



CITY COMMISSION STUDY SESSION AGENDA

Ottawa City Hall - 101 S. Hickory
Monday, April 6, 2020 - 4:00 PM



If you need this information in another format or require a reasonable accommodation to attend this meeting, contact the City's ADA Coordinator at 785-229-3621. Please provide advance notice of at least two (2) working days. TTY users please call 711.

Due to social distancing and the prohibition of a gathering of 10 or more people to mitigate the spread of COVID-19, physical access to the City Commission Study Session will be restricted.

In accordance with Kansas Open Meetings Act (KOMA), the meeting can be viewed live on Channel 23 and via Facebook Live or listened to by dialing (312) 626-6799 and entering meeting ID code 262 844 751.

Citizens may submit comments (300 words or less) for the City Commission to be read during public comment or during discussion on an agenda item. Submit your comment (300 words or less) to publiccomments@ottawaks.gov no later than 2:00 pm on April 6th; all emails must include your name and address.

- I. **Public Comments:** Subject to the above restrictions, persons who wish to address the City Commission regarding items on the agenda may do so as that agenda item is called. Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so at this time when called upon by the Mayor. Comments on personnel matters and matters pending in court or with other outside tribunals are not permitted. Speakers are limited to three minutes. Any presentation is for information purposes only. No action will be taken.
- II. **Items to be Placed on the Regular City Commission Agenda**
 - a. Minutes from the February 5, 2020 Regular Meeting, February 10, 2020 Study Session, and February 19, 2020 Regular Meeting *Pp. 2-7*
- III. **Items for Presentation and Discussion**
 - a. Temporary Suspension Issuance of Door-to-Door Solicitor Licenses - Amy Finch *Pp. 8 (action requested)*
 - b. Capacity Transaction Confirmation Letter with Kansas Municipal Energy Agency (KMEA) for Dogwood Energy Facility - Dennis Tharp *Pp. 9-12 (action requested)*
 - c. City Manager's Report
 - d. Commissioner's Reports
 - e. Mayor's Report
- IV. **Announcements**
 - April 13, 2020 Study Session, 4:00 pm, City Hall CANCELLED
 - April 15, 2020 **Regular** Meeting, 10:00 am, City Hall
 - April 20, 2020 Study Session, 4:00 pm, City Hall
- V. **Adjourn**
- VI. **Items Already Placed**

**Regular Meeting Minutes
Commission Chambers
101 S Hickory, Ottawa, Kansas
Minutes of February 5, 2020**

The City Governing Body met at 7:00 pm this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Weigand, Commissioner Caylor, Commissioner Crowley, Commissioner Skidmore, and Commissioner Jorgensen. A quorum was present.

Mayor Weigand called the meeting to order.

The Mayor welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag. The invocation was given by Pastor Drew Reding, Grace Community Fellowship Church.

Consent Agenda

Commissioner Jorgensen made a motion, seconded by Commissioner Caylor, to approve this consent agenda, to include minutes from the January 13, 2020 Study Session and January 15, 2020 Regular Meeting; the appointment of Utilities Director Dennis Tharp to the Kansas Municipal Energy Agency Board of Directors as Director #2; the following Board and Commission assignments for 2020-2021: Airport Advisory Board – Commissioner Skidmore, Library Board – Mayor Weigand, Chamber of Commerce – Mayor Pro Tem Caylor, Franklin County Development Council – Mayor Weigand, Kansas Municipal Energy Agency – Mayor Pro Tem Caylor, Ottawa Main Street Association Board – Commissioner Crowley, Neighborhood Revitalization Committee – Mayor Pro Tem Caylor, Ottawa Memorial Auditorium Advisory Board – Commissioner Jorgensen, Play Task Force – Commissioner Skidmore, Prairie Paws Animal Shelter – Commissioner Crowley; and this Regular Meeting agenda. The motion was considered and upon being put, all present voted aye. The Mayor declared the consent agenda duly approved.

Public Comments

None offered at this time.

Declaration

None given.

Ordinance—Adopting and Incorporating Interconnection Standards for the Installation and Operation of Customer Owned Electric Generating Facilities

The Governing Body heard from Utilities Director Dennis Tharp who reviewed an ordinance adopting and incorporating interconnection standards for installation and operation of customer owned electric generation facilities and answered questions from the Governing Body. Mr. Tharp explained this ordinance allows the utility to ask residents to upgrade if there are necessary improvements needed when they are installing renewable generation for safety and the cost should be minimal. Commissioner Caylor made a motion, seconded by Commissioner Crowley, to approve this ordinance. The motion was considered and upon being put, all present voted aye. The Mayor declared this ordinance duly approved and this ordinance was duly numbered Ordinance No. 4048-20.

February 5, 2020

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Airport Capital Improvement Plan

The Governing Body heard from Public Works Director Michael Haeffele who reviewed the Airport Capital Improvement Plan which outlines capital improvement projects at the airport for the next 11 years and a request to sign necessary documents and answered questions from the Governing Body. Mr. Haeffele explained this is required annually to receive funding from the Federal Aviation Administration (FAA) and the plan can be changed each year based on needs. Commissioner Skidmore made a motion, seconded by Commissioner Jorgensen, to approve this plan and grant approval for Mr. Haeffele to execute the necessary documents. The motion was considered and upon being put, all present voted aye. The Mayor declared the Airport Capital Improvement Plan and approval for Mr. Haeffele to execute necessary documents duly approved.

City Manager's Report

City Manager Richard U. Nienstedt reminded everyone to wash their hands, stay home if you are sick, and pay attention to the symptoms for themselves, friends, and families.

Commissioner's Reports

Commissioner Jorgensen reported the 2020 census is approaching and citizens will be receiving information in the mail and it is important that we get an accurate count.

Mayor's Report

Mayor Weigand had no report.

Announcements

Mayor Weigand made the following announcements:

- February 6, 2020 Cultural Breakfast, 7:30-9:00 am, Ottawa Memorial Auditorium
- February 10, 2020 Study Session, 4:00 pm, City Hall
- February 17, 2020 Study Session, 4:00 pm, City Hall
- February 19, 2020 Regular Meeting, 10:00 am, City Hall
- February 19, 2020 Joint City/County/USD 290 Meeting, Noon, City Hall

Adjournment

There being no further business to come before the Governing Body, the Mayor declared the meeting duly adjourned at 7:13 pm.

Amy Finch, City Clerk

**Study Session Minutes
Ottawa, Kansas
Minutes of February 10, 2020**

The Governing Body met at 4:00 pm this date with the following members present and participating to wit: Mayor Weigand, Commissioner Caylor, Commissioner Crowley, Commissioner Jorgensen, and Commissioner Skidmore. A quorum was present.

Mayor Weigand called the meeting to order.

Public Comments

None offered at this time.

2020 Cereal Malt Beverage License

The Governing Body heard from Assistant City Clerk Misty Kems who reviewed a request for a 2020 Cereal Malt Beverage license for Dollar General Store at 305 N. Main Street and answered questions from the Governing Body. Ms. Kems explained this is an application for a new license after the flood delayed the re-opening of the Dollar General on the north end of the city and the Dollar General at the south end of town was already approved. The Governing Body agreed by consensus to place this item on the consent agenda on the next Regular Meeting on February 19, 2020.

Resolution—Appointing a Non-Voting Member of the Land Bank of the City of Ottawa and Setting the Bond Requirements for the Treasurer Thereof

The Governing Body heard from City Manager Richard U. Nienstedt who reviewed a resolution appointing the City Manager as the non-voting member of the Land Bank and setting the bond requirements for the Land Bank Treasurer and answered questions from the Governing Body.

City Clerk Amy Finch answered questions from the Governing Body and stated after discussion with City Attorney Blaine Finch, it is recommended Land Bank meetings be held immediately following the adjournment of a Study Session meeting and be opened as a new meeting. The Governing Body agreed by consensus to place this item on the next Study Session agenda on February 17, 2020.

Automatic Aid Agreement—Lincoln, Ottawa, Harrison Townships (LOH) Fire Department & Ottawa Fire Department

The Governing Body heard from Fire Chief Tim Matthias who reviewed an Automatic Aid Agreement between the LOH Fire Department and the Ottawa Fire Department that would trigger an automatic call for aid for structure fires and answered questions from the Governing Body. The Governing Body agreed to place this item on the next Study Session agenda for further discussion.

Kansas Department of Transportation (KDOT) Federal Funds Exchange Program 2020

The Governing Body heard from Public Works Director Michael Haeffele who reviewed the KDOT Federal Funds Exchange Program for 2020 that allows the City the ability to exchange \$264,000 this year, reflecting a one-time adjustment, or bank the funds toward a later project and answered questions from the Governing Body. The Governing Body agreed to place this item on the next Study Session agenda for further discussion.

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City Manager's Report

City Manager Richard U. Nienstedt reported on the following:

- We Conference is on February 20, 2020 at 2:00 pm and 7:00 pm and the City is a sponsor

Commissioner's Reports

After discussion, the Governing Body agreed to cancel the February 17, 2020 Study Session meeting and agreed to place the following agenda items on the next Regular Meeting agenda on February 19, 2020:

- III. a. Resolution—Appointing a Non-Voting Member of the Land Bank of the City of Ottawa and Setting the Bond Requirements for the Treasurer Thereof
- III. b. Automatic Aid Agreement—Lincoln, Ottawa, Harrison Townships (LOH) Fire Department & Ottawa Fire Department
- III. c. Kansas Department of Transportation (KDOT) Federal Funds Exchange Program 2020

Mayor's Report

Mayor Weigand had no report.

Announcements

Mayor Weigand made the following announcements:

- February 19, 2020 Regular Meeting, 10:00 am, City Hall
- February 19, 2020 Joint City/County/USD 290 Meeting, City Hall, 12:00 pm

Adjournment

There being no further business to come before the Governing Body, the Mayor declared the meeting duly adjourned at 4:28 pm.

Amy Finch, City Clerk

**Regular Meeting Minutes
Commission Chambers
101 S Hickory, Ottawa, Kansas
Minutes of February 19, 2020**

The City Governing Body met at 10:00 am this date for the Regular City Commission Meeting with the following members present and participating to wit: Mayor Weigand, Commissioner Caylor, Commissioner Crowley, Commissioner Skidmore, and Commissioner Jorgensen. A quorum was present.

Mayor Weigand called the meeting to order.

The Mayor welcomed the Chamber Audience and led the Pledge of Allegiance to the American flag. The invocation was given by Pastor Mark Hutton, Westminster Presbyterian Church.

Public Comments

None offered at this time.

Consent Agenda

Commissioner Caylor made a motion, seconded by Commissioner Crowley, to approve this consent agenda, to include the 2020 Cereal Malt Beverage License for Dollar General Store at 305 N. Main and this Regular Meeting agenda. The motion was considered and upon being put, all present voted aye. The Mayor declared the consent agenda duly approved.

Declaration

None given.

Resolution—Appointing A Non-Voting Member of the Land Bank of the City of Ottawa and Setting the Bond Requirements for the Treasurer Thereof

The Governing Body heard from City Manager Richard U. Nienstedt who reviewed a resolution appointing the City Manager as the non-voting member of the Land Bank and setting the bond requirements for the Land Bank Treasurer and answered questions from the Governing Body.

Commissioner Jorgensen stated the landbank is not set up as a land grab to take control but is a necessity for the City to take lots if the public can benefit. Commissioner Caylor encouraged citizens to reach out to a commissioner with questions regarding the land bank. Commissioner Skidmore stated this is not a new bank coming to town but rather a vehicle. Commissioner Caylor made a motion, seconded by Commissioner Jorgensen, to adopt this resolution. The motion was considered and upon being put, all present voted aye. The Mayor declared this resolution duly adopted and the resolution was duly numbered Resolution No. 1822-20.

Automatic Aid Agreement—Lincoln, Ottawa, Harrison Townships (LOH) Fire Department & Ottawa Fire Department

The Governing Body heard from Fire Chief Tim Matthias who reviewed an Automatic Aid Agreement between the LOH Fire Department and the Ottawa Fire Department that would trigger an automatic call for aid for structure fires and answered questions from the Governing Body. Chief Matthias stated our department provides training on our procedures and the LOH department provides training on their procedures and the City of Ottawa will never be left

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unprotected to provide aid to another department. Commissioner Jorgensen made a motion, seconded by Commissioner Skidmore, to approve this automatic aid agreement. The motion was considered and upon being put, all present voted aye. The Mayor declared this agreement duly approved.

Kansas Department of Transportation (KDOT) Federal Funds Exchange Program 2020

The Governing Body heard from Public Works Director Michael Haeffele who reviewed the KDOT Federal Funds Exchange Program for 2020 that allows the City the ability to exchange \$237,893.29 this year, reflecting a one-time adjustment, and answered questions from the Governing Body. Mr. Haeffele stated in the past we have exchanged the funds to help with street rehabilitation and the exchange is a reimbursement of expenses we submit. Commissioner Jorgensen made a motion, seconded by Commissioner Crowley, to approve the Federal Funds Exchange for 2020. The motion was considered and upon being put, all present voted aye. The Mayor declared the Federal Funds Exchange for 2020 duly approved.

City Manager's Report

City Manager Richard U. Nienstedt reminded everyone the We Conference is tomorrow at Ottawa University and the city is a sponsor of that event.

Commissioner's Reports

Commissioners had no reports.

Mayor's Report

Mayor Weigand had no report.

Announcements

Mayor Weigand made the following announcements:

- February 19, 2020 Joint City/County/USD 290 Meeting, Noon, City Hall
- February 24, 2020 Study Session, 4:00 pm, City Hall
- March 2, 2020 Study Session, 4:00 pm, City Hall
- March 4, 2020 Regular Meeting, 7:00 pm, City Hall

Adjournment

There being no further business to come before the Governing Body, the Mayor declared the meeting duly adjourned at 10:16 am.

Amy Finch, City Clerk



MEMORANDUM

TO: THE HONORABLE CITY COMMISSION & RICHARD U. NIENSTEDT, CITY MANAGER

FROM: AMY FINCH, CITY CLERK *AF*

SUBJECT: TEMPORARILY SUSPEND ISSUANCE OF DOOR-TO-DOOR SOLICITOR LICENSES

DATE: APRIL 2, 2020

Through the City Clerk listserv there has been discussion about temporarily suspending the issuance of licenses for door-to-door solicitations. In our effort to support to the stay-at-home order and social distancing guidelines, we ask for approval to suspend the issuance of licenses for door-to-door solicitors until the stay-at-home order is lifted or expired or other guidance is given. Currently there are no active door-to-door licenses that have been issued, but as the warmer weather approaches, we expect to see applications submitted.

Applications for other license types will be reviewed on a case-by-case basis to determine if they qualify as an essential function under the Governor's order and if they should be issued at that time.

Memorandum

To: The Honorable City Commission and Richard U. Nienstedt, City Manager

From: Dennis Tharp, Director of Utilities

Date: April 2, 2020

Re: Sale of Excess Dogwood Capacity

The document you have before you is an agreement with Kansas Municipal Energy Agency (KMEA) to sell a portion of our Dogwood product back to KMEA who will in turn move it back into the Dogwood facility portfolio.

As you can see in the chart on page 2 of the confirmation, this transaction only applies to what are commonly referred to as shoulder months. A time when loads are typically lower and allows for capacity to be moved where it is most beneficial across the Westar footprint. We are a small portion of a larger purchase by Dogwood which includes nearly all KMEA members who will be compensated at the rates shown in the chart. These numbers reflect a firm price that is above market value. This allows a short-term purchase of capacity from the market in the event we experience some unforeseen increase in current load predictions. This is in the true sense of the phrase “working together” to create benefit for all parties involved. Your action at today’s Study Session is kindly requested so that I may process the document in time for the KMEA executive committee meeting on April 15th.

I look forward to addressing any questions or concerns.

Thank You,

Dennis

CAPACITY TRANSACTION

CONFIRMATION LETTER

This confirmation letter (“Confirmation”) shall confirm the Transaction agreed to on _____, 2020 (the “Execution Date”) between the City of Ottawa, Kansas (“City”) and the Kansas Municipal Energy Agency (“KMEA”) regarding the sale and purchase of the Product under the terms and conditions as follows:

Buyer: KMEA

Seller: City of Ottawa, Kansas

Product

Description: Unit Firm Capacity. Contract Quantity is intended to be exclusively available to Buyer, equal in priority with other Firm Capacity sales from the Facility.

Unit: Dogwood Energy Facility, Pleasant Hill, Missouri (“Facility”)

Contract

Quantity: 2.4 MW

Governing

Agreement: This Confirmation will be governed in accordance with the terms of the EEI Master Power Purchase and Sale Agreement (“Governing Agreement”), effective May 22, 2014 between KMEA and Westar Energy, Inc. (“Westar”), and such terms are incorporated herein and are expressly applicable to KMEA and the City. Any inconsistency between this Confirmation and the Governing Agreement shall be resolved in favor of this Confirmation. Terms used but not defined herein shall have the meanings ascribed to them in the Governing Agreement.

Delivery

Period: October 1, 2020 through November 30, 2020 and March 1, 2021 through May 31, 2021

Delivery

Hours: All hours during the Delivery Period

Delivery

Point: The Pnode for the Facility busbar identified as “MPSPHILLUNDOGWOOD”, as established by Southwest Power Pool, Inc. or its successor (“SPP”).

Contract
Price:

For each month during the Delivery Period, Buyer shall pay Seller the Monthly Capacity Payment Amount.

The Monthly Capacity Payment Amount shall be calculated as the applicable Capacity Price multiplied by the Contract Quantity, as set forth in the table below:

| Period | Capacity Price (\$/kw/mo) | Contract Quantity (MW) | Capacity Payment (\$/mo) | Capacity Payment (\$/period) |
|-------------------|------------------------------|---------------------------|-----------------------------|---------------------------------|
| Oct 2020–Nov 2020 | 0.50 | 2.4 | 1,200 | 2,400 |
| Mar 2021–May 2021 | 0.50 | 2.4 | 1,200 | 3,600 |
| Total | | | | 6,000 |

Statements:

KMEA shall provide a credit on the City's power supply statements reflecting the effects of the Contract Price on City's monthly charges as set forth above.

City
Representations
and Warranties:

The City represents and warrants that it has sufficient contractual rights to the Contract Quantity and associated Energy and Ancillary Services of the Facility to satisfy its obligations herein. The City has duly authorized the execution of this Confirmation.

(Signature page follows)

**KANSAS MUNICIPAL ENERGY
AGENCY**

Name: Paul Mahlberg

Title: General Manager

CITY OF OTTAWA, KANSAS

Name: _____

Title: Mayor

(SEAL)

ATTEST:

Name: _____

Title: City Clerk