicapped parking on public lots or on-street areas based on the Americans with Disabilities Act Accessibility Guidelines (ADAAG). Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for November 1, 2006.

Thereupon, Commissioner Ramsey asked if we are monitoring downtown parking. Police Chief Dennis Butler responded that parking was being patrolled about once a week and any complaints are being addressed as well.

**Proclamations**

Thereupon, the Governing Body reviewed proclamations for Veteran's Day that will be received by Harold Mayes, on behalf of the Veteran's Day Committee and a proclamation for Children's Book Week that will be received by Leanna Heth and Shannon Leonard, Ottawa Library. Thereupon, the Governing Body agreed to place these items on the Regular Meeting Agenda for November 1, 2006.

**Youth In Government Delegate-Alexandra Burgoon**

Thereupon, the Governing Body reviewed a request to swear in Alexandra Burgoon, 8<sup>th</sup> grader, to be sworn in for the Youth In Government program on November 1. Thereupon, the Governing Body agreed to place this request on the November 1 Regular Meeting Agenda.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from October 23 Study Session and agreed to place this item on the Regular Meeting Agenda for November 1, 2006.

**Open Agenda**

**"If I Were Mayor" Contest**

Thereupon, the Mayor discussed with the Governing Body the possibility of a locally judged version of this program. Additional suggestions were as follows:

- Challenge the other Mayors in Franklin County to participate

October 30, 2006

- Winners might receive City of Ottawa pen and/or key, Chamber Bucks
- Contact Kimberly Winn for criteria of contest

### **Holiday Lights: Main Street**

Thereupon, the Governing Body heard from City Manager Weldon Padgett who reviewed information regarding the history of the holiday lights along Main Street. The City Manager requested direction concerning the ongoing cost, and how to handle additional request to add lights, etc. Thereupon, Commissioner Jackson stated we do need a policy. It was explained there has been a request from Washburn Towers to add lighting. The Governing Body agreed to allow staff to look at the current wiring on Washburn Towers to determine the condition of the wiring.

### **Resignation: Planning Commission**

Thereupon, the Governing Body reviewed a letter of resignation from Planning Commissioner Aaron Heckman. Discussion included advertising for the position, as well as, the following:

- Expectations for the job
- Previous knowledge or expertise in the area of planning and development
- Additional questions on the application
- Time commitment for the position

### **Lakeside PUD**

Thereupon, the Governing Body reviewed a memo regarding the withdrawal of the Lakeside PUD. The memo stated, the developers have now submitted a complete PUD for the entire development, which will likely come to the City Commission next month. It was noted this item was brought to the Governing Body, as information only, with no formal action necessary at this time.

### **Open Agenda**

The City Manager discussed the need to place, on an agenda, a nomination for the NLC Congress of Cities voting delegate. Thereupon, Commission Fleer stated she would agree to a nomination. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for November 1, 2006.

The City Manager complimented Teen Court for a job “well done” at the Skateboard Park over the weekend. Teen Court had taken on painting at the Skateboard Park as part of “Make A Difference Day”.

Commissioner Jorgensen commented on the recent editorial in the Ottawa Herald regarding the “Swim For Life” pool. During discussion Commissioner Jorgensen asked if the Governing Body

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had any interest in helping to support this unique service in our community. The Governing Body didn't support the City's involvement but thought Ottawa Recreation Board might have some interest.

**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.

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Scott D. Bird, City Clerk

October 30, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
November 1, 2006

The Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jackson, Commissioner Flear, and Commissioner Ramsey. Commissioner Jorgensen was absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval, a resolution accepting the street, water sanitary sewer and storm sewer public improvements for Westwood Addition II, and minutes from October 16 and 23, 2006 Study Session, and October 18, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved and the resolution was duly numbered Resolution No. 1394-06.

**Public Comments**

None offered at this time.

**City Commission Declarations**

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

**Proclamations/Recognition**

**Children's Book Week**

Thereupon, the Mayor read a proclamation to recognize "Children's Book Week" in the City of Ottawa, Kansas. The proclamation was received by Shannon Leonard, Ottawa Library.

**Veteran's Awareness Week**

Thereupon, the Mayor read a proclamation in observance of "Veteran's Awareness Week" in the City of Ottawa, Kansas.

November 1, 2006

### **Neighborhood Revitalization Program**

Thereupon, there was presented applications to participate in the City's Neighborhood Revitalization Program. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to accept the applications.

During discussion it was explained the applications were submitted for the following properties: 308 S Mulberry, 633 S Hickory, 917 N Hickory, 812 N Sycamore, 1223 E 9<sup>th</sup>, 1222 E. 8<sup>th</sup>, 702 S Hickory, 1037 N Main, 134 S Main, 503 and 505 N Main. All properties are residential applications with the exception of 134 S Main and 503 and 505 N Main, which are commercial. The review committee recommended approval of these applications. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the applications duly approved.

### **Ordinance-Sign Regulation**

Thereupon, there was presented an ordinance amending Article XXVII of the Zoning Ordinance No. 3501-05 for the City of Ottawa, Kansas, specifically Section 27-604, Letter E, and Adding Letter F, of the Sign Regulation. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained that Section (e) of the sign regulations limits signage in the C-4 (central business district) to those placed flat against the building, with the exception of awnings, canopies, marquees or directional signs. The amendment would allow monument signs, but only with the approval of a variance by the Board of Zoning Appeals. Section (f) is an addition that will regulate tourism signage. A public hearing was held and a letter of support was read. The Planning Commission recommends approval of section (e) by a vote of 5-0 and section (f) 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. 3600-06.

### **Ordinance-Mixed Use District**

Thereupon, there was presented an ordinance amending Article XVII, Section 17-201, Mixed Use District, of the Zoning Ordinance No. 3501-05, for the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adopt the ordinance.

During discussion it was explained the intent of the previous Mixed Use District was to buffer low density residential from general commercial. In upgrading the uses that are permitted from R-1 or R-2 to R-2 or R-3, the Mixed Use District will truly aim to mix neighborhood commercial with higher density residential. A hearing was held with no comments received. The Planning Commission recommends approval by a vote of 5-0. Thereupon, the motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3601-06.

November 1, 2006

**Ordinance-Rezone: 1725-1735 Princeton Street**

Thereupon, there was presented an ordinance rezoning an area within the City of Ottawa commonly known as 1725-1735 Princeton Street and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the City initiated this rezone as it follows the property annexation in 2005. The 5.5 acre tract will be rezoned from County C-2 (Commercial) and A-1 (Agricultural) to City Zoning R-1 (Low Density Dwelling District). The rezone matches the land to the west. A public hearing was held with no comments received. The Planning Commission recommends approval by a vote of 5-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3602-06.

**Ordinance-Rezone: 1909 Princeton Street**

Thereupon, there was presented an ordinance rezoning an area within the City of Ottawa, commonly known as 1909 Princeton Street and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the City initiated this rezone as it follows the property annexation in 2005. The 4.5 acre tract will be rezoned from County I1NN (Light Industrial) to City Zoning R-2 (Medium Density Dwelling District). The tract is adjacent to a proposed development currently zoned R-2. A public hearing was held with no public comments. The Planning Commission recommended approval by a vote of 5-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3603-06.

**Ordinance-Rezone: 1801 Princeton**

Thereupon, there was presented an ordinance rezoning an area within the City of Ottawa, commonly known as 1801 Princeton Street and repealing the corresponding section of the zoning map which is a part of Ordinance No. 3501-05 of the City of Ottawa. Thereupon, Commission Jackson made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion it was explained the City initiated this rezone as it follows the property annexation in 2005. The 1.3-acre tract will be rezoned from County I1NN (Light Industrial) to City Zoning R-1 (Low Density Dwelling District). The tract was divided by the city limits, and this action will cause the tract to have one zoning classification. A public hearing was held with no public comments. The Planning Commission recommends approval by a vote of 5-0. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3604-06.

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### **Resolution-Guyett Estates Minor Plat**

Thereupon, there was presented a resolution approving the Final Plat, vacating a utility easement, and accepting the dedication of all new easements within Guyett Estates Minor Plat, Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Jackson, to adopt the resolution.

During discussion it was explained this plat, located in the 600 Block of North Spruce, is for a 2-acre tract and was excluded from surrounding subdivisions. The lot was split in January of 2005, and now the owner would like to sell more land. Subdivision regulations permit only a single lot split before requiring a plat, therefore the owner is required to submit a plat for any additional 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. 1395-06.

### **Ordinance-ADA Accessible Parking**

Thereupon, there was presented an ordinance describing authority related to ADA accessible parking stall locations in public parking lots and within marked on-street parking areas, including installation, enforcement, maintenance and oversight. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion it was explained in preparing for the construction of the new public parking lot at 1<sup>st</sup> and Hickory, an assessment of accessible parking throughout downtown was conducted. It was found that 17 more spaces are needed. Work is being done to mark 11 new stalls, while 6 stalls will be created with the new parking lot. This ordinance will eliminate the listing/description of specific locations for accessible parking, with the requirement to be compliance with appropriate law or public need. 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. 3605-06.

### **Swearing in for 2006-2007 Youth In Government Delegate**

Thereupon, there was presented a Youth In Government delegate to be sworn in. Alexandra Burgoon (8<sup>th</sup> grade) was sworn in as the newest member (9<sup>th</sup>) of the Youth In Government Program. Thereupon, City Clerk Scott Bird administered the Oath of Office to Ms. Alexandra Burgoon.

### **Voting Delegate: National League of Cities (NLC)**

Thereupon, the Mayor stated the City must select a voting delegate for the Annual Business Meeting taking place at the NLC Congress of Cities in Reno, Nevada in December. Commissioner Fleer will be present at the conference and has agreed to serve as the City's representative and delegate. Thereupon, Commissioner Ramsey made a motion, seconded by

November 1, 2006

Commissioner Jackson, to select Commissioner Fleeer as the voting delegate. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

### **Reports by Youth Delegates**

Thereupon, the Governing Body heard from Youth Delegate Anna Stone who reported that she and others with YIG had recently attended the League of Kansas Municipalities Conference and had a wonderful opportunity to listen and learn about local government.

Thereupon, Youth Delegate Sara Humm reported that the “Make a Difference Day” had been a wonderful success with many local organizations participating. Two hundred fifty bags of groceries were collect through donations and \$1300 was raised for child car seats.

Thereupon, Youth Delegate Alex Burgoon thanked the Governing Body for allowing her to be a part of Youth In Government. She expressed her pleasure to have served during the “Make A Difference Day” and to have helped in the grocery drive.

### **Reports by City Manager**

The City Manager reminded the Governing Body of the upcoming Regional Suppers and that the closest one is November 15 at Lawrence.

### **Reports by City Commission**

Thereupon, Commissioner Jackson and Ramsey reported on their attendance of the Consolidation Summit.

### **Report by Mayor**

Thereupon, Mayor Henningsen stated that Ottawa would be conducting their own “If I Were Mayor” contest with local 7<sup>th</sup> graders that will follow the same format and rules of the League contest. Prizes will be awarded to the top 3 from each 7<sup>th</sup> grade “Team” at Ottawa Middle School.

### **Announcements**

Thereupon, the Mayor announced:

1. November 6: Study Session at 4 pm
2. November 13: Study Session at 4 pm
3. November 15: Joint City/County/USD meeting, Noon, at the County
4. November 15: Next Regular Meeting

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**Adjournment**

There being no further business to come before the Governing Body Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:36 pm.

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Scott D. Bird, City Clerk

November 1, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
November 6, 2006

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

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

**Public Comments**

**Ottawa Recreation Commission (ORC) Report**

Thereupon, the Governing Body heard from Jason Camis, Ottawa Recreation Commission, who provided an update on the ORC's activities. Thereupon, Mr. Camis and the Governing Body discussed the following:

- New auditing firm
- Master Plan
- Personnel Manual
- Scholarship program
- Staffing: organizational chart, job descriptions, maintenance of facilities
- Swim for Life

**Chamber of Commerce Report**

Thereupon, the Governing Body heard from Tom Weigand, Chamber of Commerce, who provided an update on the Chamber's economic development activities and discussed the following:

- Purpose and Responsibility
- Industrial Growth
- Commercial/Retail space available
- Available properties
- Properties with Activity
- Office space available
- Housing market
- Sale of 27 acres around the Underwood property
- Sale of 13 acres around BP Station at I-35 and K-68

**Review of Minutes**

Thereupon, the Governing Body reviewed minutes from the October 30, 2006 Study Session and the Regular Meeting Minutes from November 1 and agreed to place these items on the Regular Meeting Agenda for November 15.

**Employee Service Award**

Thereupon, the Governing Body reviewed a list of service awards for 2006. Thereupon, the Governing Body agreed to place the service award certificates to be presented at the Regular City Commission meeting on November 15.

November 6, 2006

### **Legislative Dinner**

Thereupon, the City Manager noted that we have received acceptance reservations from USD 290, Franklin County, and all of the legislators except Representative Otto, and have solicited agenda items from the USD and County. The following items have been placed as agenda items for this meeting: eminent domain, tax lid and continued funding for the State's transportation program. In addition, the Governing Body added Senate Bill 379 on consolidation and demand transfers.

### **County Valuations**

Thereupon, Mayor Henningsen discussed concerns a business owner had brought to her attention regarding the County Valuations.

### **Open Agenda**

Thereupon, the City Manager discussed the League Regional Supper (legislative update) in Lawrence on November 15<sup>th</sup> from 5:30 – 7:30 pm and asked who would be attending. Thereupon, Mayor Henningsen, Commissioners Jorgensen, Ramsey, and Jackson stated they would attend. The City Manager offered to have the Governing Body meet at City Hall to leave around 4:45 pm.

The City Manager presented an example of proposed Skateboard Park changes and explained a grant for some funding is being worked on.

The City Manager stated the 2007 Budget will be forthcoming. In addition, he gave a brief report on the Electric Report and the Storm water Master Plan.

Thereupon, Commissioner Ramsey inquired about two positions open within the City that haven't been filled. Thereupon, City Manager Weldon Padgett and Human Resources Director Melissa Fairbanks reported on these positions.

Thereupon, Commissioner Ramsey reported on a recent League meeting he had attended on consolidation.

### **Announcements**

Thereupon, the Mayor announced:

1. The Legislative Dinner will be held December 4, 2006 at the Franklin County Annex.

Thereupon, Commissioner Ramsey asked the Youth Delegates in attendance what they thought about proposed changes to the Skateboard Park. Delegate Sierra Wright stated she felt it was an issue for youth as she had several skateboarders who would appreciate improvements.

November 6, 2006

**Reports by Youth Delegates**

Thereupon, Youth Delegate Sierra Wright reported she had participated in “Make A Difference Day” by collecting donations at Country Mart and stated it was a great opportunity to be involved in.

Delegate Darrah Jorgensen stated she had also participated in “Make A Difference Day” by collecting donations at Dollar General North.

**Adjournment**

There being not 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.

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Scott D. Bird, City Clerk

November 6, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
November 15, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience. Thereupon, the Mayor led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk, Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from October 30, 2006 Study Session, and November 1, 2006 Regular Meeting. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

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

**Resolution-Lakeside Estates**

Thereupon, there was presented a resolution approving the final development plan and accepting the dedication of all new easements within Lakeside Estates Planned Unit Development, Ottawa, Kansas. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey to adopt the resolution.

During discussion it was explained this plan has been reviewed by the City Engineer and is recommended for approval. The resolution approves the final plan and accepts all new easements. Planning and Codes Administration Director Wynndee Lee explained the City will hold the plat until the following conditions are met: 1) The Developer shall provide signed easement crossing the Sienna South property. 2) The developer shall provide drainage easements for properties adjacent to the drainage channel on the east side of the subject property. 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. 1396-06.

November 15, 2006

### **Employee Service Award Recognitions**

Thereupon, the Mayor explained that each year the City recognizes employees who have achieved certain milestone tenures in public service, such as 10, 15, 20 years, etc. The following employees were recognized for their years of dedication and effort to make the community of Ottawa such a great place to live:

*Thereupon, Commissioner Flear arrived at 9:40 am.*

## **Service Awards, November 2006** By Department

### **FIRE:**

#### **30 years:**

Dave Brooks – was hired as a firefighter in January of 1976. The Fire and Police Departments were combined in August of that year and he worked his way up in rank to Captain.

#### **25 years:**

Rick Oglesby – was hired as Public Safety Officer in 1981, transferred to Driver-Engineer in 1988, promoted to Fire Lieutenant in 1998, and promoted to Assistant Fire Chief in 1999.

### **POLICE:**

#### **25 years:**

Rick Geist – was hired as Public Safety Officer in 1981, promoted to Corporal in 1984, and transferred to Police Officer in 1991.

Kris Peterson – was hired as a Dispatcher in 1981 and transferred to Records Clerk in 1988.

#### **15 years:**

Tim Ahrens – was hired as a Police Officer in 1991.

Tim Cronin – was hired as a Police Officer in 1991.

### **FINANCE/ADMINISTRATION:**

#### **25 years:**

Scott Bird – was hired as a Power Plant Operator in 1981, Assistant Superintendent Power Plant in 1984, promoted to Accountant in 1991, promoted to Acting City Clerk in 1992, and promoted to City Clerk/Finance Director in 1993. Scott was interim Co-Manager in 1993 and in 2001.

November 15, 2006

20 years:

Ron Hughes – was hired as Maintenance Worker I in 1986, transferred to Meter Reader in 1990, promoted to Utility Warehouseman in 1994, and transferred to Service Representative in 2000.

**PLANNING, ZONING, AND CODES ADMINISTRATION**

10 years:

Gary Skiles – was hired as City Inspector in 1996 and reclassified as Codes Inspector in 2002.

**UTILITIES**

35 years:

Ron Snethen – was hired as Labor in the Public Works Department in 1971, transferred to Utilities Plant Operator in 1980, promoted to Assistant Water Plant Superintendent in 1990, was Acting Water Plant Superintendent in 1991 and promoted to Water Plant Superintendent in 1992.

30 years:

Larry Fisher – was hired as an Apprentice Power Plant Operator in 1976 and promoted to Power Plant Operator I in 1977.

Carl Elder – was hired as a Maintenance Worker in 1976 in Water Distribution and was reclassified as Maintenance Worker II in 1995

25 years:

Bob Hollon – was hired as a Wastewater Lab Technician in 1981 and promoted to Wastewater Plant Superintendent in 1993.

20 years:

Kevin Hanson – was hired as Maintenance Worker I in 1986, promoted to Maintenance Worker II in 1987, transferred to Apprentice Lineman in 1988, promoted to Line Electrician in 1993, and promoted to Crew Chief in 1999.

15 years:

James Bradley – was hired as Director of Utilities in 1991.

**PUBLIC WORKS:**

10 years:

JoAnn Nowatzke – was hired as Senior Secretary in 1996 and reclassified as Administrative Assistant I in 2002, and promoted to Administrative Assistant II in 2006.

**Reports by City Manager**

Thereupon, the City Manager updated the Governing Body on the “If I Were Mayor” local contest and noted that approximately 50 applications had been received. Additional information will be provided with the Study Session agenda packet for Monday.

November 15, 2006

**Reports by the Mayor**

Thereupon, the Mayor thanked the City employees receiving service awards today for being wonderful employees and for doing all they do for the community.

**Announcements**

Thereupon, the Mayor announced:

1. November 15: Joint City/County/USD lunch at the County at NOON.
2. November 15: League regional Supper meeting in Lawrence 4:45-8:30 pm
3. December 4: Legislative Dinner to follow at County Annex at 5:30 pm

**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.

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Carolyn S. Snethen, Deputy City Clerk

November 15, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
November 20, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance-Amendment to Zoning Ordinance**

Thereupon, there was presented an ordinance and staff memo for the applicable section of the site plan requirements in the Zoning Ordinance. The first proposed amendment would allow staff to grant an exception of required site plans for redevelopment that enlarge the size of the original structure by less than fifty percent. The development must not impact current parking, storm water, traffic or create other impacts upon public health, safety or welfare. The second amendment would allow buildings no greater than 600 square feet in size accessory to commercial or industrial uses to have reduced site plan requirements. A public hearing has been held and the Planning Commission recommends approval by a vote of 6-0. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda.

**Ordinance-Concealed Carry**

Thereupon, the Governing Body discussed with City Attorney Bob Bezek and City Manager Weldon Padgett the legislation allowing the concealed carry of firearms that goes in to affect January 1, 2007. The draft ordinance presented prohibits the concealed carry of firearms in all City owned or leased buildings and parks. Thereupon, the Governing Body made suggested changes and asked that this item be brought back for review at the next study session.

**Review of Minutes**

Thereupon, the Governing Body reviewed the minutes for the November 6, 2006 Study Session and agreed to place this item on the next Regular Agenda.

**Electric Report**

Thereupon, the Governing Body discussed with City Manager Weldon Padgett and Utility Director Jim Bradley the Management Report that summarizes the City electric generation, transmission and distribution needs. Staff tried to distill several engineering reports and data into a balanced portrayal of our history and projected future needs related to electricity. Thereupon, the Governing Body agreed to have Staff move forward and to bring back additional information as it becomes available.

November 20, 2006

### **City Hall Day**

Thereupon, the Governing Body reviewed the “City Hall Day at the Capital” information flyer. The event will take place Thursday, January 25, 2007.

### **“If I Were Mayor”**

Thereupon, City Manager Weldon Padgett updated the Governing Body on the “If I Were Mayor” contest. The evaluation forms and the contest information were provided for review. The City Manager explained 44 essays had been received. The essays will be copied and distributed to each Commissioner for evaluation. The Governing Body agreed the student’s names will not be available during the evaluation process.

### **Monthly Financial and Activity Report-October**

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

### **North Cedar-One Way**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Public Works Director Andy Haney who stated the block of North Cedar on the east side of the former Lincoln school is signed “One Way” although the City is unable find any ordinance adopted by the Governing Body that established this. It was noted that without the ordinance and because the school is closed and slated for demolition, the City plans to remove the “One Way” designation but wanted to alert the City Commission and public it will be removed.

### **Press Release-Community Building Task Force**

Thereupon, the Governing Body reviewed a press release on the Community Building from the building task force, which explained the status of the project and the division of responsibilities.

### **Legislative Dinner**

Thereupon, there was a brief discussion on Legislative Dinner topics to be discussed, as well as, the agenda outline.

### **Youth Delegate**

Thereupon, Mayor Henningsen asked the Youth present if they had anything to report. None reported at this time.

Thereupon, Mayor Henningsen asked the potential Youth Delegate present to introduce himself. Thereupon, Nathan Nowatzke, an 8<sup>th</sup> grader, introduced himself as being interested in becoming a part of the Youth in Government program.

November 20, 2006

**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.

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Scott D. Bird, City Clerk

November 20, 2006

**LEGISLATIVE DINNER MINUTES**

Franklin County Annex/Commission Chambers  
1428 S. Main Street  
Ottawa, Kansas  
December 4, 2006

The Governing Body met at 5:30 pm this date with the following members present and participating to wit, in addition to those listed as follows.

**State Senators**

Pat Apple

**State Representatives**

Bill Feuerborn  
Joe Humerickhouse  
Tom Holland  
Bill Otto

**Ottawa City Commission and Staff**

Deb Henningsen -- Mayor  
Richard Jackson -- Mayor Pro-Tem  
Gene Ramsey -- Commissioner  
Rocky Fler -- Commissioner  
Blake Jorgensen -- Commissioner  
Weldon Padgett -- City Manager  
Scott Bird -- City Clerk  
Nikki Spencer -- Asst. to the City Manager

**Franklin County Commission and Staff**

Ed Taylor -- Chair  
Don Waymire -- Commissioner  
Don Hay -- Commissioner  
Don Stottlemire -- Commissioner  
Roy Dunn -- Commissioner  
Jay Newton, Jr. -- Interim Administrator  
Sue Farrell -- Commissioner-Elect

**USD-290 Board of Education and Staff**

Susan Ward -- President  
Mike Sipple -- Vice President  
Jeanette Lowry -- Member  
Dennis George -- Member  
Louis Reed -- Member  
Jack Bushman -- Member  
Marge Stevens -- Member  
Jean McCally -- Asst. Superintendent  
Dean Katt -- Superintendent

**Media**

Eric Bushman -- KOFO  
Jodie Garcia -- Ottawa Herald  
Matt Simonson -- City Media Specialist

**Other Attendees**

Tom Weigand -- President/CEO, Ottawa Area Chamber of Commerce  
Anna Stone and Alex Burgoon -- Ottawa Youth in Government  
John Coen -- Legislative Assistant to Derek Schmidt

Those present enjoyed dinner which commenced at approximately 5:35 p.m. with a menu provided by "Weddings and More" of Pomona, Kansas.

December 4, 2006

Thereupon, at approximately 6:35 p.m., the State Legislators and Senator Pat Apple moved from the dining area to the head of the room and responded to the following questions.

**USD 290**

- ❖ School Finance –
  1. What role will the legislature play in the next two years of the school finance plan?
  2. What do you see the next school finance plan entailing?
    - a. Full Day Kindergarten
    - b. Starting over with local option budgets (take the caps off or have the State take more of the burden this has put on local tax payers by using the Local Option Budget (LOB) to run the district)
    - c. At Risk Funding (How is it determined and what can it be used for)
    - d. Incentives for Schools on Improvement
  
- ❖ 2010 Commission –
  1. What role will they play in legislative decision making over the next several years?
  2. Will school consolidations be on the agenda for this year's session?

**City of Ottawa**

- ❖ Eminent Domain. Cities need to retain the ability to control property for economic development purposes.
  
- ❖ Funding for Transportation Plan. We support and encourage continuation of the State's initiative to build and maintain an excellent transportation system and to assist communities and regions in funding their transportation needs.
  
- ❖ Tax Lid. The City does not support State-mandated limits on local revenue streams, in particular a property tax lid.
  
- ❖ Appraisals. There are seemingly several advantages to not mandating annual re-valuation or appraisal of real estate, like making it easier for individuals and businesses to budget the known real estate tax levels for several years or even on a biannual frequency. Also this could lower the cost for the county appraiser office (they wouldn't have to re-appraise every property, every year). With this in mind has there been any consideration in changing the mandated annual appraisal policy? Why or Why not?

December 4, 2006

- ❖ TIF Statutes. Tax Increment Financing is a wonderful economic development tool used increasingly by Kansas cities. There is a significant issue in the wording of the Statutes, which currently says you cannot use TIF generated revenues outside of a TIF district. We believe that a legitimate argument, in the spirit and intent of the TIF legislation, is served by allowing the use of TIF revenue outside of a TIF district when it is used to provide a direct service for the TIF project (i.e. to extend water, sewer or other utilities, to make road improvements, etc.). We seek your support in changing the TIF statutes to allow for this.
- ❖ LAVTR. We appreciate the Legislature's reinstatement of LAVTR funds to be phased in beginning in 2009, but would like your support in moving the date forward to 2007 or 2008.

**Franklin County**

- ❖ Amendment of the Rail to Trail Legislation to shift issues from individual counties to the Kansas Department of Wildlife and Parks.
- ❖ Development of state process to better measure and evaluate the adequacy of the appraisal process in each county.

The meeting was adjourned at approximately 7:50 p.m. and City Manager Weldon Padgett thanked all of the participants for attending.

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Scott D. Bird, City Clerk

December 4, 2006

**STUDY SESSION MINUTES  
OTTAWA, KANSAS**

Minutes of  
December 4, 2006

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

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

**Public Comments**

None offered at this time.

**Ordinance-Conditional Use Permit, 409 S Sycamore**

Thereupon, the Governing Body heard from Planning & Code Administration Director, Wynndee Lee, who explained an application for a conditional use permit for a scrap booking-themed bed and breakfast to be located at 409 S. Sycamore. The property zoned R-2 Medium Density Dwelling District. Ms. Lee explained that a public hearing had been held by the Planning Commission with no comments or letters recorded. Initially, staff had recommended a denial for this request; however, with certain conditions added by the Planning Commission, staff supports the unanimous recommendation to grant the conditional use permit. Ms. Lee also reported on other issues including backyard parking and noted that maximum attendance at this facility would be limited to fourteen. The Governing Body agreed to place this item on the Regular Meeting Agenda for December 20.

**Ordinance-Lincoln School Zone**

Thereupon, the Governing Body considered an ordinance to change the designated school zone area from the former Lincoln School located on north Cedar to the new Lincoln School located on north Milner Street. The ordinance designates the areas that consist of the school zone surrounding the new Lincoln School. The Governing Body heard from City Manager Weldon Padgett and Public Works Director Andy Haney and agreed to place this item on the next Regular Meeting Agenda for December 6, 2006.

**Ordinance-Concealed Carry**

Thereupon, the Governing Body reviewed an ordinance to prohibit concealed carry of firearms on City owned or leased property. It was recognized that this issue had been brought back following revisions from a previous Study Session Meeting. City Manager Weldon Padgett explained that signage still needs to be created and in place by January 1. The Governing Body considered this ordinance and agreed to place it on the next Regular Meeting Agenda for December 6, 2006.

December 4, 2006

### **Cereal Malt Beverage Licenses**

Thereupon, the Governing Body reviewed a list of applicants for 2007 CMB Licensing and agreed to place these items on the Regular Meeting Agenda for December 6.

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from the November 15, 2006, Regular Meeting and the November 20, 2006, Study Session and agreed to place these items on the next Regular Meeting Agenda for December 6.

### **Update on Electric Generation**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Utility Director Jim Bradley who provided an update on electric generation. Additional information was requested at the last Commission study session regarding options, pros and cons, cost, financing, electric master plan status related to future electric needs. The Governing Body reviewed the report from the City Manager.

Thereupon, Commissioner Jackson expressed concern about other needs in the community and the financial impact of such needs. The City Manager explained that those issues are being considered and that some scenarios be created to ease these possible impacts. However, it is still recommended that the City proceed with the designing and constructing extensions of the City's transmission system adding a substation and distribution station from the southeast substation to some location in the northeast part of town. The developments that are currently in the planning stages, as well as, recent additions sited in a previous report, create an urgent need for this.

Further recommendation was for continued investigation on the electric generation option and information from that investigation to be returned to the Governing Body in the future. The Governing Body agreed by consensus to proceed with recommendations included in the City Manager report dated December 1, 2006, report #2, on electric system recommendations A & B.

### **"If I Were Mayor"**

Thereupon, the Governing Body reviewed the status of the "If I Were Mayor" contest noting that some reviews need to be made.

### **Update on Parking Ordinance**

Thereupon, the City Manager indicated that staff will continue to study parking issues in the downtown area noting that there has become a greater need for residential parking, for upstairs apartments in the downtown area and that Franklin County Court has expressed parking needs around the Courthouse. He further explained that there were some signs that had been put up that are not the City's, but that staff is working with the County to correct these issues.

December 4, 2006

### **Retirement Plaque for Ron Snethen**

Thereupon, the City Manager noted that due to a death in the family, the Snethen's asked that the presentation of Ron's retirement plaque be deferred to December 20.

### **Open Agenda**

Thereupon, Commissioner Jorgensen expressed concern in the heating at the Municipal Auditorium during a concert by the Suzuki Strings and also noted that the sound system had difficulties. He further expressed concern on the way snow removal had been handled.

Thereupon, Commissioner Ramsey expressed some concern about snow removal in front of empty buildings. He also noted that the Bea Martin Peck Animal Shelter is considering the construction of a new building east of Ottawa, but that a zoning change in the county would be necessary.

Thereupon, the City Manager noted that the Sheriff's Department had spoke with the County Commission regarding Court and Police record software and that the Police Chief is working with the County in a possible effort to coordinate the City and County's software needs. The City Manager also noted that it was time for his annual evaluation and discussion ensued.

### **Announcements**

Thereupon, the Mayor announced:

1. December 4: Legislative Dinner at 5:30 pm at the Franklin County Annex
2. December 6: Regular Meeting at 7 pm
3. December 11: Study Session at 4 pm
4. December 18: Study Session at 4 pm

### **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.

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Scott D. Bird, City Clerk

December 4, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
December 6, 2006

The City Governing Body met at 7 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Henningsen, Commissioner Jorgensen, and Commissioner Ramsey. Commissioner Fleer and Commissioner Jackson were absent. A quorum was present.

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by City Clerk, Scott Bird.

**Consent Agenda**

Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the agenda approval and minutes from November 15, 2006 Regular Meeting and the November 6 and 20, 2006 Study Sessions. The motion was considered and upon being put, all present voted aye. Thereupon, Mayor Henningsen declared the Motion duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor provided the Governing Body an opportunity to declare any conflict or communication that might influence their ability to consider today's issues impartially. None were declared.

**Ordinance-Zoning Site Plan Regulations**

Thereupon, there was presented an ordinance amending Article XXVIII of the Zoning Ordinance No. 3501-05 for the City of Ottawa, Kansas, specifically Section 28-201, of the Site Plan Regulations. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion it was explained that this amendment allows for two changes regarding site plans: (1) redevelopments which enlarge the size of the original structure by less than fifty percent (50%) and do not impact parking, storm water, traffic, etc. may be granted an exception to the required site plan review; and (2) in addition to Single-Family, two-family dwellings and buildings accessory to these dwellings, buildings no greater than 600 square feet in size that are accessory to commercial or industrial uses shall be exempt from certain site plan requirements. A public hearing was held by the Planning Commission and the Planning Commission recommended approval by a vote of 6-0. The motion was considered and upon being put, all present and voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3606-06.

December 6, 2006

### **Ordinance-Lincoln School Zone**

Thereupon, there was presented an ordinance providing for the regulation of vehicular and pedestrian traffic by designating various streets and alleys, or portions thereof, as school zones. Thereupon, Commissioner Jorgensen made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

During discussion, it was explained that with the closing of the former Lincoln Elementary School and the opening of the new Lincoln Elementary School on Milner Street, the Municipal Code needed to be changed and amended to designate the location of the school zone. 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. 3607-06.

### **Concealed Carry Firearms Prohibition**

Thereupon, there was presented an ordinance amending Chapter 38, Article X of the Municipal Code of the City of Ottawa, Kansas, by adding Section 38-1015 Entitled "Carrying Concealed Firearms Prohibited." Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to adopt the ordinance.

During discussion, it was explained that beginning January 1, 2007, State Statute allowed licensed individuals to carry concealed firearms. Legislation already exempts certain properties, (i.e. City Hall) but the City must adopt an ordinance to exempt other properties it owns or leases so weapons may not be carried on these premises. This ordinance establishes the buildings and properties that will be exempt from State Statute and provides a list of the properties to be maintained in the City Clerk's office. Appropriate signage will be installed at each location. 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. 3608-06.

### **Cereal Malt Beverage License**

Thereupon, there was presented Cereal Malt Beverage License Applications for the year 2007 as follows:

#### **Retail sale: Original and Unopened Containers:**

Taylor Oil, Inc., 2305 S. Cedar  
Wal-Mart Stores, Inc. 702 S. W. 8th St., Bentonville, AR. 72716-8013 (2101 Princeton Rd)  
C & Z Inc., d/b/a Total Stop N Save, 1621 South Main  
C & J Management, d/b/a Country Mart, 2138 Princeton Circle Drive  
B & K Ventures LLC, d/b/a First Stop #4 (2518 E. Logan)  
Gasmart USA , 2243 Princeton  
Damani, Inc., d/b/a Logan Street 66, 304 E. Logan  
Casey's General Stores, 1002 N. Main  
Casey's General Stores, 1019 W. 7<sup>th</sup>

December 6, 2006

Crescent Stores Corp., CSC #30, 216 E. 23<sup>rd</sup>  
Casey's General Store #2746, 334 N. Main  
AJIT Corp., d/b/a Ottawa Mini Mart, 2120 Princeton Road

**Consumption on the Premises:**

Bishop's Brew, 120 East Dundee  
Pizza Hut of America, Inc., Law Dept./Licensing, 14841 Dallas Pkwy., Dallas, TX 75240  
Pizza Village, Inc., 330 South Main  
Ping Enterprise, d/b/a China Palace, 910 S. Main

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen, to approve the applications.

During discussion, it was explained that the businesses mentioned above have applied for Cereal Malt Beverage Licenses and each has been reviewed by Police, Fire and the City Attorney with no cause for denial discovered. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

**Reports by Youth Delegates**

Thereupon, Jack Shannon reported to the Governing Body that two of the Youth Delegates were attending the National League of Cities meetings with Commissioner Jackson and Fleer.

**Reports by City Manager**

Thereupon, City Manager Weldon Padgett thanked the Mayor for her detailed reading of the Cereal Malt Beverage License Applications. He further thanked those employees instrumental in the snow removal process in the downtown area noting that City staff did a great job. He read the names of those who had helped and stated that policy and procedure changes would be reviewed by staff.

**Reports by the Mayor**

Thereupon, Mayor Henningsen noted that Commissioners Jackson and Fleer were at the National League of Cities Meeting along with two Youth Delegate participants. She also expressed her sympathy to Deputy City Clerk, Carolyn Snethen for the recent loss of her father.

**Announcements**

Thereupon, the Mayor announced:

1. December 11: Study Session at 4 pm
2. December 18: Study Session at 4 pm
3. December 20: Regular Meeting at 9:30 am
4. December 25: Christmas-City Hall Closed
5. January 1: New Year's Holiday-City Hall Closed

December 6, 2006

**Adjournment**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jorgensen to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 7:16 p.m.

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Scott D. Bird, City Clerk

December 6, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
December 11, 2006

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

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

**Public Comments**

**Old West Cowboy Days-2007**

Thereupon, the Governing Body heard from Earnie Rodian and Jason Camis representatives of Old West Cowboy Days for 2007. Mr. Rodian requested June 29, 30 and July 1, 2007 for the event at Forest Park. Thereupon, the Governing Body approved the request and stated the organization would need to work with City Staff on the event detail and needs from the City.

**Power of the Past-2007**

Thereupon, the Governing Body heard from Richard Mullins a representative of Power of the Past who provided information on the 2006 event, as well as, planning for the September 7, 8, 9, 2007 event. Mr. Mullins stated parking might be an issue as the event has really grown and is expected to be larger in 2007. The Governing Body asked Mr. Mullins to work with City Staff on event details.

**Resolution-City Boundaries**

Thereupon, the Governing Body reviewed a resolution describing the city limits property annexed in 2006. It was noted that in 2006, 22 tracts were annexed, for a total of 177.33 acres. It was explained the City Engineer prepared the resolution and legal description. Thereupon, the Governing Body agreed to place this item on the next Regular Meeting Agenda for December 20, 2006.

**Youth In Government**

Thereupon, the Governing Body noted the final member for the Youth in Government program is Nathan Nowatzke, 8<sup>th</sup> Grade, who will be sworn in at the December 20, 2006 Regular Meeting. Thereupon, the Governing Body agreed to place this item on the Regular Meeting Agenda for December 20, 2006.

**Kansas Municipal Energy Agency-Jim Widener**

Thereupon, the Governing Body heard from Kansas Municipal Energy Agency representative Jim Widener who discussed electric transmission, power supply and generation. Thereupon, City Manager Weldon Padgett stated additional information will be brought to the Governing Body from consulting engineers with Sega concerning the electrical distribution in the north part of town.

December 11, 2006

### **City Snow Removal**

Thereupon, the Governing Body heard from City Manager Weldon Padgett and Public Works Director Andy Haney regarding the current snow removal procedures and a map indicating the order in which snow and ice mitigation activities take place. The City Manager stated meetings will be set up in working with the Chamber to review the current City policies and procedures on snow removal. Once this process is completed the City Manager will bring information back to the Governing Body for review.

### **Monthly Financial and Activity Report-November**

Thereupon, the Governing Body reviewed with staff the Monthly Financial and Activity Report for the month of November.

### **Franklin County Leadership Class Request**

Thereupon, the Governing Body reviewed a request from the 2006-2007 Leadership Franklin County class to waive the rental fee for an event they are hosting at the Municipal Auditorium. The class is planning to host a karaoke contest as part of their 5-day Winter Adventures series. It was noted these events are open for youth and their families. The event will take place Wednesday, December 27. Thereupon, the Governing Body agreed to this request.

### **Reports From Commissioner Fler and Jackson**

Thereupon, the Governing Body agreed to defer until a later date the reports from Commissioner Fler and Jackson on their recent trip to Reno, Nevada for the National League of Cities Conference.

Thereupon, Commissioner Jackson spoke briefly on the recent General Session discussion on housing.

### **Youth In Government**

Thereupon, Mayor Henningsen asked the youth delegates present if they had anything to report. Thereupon, Jill Francis reported the youth have finals next week and will probably be ready to report on their trip to the National League Conference after the first of the year.

### **Announcements**

Thereupon, the Mayor announced:

1. December 20: No Joint Lunch (Legislative Dinner represented the December Joint Meeting)

December 11, 2006

**Adjournment**

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

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Scott D. Bird, City Clerk

December 11, 2006

**STUDY SESSION MINUTES**  
**OTTAWA, KANSAS**  
Minutes of  
December 18, 2006

The Governing Body met at 3:30 pm this date with the following members present and participating to wit: Mayor Henningsen, Commissioner Fler, and Commissioner Jackson. Commissioner Jorgensen and Commissioner Ramsey were absent. A quorum was present.

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

**Public Comments**

None offered at this time.

**Planning Commission Vacancy**

Thereupon, the Governing Body discussed that Friday was the deadline for the vacant Planning Commission position and the City has received six applications.

**Upcoming Study Sessions**

Thereupon, the City Manager noted that the next two Mondays would fall on the holidays and asked for direction from the Governing Body. Thereupon, it was agreed that a Study Session would be scheduled for 6:30 pm on January 3, 2007 immediately preceding the Regular Meeting on that same date.

**“If I Were Mayor”**

Thereupon, the Governing Body discussed the “If I Were Mayor” contest. It was noted that prizes for 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> place would be awarded in the amounts of \$ 75.00, \$ 50.00 and \$ 25.00.

**Electric Substation and Future Generation**

Thereupon, the Governing Body heard from Mr. Jack Werthman, Engineer with SEGA the City’s consulting and design engineers for electrical construction. Thereupon, Mr. Werthman demonstrated a load system analyzer showing the Governing Body how the growth in the northeast section of the community is putting stress on that part of the system.

Thereupon, Commissioner Jorgensen arrived at 3:37 pm.

Mr. Werthman indicated efforts have been made to ease these concerns by adding additional capacitors banks. However, he warned that with the increased growth expected in this area the City will see degradation on this part of the local grid.

Thereupon, Commissioner Ramsey arrived at 3:41 pm.

Therefore, Mr. Werthman indicated the City needed a source of electric closer to the demand and therefore, SEGA has modeled a new substation for the industrial park area. He noted that as the

December 18, 2006

system grows a new substation could be designed to handle that growth. Thereupon, the City Manager asked if the model included the proposed Travel Plaza. Mr. Werthman indicated this project had not been included but the new substation would be able to handle it. He indicated that the design for the northeast substation would be comparable to the design of the southeast substation. It will be capable of handling two transformers allowing for future growth and moving some load off of the power plant substation. Mr. Werthman further illustrated the ability to feed this substation from the southeast substation, giving the City flexibility to get power back on to the grid system.

Thereupon, Mr. Werthman concluded his remarks and introduced Mr. Chris Rogers and Mr. Jerry Boehm. Mr. Boehm explained the next phase of the electric project, which would be the possibility of adding additional generation. He also illustrated to the Governing Body various possibilities with base loads, peaking and intermediate units. He noted that the addition of a generating unit would allow the City to meet long term needs, control voltage dips and meet high summer time peaks, keeping in mind that the City has a requirement for 12% reserve through its purchase contracts. New generation would further enhance the City's black start capabilities. Mr. Werthman added that the additional peaking power would allow the City to play the power market and purchase energy at the lowest possible cost and if the energy costs are too high, the City would continue to merely generate. This type of addition would be considered as an insurance policy to the City and its customers.

**City Health Insurance Benefits**

Thereupon, the Governing Body reviewed a memo drafted by City Finance Director Scott Bird that provided a historical explanation of the health insurance plan and noting that due to rising health insurance costs and health insurance utilization, city staff had made changes to both the contributions and benefits. It was indicated that leading up to the renewal in August, 2006, the fund balance continued to struggle. Therefore, staff in consultation with its health insurance advisors recommended to the City's Benefit Committee that co-pays and deductibles be changed as follows:

	<u>Aug. 2005</u>	<u>Aug. 2006</u>
Co-Pays		
Office Visit Co-Pay	\$ 10.00	\$ 20.00
Emergency Room	\$ 25.00	\$ 75.00
In Network Annual Deductible		
Individual	\$ 100.00	\$ 500.00
Family	\$ 200.00	\$1,000.00
Out of Network Annual Deductible		
Individual	\$ 100.00	\$1,000.00
Family	\$ 200.00	\$2,000.00

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In Network Out-of-Pocket Maximum		
Individual	\$ 400.00	\$1,000.00
Family	\$ 800.00	\$2,000.00
Out of Network Out-of-Pocket		
Individual	\$ 500.00	\$2,000.00
Family	\$1,000.00	\$4,000.00

Thereupon, Human Resources Director Melissa Fairbanks introduced LoRee Stevens, Ed Treadwell and Tom Hoyt of Thomas McGee Company. Ms. Stevens and Mr. Hoyt explained that the City had compared its benefit package and health insurance benefits to other cities its size and found that the benefits were richer than many others. Therefore, the recommended changes had been accepted by the Benefits Committee, recognizing that the health insurance fund was in need of change. Mr. Treadwell explained that the plan was started in 1990 and included a Wellness Program Package which had worked very well for the City. However, over more recent years as health insurance costs increased, employees were asked to reconsider their use of the plan in order to keep overall costs down. Education efforts were started with the Employees Benefits Committee and with 2005 some headway was experienced. With other changes implemented for the 2006 plan, a balance is being brought back to the plan.

Thereupon, Commissioner Jorgensen noted that there was a push in the private sector to increase the deductible and create individual health savings accounts. Ms. Stevens explained that this has been discussed; however it was decided that too many changes would not be advisable in one plan year. The City Manager explained that the City continues to tweek this plan and to work towards insuring its integrity for the future.

The Governing Body thanked those from Thomas McGee.

### **Ordinance - Snow Removal**

Thereupon, the Governing Body considered a snow removal ordinance that would increase the time limit for residential sidewalk clearing to 24 hours. The Governing Body considered this issue and agreed to place it on the Regular Meeting Agenda for Wednesday, December 20, 2006.

### **Review of Minutes**

Thereupon, the Governing Body reviewed the minutes from December 4, 2006 Study Session, the December 4, 2006 Legislative Dinner, December 6, 2006 Regular Meeting and the December 11, 2006 Study Session and agreed to place these minutes on the Regular Meeting Agenda for December 20, 2006.

December 18, 2006

## **Open Agenda**

### **Swimming Pool-Water Slide**

Thereupon, the Governing Body considered a request from the City Manager to order a water slide for the Municipal Pool at a cost of \$ 15,000.00 noting that funds could be encumbered from the general fund contingency and paid for by the Special Parks Fund. The Governing Body considered this issue. Thereupon Commissioner Ramsey made a motion, seconded by Commissioner Jackson, to approve the request. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the motion duly approved.

### **Planning Commission Open Position**

Thereupon, the Governing Body discussed the vacant planning commission position and agreed that some interview process should take place. The Governing Body is to get potential questions to the City Manager. The City Manager suggested Planning and Codes Administration Director Wynndee Lee work up a couple of interview scenario questions.

### **League Reports**

Thereupon, Commissioner Jackson suggested the reports from the National League of Cities Meeting be deferred to Wednesday, December 20, 2006.

### **Contract With Economic Development**

Thereupon, the City Manager explained that the County had requested the Economic Development Contract with the Chamber of Commerce be made with OFCED. Mr. Padgett explained that he had worked through this situation with the County Administrator and City Attorney making sure the content of the contract was the same, and also insuring all parties were in agreement with this three way contract.

### **Break In Concerns**

Thereupon, Commissioner Fleer expressed some concern about break-ins on the north side of town. Thereupon, Captain Randy Allan responded to Commissioner Fleer's concerns.

### **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.

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Scott D. Bird, City Clerk

December 18, 2006

**City Commission**  
**Regular Meeting Minutes**  
Ottawa, Kansas  
December 20, 2006

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

The Mayor called the meeting to order and welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag and the invocation was given by Rev. Katrina Palan from First Christian Church.

**Consent Agenda**

Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Ramsey, to approve the consent agenda. The consent agenda included the minutes from December 4, 2006 and December 11, 2006 Study Sessions, December 6, 2006 Regular Meeting and the December 4, 2006 Legislative Dinner. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the Consent Agenda duly approved.

**Public Comments**

None offered at this time.

**Declaration**

Thereupon, the Mayor provided the Governing Body an opportunity to declare any conflict or communication that might influence their ability to consider today's issues impartially. None were declared.

**Recognition**

Thereupon, the Mayor recognized Water Plant Superintendent Ron Snethen for thirty-five years of service upon his retirement and asked Utility Director Jim Bradley to introduce Mr. Snethen. Thereupon, Mr. Bradley explained Mr. Snethen was employed by the City in 1971 as a laborer, transferred to Highland Cemetery in 1976, promoted to Operator I, in May, 1976 transferred to Water Production as an operator in 1980, promoted to Assistant Water Plant Superintendent in 1990 and in 1991 was named Acting Water Superintendent. January 1992 he was named Water Superintendent. Mr. Bradley further explained that Ron's abilities and attitude had helped save the City thousands of dollars and that there had never been a violation of any KDHE or EPA regulations during his tenure at the Water Plant. He was recently awarded the American Water Works Meritorious Award and the Kansas Rural Water Association Municipal Power Plant Superintendent of the Year Award.

On behalf of the City and the Governing Body the Mayor presented a plaque to Mr. Snethen and congratulated him on thirty-five years of exceptional service.

December 20, 2006

### **Introduction of New Employees**

Thereupon, Electric Distribution Superintendent Steve Greiner introduced Mr. Andrew Nitcher as the latest edition to the Electric Distribution Division.

Thereupon, Water Superintendent Eric Soper introduced Mr. Tanner Nitcher as the latest edition to the Water Distribution Sewer Collection crew.

### **New Business**

#### **Ordinance-Scrapbooking Bed and Breakfast**

Thereupon, there was presented an ordinance granting a conditional use permit for the operation of a Scrapbooking Bed and Breakfast located at 409 S. Sycamore Street requested by Margaret Kreiser and Karin Olson, in the City of Ottawa, Kansas. Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Fleer, to adopt the ordinance.

During discussion, it was explained that this property is zoned R-2, Medium Density Dwelling District. A public hearing was held by the Planning Commission with no comments or letters recorded. The initial staff recommendation was to deny the request; however, with the conditions added by the Planning Commission, Staff supported the unanimous recommendations to grant the conditional permit by adopting the ordinance. 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. 3609-06.

Thereupon, Commissioner Jorgensen arrived at 9:40 am.

#### **Resolution-Territorial 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. 1352-05. Thereupon, Commissioner Jackson made a motion, seconded by Commissioner Fleer, to adopt the resolution.

During discussion, it was explained that this resolution is required each year in which the City has added or removed land from its corporate boundaries. Property annexed in 2006 is included in this legal description. 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. 1397-06.

#### **Ordinance-Snow & Ice Removal**

Thereupon, there was present an ordinance amending Chapter 70, Article I, Section 70-103 and Chapter 10, Section 10-504 of the Municipal Code of the City of Ottawa, Kansas. Thereupon, Commissioner Fleer made a motion, seconded by Commissioner Ramsey, to adopt the ordinance.

December 20, 2006

During discussion it was explained that this ordinance would extend the current time requirement for residential areas to clear snow and ice from five hours after snowfall to twenty-four hours. Following the recent snowfall, concern had been expressed that the requirement was not long enough for homeowners who work outside the home. The ordinance maintains the five-hour requirement for all other properties. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the ordinance duly adopted and the ordinance was duly numbered Ordinance No. 3610-06.

### **Youth In Government Member**

Thereupon, Nathan Nowatzke, an eighth grader with Ottawa Middle School, was introduced to the Governing Body as having completed the necessary requirements and having been selected as a Youth in Government Member. Nathan was sworn in by Lisa Borjas and congratulated by the Governing Body. Thereupon, Nathan indicated he wanted to be part of the Youth in Government Program to help shape the world that he lives in for his family and friends.

### **Reports from Youth in Government**

Thereupon, Youth in Government Coordinator Lisa Rivers thanked the Governing Body for the opportunity to attend the National League of Cities Meetings in Reno, Nevada noting that a presentation would be forth coming from Youth Delegates.

### **Reports by City Manager**

Thereupon, the City Manager called upon the Assistant to the City Manager Nikki Spencer who reported to the Governing Body that registrations have been made for the four members attending the March National League of Cities Meeting in Washington, DC.

Thereupon, the City Manager called upon Police Chief Dennis Butler who responded to questions that had been posed at the January 18 Study Session relating to burglaries on the north side of town. Chief Butler explained that crime was down in the City noting that in 2005 burglaries through the first 11 months numbered 210 and during the same time frame of 2006 there have only been 101 burglaries reported. In 2005, the north side experienced 68 of the 210 and in 2006, the north side has experienced 38. In 2005, 19 arrests were made. In 2006, 35 and in 2005, 15 cases were cleared and in 2006 21.

Chief Butler further explained an unrelated traffic stop was overheard by an off-duty officer who recognized a suspicious situation and reported to work and was able to resolve four burglaries as a result of interviewing the persons involved in the traffic stop. He further explained that there had been a shooting in the 1500 block of South Hickory last evening and the issue was still being investigated

December 20, 2006

The Police Department has received good information and a press release had been released earlier this morning. He further indicated that the victim and perpetrator apparently knew each other and that the citizens of Ottawa should not be afraid.

He also reported on a recent rape case investigation and presented what he deemed as a very good description and an artist sketch rendition, which would be made public. The Chief reemphasized that serious crime is down by 50% in this community.

Thereupon, the Mayor expressed her gratitude to the Police Department stating that the public needs to know how well the community is protected and thanked the Ottawa Police Department for their dedication. Commissioner Ramsey stated that his business had been recently broken into and that the Police Department had done an excellent job in the investigation.

### **Reports by Commissioners-National League of Cities Conference**

Thereupon, the Governing Body heard from Commissioner Fleer having recently attended the National League of Cities Meeting in Reno, Nevada stating that she had attended sessions dealing with Energy and Environmental Transportation Emergency Communications and the Hispanic Elected Local Officials Committee (HELO).

Thereupon, the Governing Body heard from Commissioner Jackson stating that he had attended the Finance Sessions, noting several issues that the City will want to be aware of including: Sales Tax Issues, Economic Development, Aid to Cities, Federal Mandates and possible elimination of State and Local tax deductions. He also indicated he had reviewed a program from Junction City and attended a session dealing with information regarding Racial Equality Week. Commissioner Jackson noted that the City might want to consider updating the Government Access Channel to better serve the hearing impaired and Hispanic populations in the community.

Thereupon, the Governing Body heard from Commissioner Ramsey who noted that this year the Ottawa citizens had approved a half-cent sales tax and that a lot of other communities are following suit.

### **Reports by the Mayor**

Thereupon, the Mayor wished the community a Merry Christmas and a Happy New Year.

### **Announcements**

Thereupon, the Mayor announced:

January 3, 2007: Study Session at 6:30 pm (Note meeting moved from the regular time)

January 3, 2007: Regular Meeting at 7 pm

January 8, 2007: Study Session at 4 pm

January 15, 2007: Study Session Cancelled due to Martin Luther King Day

December 20, 2006

**Adjournment**

Thereupon, Commissioner Ramsey made a motion, seconded by Commissioner Jackson to adjourn the meeting. The motion was considered and upon being put, all present voted aye. Thereupon, the Mayor declared the meeting duly adjourned at 10:10 am.

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Scott D. Bird, City Clerk

December 20, 2006