

**Regular Meeting Minutes
City Hall
Minutes of February 21, 2024**

The Governing Body met at 10:00 am. on this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Skidmore, Mayor Pro Tem Allen, Commissioner Caylor, and Commissioner Crowley. Commissioner Clayton was absent. Mayor Skidmore called the meeting to order.

The Mayor welcomed the audience and led the Pledge of Allegiance to the American flag. City Manager Brian Silcott gave the invocation.

Public Comments

No public comments were received.

Appointments, Proclamations, Recognitions, Nominations and Public Hearings
Recognition of Chris Kraus, Electric Distribution, for Completion of Electric Lineman Apprenticeship Program

Assistant Superintendent Ed Thompson from the Electric Distribution Department commended Chris Kraus for completing the Electric Lineman Apprenticeship Program. This achievement grants Chris all the privileges and benefits accorded to a Journeyman Lineman. The Kansas Department of Commerce, in collaboration with the Kansas Apprenticeship Council and the U.S. Department of Labor, has duly acknowledged Chris' exceptional accomplishments and presented him with a certificate affirming his proficiency in the field.

Consent Agenda

Commissioner Caylor made a motion, seconded by Commissioner Crowley, to approve this consent agenda to include minutes from the February 14, 2024 Regular Meeting and the Regular Meeting agenda. The motion was considered, and upon being put, all present voted aye. The Mayor declared the consent agenda duly approved.

Declaration

No declaration was made.

Unfinished Business

Charter Ordinance Establishing a Transient Guest Tax

The Governing Body heard from City Manager Brian Silcott, who continued a discussion on implementing a transient guest tax for the City of Ottawa, with a proposed cap not exceeding 9%. The presentation encompassed the following significant points:

- Franklin County began levying a six percent (6%) transient guest tax on January 1, 2004
- Charter Ordinances necessitate a 2/3 vote for passage and will not be in effect until 61 days after publication

Commissioner Caylor made a motion, seconded by Mayor Pro Tem Graves, to adopt the Charter Ordinance. The motion was considered and upon being put was denied by

February 21, 2024

the following vote: Mayor Pro Tem Allen aye, Commissioner Caylor aye, Commissioner Crowley nay and Mayor Skidmore, aye. The Mayor declared the proposed Charter Ordinance duly denied as there was not the 2/3 vote required to pass.

New Business

Resolution Authorizing the Sale and Conveyance of the Project and Execution of a Release of Leases for Industrial Revenue Bond Series 2019 for Holiday Inn Express and Suites

The Governing Body heard from Tyler Ellsworth from Kutak Rock, who stated Ottawa Lodging, LLC, owners of Holiday Inn Express and Suites, have requested a closeout and release of leases related to the 2019 Industrial Bonds to facilitate a sale of the property and included the following:

- Resolution authorizes the sale and conveyance of the project and the execution of a release of leases and further authorizes certain additional related actions in connection with the City's not to exceed \$6,950,000 Industrial Revenue Bonds, Series 2019
- City of Ottawa started working with Ottawa Lodging LLC in the spring of 2017 on a package of incentives, including Tax Increment Financing reimbursement, two Community Improvement Districts with a 2% additional sales tax on the hotel and a 1% additional tax on Arby's, and a sales tax exemption on construction under Industrial Revenue Bonds in a not-to-exceed amount of \$6,950,000
- Ottawa Lodging, LLC is requesting to terminate their IRB and, subsequently, the lease created by the IRB which is the final step in closing the IRB
- There are no financial considerations for the City of Ottawa

Commissioner Caylor made a motion, seconded by Mayor Pro Tem Graves, to adopt this resolution, and upon being put, all present voted aye. The Mayor declared this resolution duly adopted, and this resolution was duly numbered Resolution No. 1954-24.

Mobile Food Vendor Licensing

The Governing Body heard from City Clerk Melissa Reed, who reviewed the current mobile food vendor licensing framework and the following points:

- Request from the Governing Body prompted a review of the mobile food licensing fee structure
- On June 18, 2018, the Governing Body passed Ordinance 3988-18, which formalized mobile food licensing and introduced an annual fee of \$150
- Current annual fee for obtaining a mobile food license is a fixed \$150 with no provision for proration
- Research into neighboring communities revealed significant variance in fees, ranging from \$600 annually to daily options as low as \$25
- Three options were presented for consideration

After careful consideration, the Governing Body has resolved to instruct staff to prepare an ordinance amending the municipal code. The amendment will introduce an optional

one-time 30-day license with a fee of \$20 with additional language addressing compliance with the City's zoning regulations, as well as other pertinent municipal laws concerning building codes, fire safety, and public health.

Review of Proposed Updates to Chicken Ordinance

The Governing Body heard from City Manager Silcott, who reviewed proposed updates to the chicken ordinance and the following points:

- Consider two revisions to Ordinance No 4119-23 that allow for the keeping of female chickens within the City limits and amended section 24-602(d) of the zoning regulations
- Revisions proposed by a member of the City Commission are both to Section 3
- Section 3(a) 2 – Remove the words “or other building”
- Section 3(c) – Strike entirely

Commissioner Crowley made a motion, seconded by Mayor Pro Tem Graves, to approve this Ordinance amendment, removing Section 3(a) 2 but leaving Section 3(c). The motion was considered and upon being put, all present voted aye. The Mayor declared this Ordinance duly approved, and the Ordinance was duly numbered Ordinance No. 4132-24.

Capital Project Updates

The Governing Body heard from City Manager Brian Silcott, who provided an update on current capital projects.

City Manager's Comments

City Manager Brian Silcott provided insights into forthcoming agenda items during his comments.

Governing Body Comments

Commissioner Crowley extended his appreciation to Chris Kraus for his dedication and hard work for the City of Ottawa.

Announcements

- A. February 28, 2024 City Commission Meeting - 4:00 pm, City Hall
- B. March 6, 2024 City Commission Meeting – 7:00 pm, City Hall
- C. March 10-13, 2024 National League of Congressional City Conference, Washington D.C.
- D. March 13, 2024 City Commission Meeting - Cancelled

Adjournment

There being no further business to come before the Governing Body, the Mayor declared the meeting duly adjourned at 11:04 a.m.

/s/ Melissa Reed
Melissa Reed, City Clerk