

MINUTES - REGULAR MEETING OF THE OVERBROOK CITY COUNCIL - JANUARY 13, 1988

MEMBERS PRESENT:

|               |                                 |
|---------------|---------------------------------|
| J.A. Cordts   | Floyd McGuire (left at 8:42 pm) |
| Richard Hamit | Mayor Dennis Post               |
| Davenna Jones |                                 |

MEMBERS ABSENT:

Dale Fox

OTHERS PRESENT:

|                      |               |
|----------------------|---------------|
| Kem and Joyce Guffey | Paul Gassman  |
| Dale Bloom           | Ken Schoenick |
| Frank Boyd           | Glen Norton   |
| Steve Jones          | Carl Maichel  |
| Lakin Schwanke       | Don Heberling |
| Bruce Smith          | Max Friesen   |
| Ron Dean             |               |

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The clerk called the roll.

MINUTES: The minutes of the December 9, 1987 regular meeting were reviewed. Richard Hamit made a motion, seconded by J.A. Cordts to approve the minutes as written. Motion carried 4-0.

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion seconded by Floyd McGuire to approve all warrants. Motion carried 4-0.

Mayor Post welcomed all visitors.

SEWER ISSUE: Several concerned citizens were present to discuss the proposed sewer project. Dale Bloom questioned whether the engineering firm had a representative present. Mayor Post noted Jack Kramer, Kramer Engineering had not been requested to attend this meeting. Bloom felt none of his questions could be answered if the engineer was not present. Bloom also asked why the citizens were not notified that the smoke testing was going to be done. Mayor Post explained the contract had been signed some time ago and at that time it was reflected in the published minutes but due to variable weather conditions the city was contacted only two days prior to the actual testing. He also noted there was no way to contact every city resident but the fire department had been alerted.

Paul Gassman, representing another engineering firm explained some of the items Mr. Bloom was interested in. Gassman noted he had previously worked for the Department of Health and Environment and was very much aware of Overbrook's problem.

Ken Schoenick discussed the possibility of some of the work being done locally.

Betty Thornton questioned whether the problems the city was having had any effect of the fact the sewer drains at her home had a very bad odor. She said they had tried everything they knew to alleviate the odor but nothing has helped. She was assured the problems the city was having had nothing to do with the odor problem at her home.

It was agreed by consensus that Mr. Kramer would be invited to attend the

January 13, 1988

February 10, 1988 regular council meeting if possible. It was also agreed Steve Jones would check out the ordinances and statutes to see whether the city stands legally in connection with perimeter drain etc. hookups. Councilman Hamit said he would check with the Department of Health and Environment to see what the city needs to do further. Everyone was thanked for coming and were invited to return to the February meeting.

Frank Boyd suggested going to the homes to check for illegal connections. He volunteered to help Bruce Smith. Mayor Post directed them to go ahead and start but to be sure to keep a record of who they talked to.

REZONING: Kem Guffey and wife were present along with Glen Norton to request that the council consider rezoning Lots 5 and 7, Original Town of Overbrook from residential to business. Guffey said he was interested in putting in a beauty salon for his wife. Mayor Post with City Attorney Steve Jones help, explained the process which must be followed in accordance with the city ordinance and state statutes. Frank Boyd, Chairman of the Board of Zoning Appeals wanted to know why it had to go through the Planning Commission and not his board. He had advised Mr. Guffey that the Board of Zoning Appeals would be the board to make the decision. The clerk noted she had advised Mr. Guffey of the full due process but he chose to obtain a building permit and take it before the Board of Zoning Appeals as advised by Mr. Boyd. City Attorney Jones explained the only time it could go before the appeals board would be if the council's final decision was not to Mr. Guffey's satisfaction. The Appeals Board decision would be final and binding unless it was overturned in District Court.

Floyd McGuire was called away from the meeting on business at 8:42 pm.

ZONING ORDINANCE AMENDMENT/MOBILE HOME ABANDONMENT: Ordinance No. 143, An ordinance amending Ordinance 95 (Zoning) by changing the provisions of section 10, subsection 6, regarding abandonment and repealing ordinance 104, was presented for consideration. Davenna Jones made a motion, seconded by J.A. Cordts to approve Ordinance 143. Motion carried 3-0.

ANNEXATION: Annexation of a lot just North of 911 Maple was discussed. It appears the lot has an open basement located on it and is a danger to the neighborhood children and also is a harbor for rodents, etc. Steve Jones was authorized to look into the problem and report back to the council. The clerk was instructed to send the legal description along with a letter stating the problem to Mr. Jones.

ASSISTANT BUILDING INSPECTOR: The subject of an assistant building inspector was discussed. It was noted Bruce Smith had been acting building inspector at times when Albert Rukes was not available. After a brief discussion, the council agreed by consensus that legally it was necessary to appoint an assistant to the building inspector. Davenna Jones made a motion seconded by Richard Hamit to appoint Bruce Smith as Assistant Building Inspector. Motion carried 3-0.

MISC: Bruce Smith reported Dale Fox had requested the city discuss the purchase of battery operated blinking warning lights to be used when barricades were necessary. It was agreed by consensus for Smith to go ahead and purchase the lights as needed.

January 13, 1988

Mayor Post reported Jean McDowell had contacted him in connection with the Betterment Committee. It appears they would like to help financially with some project such as street signs. She also noted the bottom step in front of the library was loose. She said if we could get her a cost they might be interested in paying for the replacement. Bruce Smith was instructed to obtain cost figures and discuss it with Mrs. McDowell.

SWIMMING POOL/FIBERGLASS: It was agreed by concensus that it was too late to get a project such as this into the present budget. The clerk was instructed to tell Mr. Painter of Sequin Fiberglass to check with the council before we set up the 1989 budget.

MISC: Councilman Hamit asked if the city could sand the intersection at Fourth and Maple. Bruce was instructed to sand wherever necessary.

Bruce Smith reported the west lift station had been down two weeks but a part was on order.

Ron Dean gave a police report. He also reported the Ford patrol car was in need of some more repair. J.A.Cordts said he should have the work done in town whenever possible.

Mayor Post reported Reta Hamman had resigned to go back to work at the US Dept of Agriculture. He instructed the clerk to run an ad in the local paper for two weeks, for a replacement.

Davenna Jones made a motion, seconded by Richard Hamit to adjourn the meeting. Motion carried. 3-0.

The meeting was adjourned at 9:40 pm.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

Approved: Feb 10, 1988

MINUTES - REGULAR MEETING OF THE OVERBROOK CITY COUNCIL - FEBRUARY 10, 1988

MEMBERS PRESENT:

J.A.Cordts  
Richard Hamit  
Davenna Jones

Floyd McGuire  
Dale Fox  
Mayor Dennis Post

OTHERS PRESENT:

Kem and Joyce Guffey  
Ken Schoenick  
Glen Norton  
Max Friesen  
Bruce Smith

Paul Gassman  
Letha Hazlett  
Raymona Johnson  
Ron Dean

The meeting was called to order at 7:30 PM by Mayor Dennis Post. The clerk called the roll.

MINUTES: The minutes of the January 13, 1988 regular meeting were reviewed. Davenna Jones made a motion, seconded by J.A.Cordts to approve the minutes as written. Motion carried 5-0.

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion, seconded by Floyd McGuire to approve all warrants. Motion carried 5-0.

Mayor Post welcomed all visitors.

ZONING REQUEST/405 OAK: Mayor Post read the minutes and recommendation of the Planning Commission meeting held February 9, 1988, in connection with Glen Norton and Kem Guffey's request for the rezoning of 405 Oak. Their wish was to use the property for a beauty salon. The Commission recommendation was for conditional use. He also read an outline of the procedure for conditional use as given to the clerk by Don Moler, Attorney for the League of Kansas Municipalities. After a brief discussion, Floyd McGuire made a motion, seconded by Dale Fox to accept the Planning Commission recommendation for conditional use. Motion carried 4 yes 1 no (Davenna Jones voted no - her reason was that this was still in essence, spot zoning). It was noted an ordinance would have to be drawn up and be published before the property could legally be used for anything other than residential.

ORDINANCE # 144-AN ORDINANCE REGULATING TRAFFIC WITHIN THE CORPORATE LIMITS OF OVERBROOK, KANSAS, INCORPORATING BY REFERENCE THE "STANDARD TRAFFIC ORDINANCE OF KANSAS CITIES, EDITION 1987". Dale Fox made a motion to approve Ordinance 144. Richard Hamit second. Motion carried 5-0.

PENDING SEWER PROJECT/BIDS: Paul Gassman P.E. of CP Engineers and Land Surveyors, Inc. was present to request his company be given a chance to bid on the pending sewer project. He also noted he is a resident of Overbrook. He said his company performed the same services as Kramer Engineering, specializing in sewer and water design. He said his company also offered contract service as City Engineer which would include attending council meetings whenever necessary @ \$75.00 per meeting attended (no charge for those meetings not attended). Mayor Post assured him that with a project this size, several bids would be taken. Mr. Gassman was thanked for coming.

MAINTENANCE REPORTS: LIBRARY ROOF: Bruce Smith reported there was still some problem with the library roof. He said Taylor Roofing had inspected it and they felt the problem involved the South face of the North wall where the cement and grouting had deteriorated and had chipped away letting water seep in. Smith said he could not do the work himself and felt it should be done by professionals. It was agreed by concensus for Smith to obtain bids for the repairs.

WARNING LIGHTS: Smith reported he had checked into the battery operated warning lights as discussed last meeting and they would run between \$13 and \$15 each. He noted they use one C cell battery. It was agreed by concensus for Smith to go ahead and purchase the lights he felt necessary.

HANDRAILS: Smith reported he had checked with Craig's Welding Shop in connection with handrails for the second set of steps in front of the library. The job was estimated to run around \$90. It was agreed by concensus for Smith to go ahead and have the work done as soon as possible.

LAW ENFORCEMENT REPORTS: Ron Dean reported some repairs had been done on the patrol cars. He said the electric ignition had been replaced on one, the suspension system had been replaced on one and the radio had to be repaired. He said they are in good shape now.

LIGHT SWITCH/POLICE STATION: Dean asked permission to have the light switch moved from the back wall of the police station to beside the front door of the police station. He said it was a real problem when he had to bring a prisoner in. Richard Hamit made a motion, seconded by Floyd McGuire that the light switch be moved to conform with the Chief of Police recommendation. Motion carried.

CONNECTING LINK: Mayor Post presented a new connecting link agreement from the Osage County Commissioners. He explained it was in the amount of \$332 and was essentially the same as the one signed last year. Floyd McGuire made a motion, seconded by Dale Fox to accept the agreement. Motion Carried 5-0.

STREET SIGNS: Mayor Post read a letter from Jean McDowell, Chairman of the Betterment Committee, stating the committee wished to give \$200 toward repair or replacement of street signs. She also stated in the letter that they felt the repair of the sidewalk and steps in front of the library should be addressed. They felt there should be hand rails on the steps. Bruce Smith was authorized to get bids and contact Mrs. McDowell.

Smith said he had checked into prices for signs and the cost would be around \$700 to bring them up to standard. Dale Fox made a motion, seconded by J.A.Cordts that the signs be brought up to standard. Motion carried 5-0.

MISC: The clerk reported Don Attebury of Heartland Refuse had requested permission to bill Casey's General Stores direct rather than through the city. She explained he told her there were only three stores that he did not bill direct and Overbrook was one of them. The council by concensus felt Mr. Attebury should be asked to come to the March Council meeting to discuss the problem and answer whatever questions the council might have. The clerk also reported Mr. Attebury had expressed a desire to have a central pickup spot for the business's along the alley running North and South between Maple and Oak. He said he was having some problems in that area. The Council agreed to discuss this with him at the March meeting also.

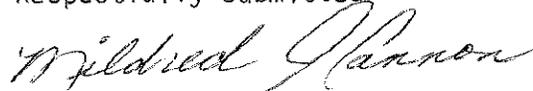
The clerk reported Mr. Pabst, owner of the cable tv company had requested his company be allowed to pay their franchise payments monthly in lieu of six months. It appears he has been having considerable trouble with employee turnover and therefore the payments have not been made timely. It was noted the city had been having problems for several years getting their franchise payments on time. The clerk said Mr. Pabst had just paid the one due in July 1987 and there was another one pastdue for January 1988. The council agreed by concensus to allow Mr. Pabst to pay by the month but only if he brought the account to date by March which would include the 6 month payment due in January along with the February and March payments.

Davenna Jones reported several people had complained about the placement of the stop sign by the Williams property. It was noted the sign was on the right corner but that there was considerable debris that needs cleaned out, bushes etc. Police Chief Dean was instructed to look into it.

Raymona Johnson asked if the old Conoco sign which had been placed in the alley behind her home could be removed. It appears the sign was placed there by Co-op. Police Chief Dean was asked to look into it.

Floyd McGuire made a motion to adjourn the meeting. Dale Fox second. Motion carried. The meeting was adjourned at 9:48 pm.

Respectfully submitted



Mildred J. Cannon  
City Clerk

mjc

APPROVED March 9, 1988

MINUTES - REGULAR MEETING OF THE OVERBROOK CITY COUNCIL - MARCH 9, 1988

MEMBERS PRESENT:

|               |                   |
|---------------|-------------------|
| J..A. Cordts  | Dale Fox          |
| Richard Hamit | Mayor Dennis Post |
| Davenna Jones |                   |

MEMBERS ABSENT:

Floyd McGuire

OTHERS PRESENT:

|                          |                           |
|--------------------------|---------------------------|
| Jack Kramer              | Ken Schoenick             |
| Rick Toland              | Bruce Smith               |
| Don Attebury             | Ron Dean                  |
| Joe Greene               | Max Friesen               |
| Bill Warrington          | Steve Jones               |
| LeRoy Rendell            | Cheryl Brown, Asst. Clerk |
| Mildred J. Cannon, Clerk |                           |

The meeting was called to order at 7:30 PM by Mayor Dennis Post. The clerk called the roll.

MINUTES: The minutes of the February 10, 1988 regular meeting were reviewed. Richard Hamit made a motion, seconded by J.A.Cordts to approve the minutes as written. Motion carried 4-0.

WARRANTS: The warrants of the previous month were presented. Davenna Jones made a motion, seconded by Richard Hamit to approve all warrants. Motion carried 4-0.

KPL/GAS SERVICE--UTILITY COLLECTION: Rick Toland, District Manager for KPL Gas Service Company was present to notify the governing body that his company had taken over the Gas Service Company, therefore, to serve the public more efficiently, the gas and electric billings will be combined on one card which may be payed locally at the City Clerk's office. He said Ed Butterfield, their outside district service man will begin servicing gas customers along with electric customers. He explained there will be a few customers still receiving separate billings (i.e. the name, address and/or box number is not the same on both accounts) but in time these will be located and combined. The Mayor thanked him for coming and he left at 7:40 pm.

SOLID WASTE: Don Attebury, owner of Heartland Refuse was present to request permission to contact certain local business's in regard to twice weekly collections. He said his records show he is only getting paid for one collection per week which is not a fair practice. After a brief discussion it was agreed by concensus that Mr. Attebury be authorized to notify the two pickup business's of rate changes. The notice to be pre-approved by Mayor Post.

Mr. Attebury also discussed an ongoing dispute between business customers along the alley West of Maple. He said his people were being unfairly involved and a possible solution might be to have one collection point for all. One council member suggested posts be installed, designating the area for each dumpster and if that doesn't work, each business could be required to install a concrete pad for the dumpster. It was agreed that Attebury would contact the business owners and try to work with them and if all else fails, the business's in question would be notified the only other alternative would be a concrete pad.

In connection with the Casey's billing discussed at an earlier meeting, Attebury said he services twelve stores and he has approached them with a contract for all twelve. Mayor Post told him if this became a reality the city would need a letter of authorization from Casey's.

Mr. Attebury and Mr. Greene registered a complaint that several people have been putting household trash in the dumpsters around town. They felt this was unfair to Heartland and thought the Council might help. It was agreed by consensus that this was a problem Mr. Attebury would have to handle personally.

They were thanked for coming and left at 8:20 PM.

SEWER PROJECT: Jack Kramer was present to answer questions concerning the pending sewer project as requested. It was noted that Dale Bloom and Paul Gassman who had expressed a desire to ask questions of Mr. Kramer, could not be present due to prior commitments. Mr. Gassman did send a letter outlining the specific questions he wished answered. These questions were discussed and Mr. Kramer said he would contact Mr. Gassman personally.

Problems with the lift stations were discussed. Kramer said if the four inch line was replaced with a six inch line it would help a great deal but that would make the problem at the other end much worse. He said the priority area would be a larger line to the lagoons. He said our major problem was rainy seasons and both inflow and infiltration. Kramer noted when the original report was done on expanding the lagoon, the flow was not what you are getting. He said he discussed it at the time with Gassman who then worked for Kansas Department of Health and Environment but Gassman thought it was all right.

Bidding and local labor etc., were discussed. Kramer noted unless a contractor is in the business he cannot get bonding and insurance. He said another problem could be equipment. Steve Jones agreed. Kramer noted all bidders, local or not, would be given the same consideration.

ZONING: Mayor Post reported a petition had been received from Lewis Wolf requesting the property commonly known as 208 East 8th be rezoned from M-1 (Mobile home) to B-1 (Business) to enable him to install a laundermat. Mayor Post noted the Planning Commission had been notified and a hearing had been held. He read the Planning Commission's recommendation which was to rezone. Bill Warrington and Leroy Rendell were present to discuss the problem of sewer backup. They said they had not attended the hearing but wanted the council to be aware that when there are heavy rains, water backed up into Rendell's basement and they were concerned if several washers dump water at the same time, it might have the same effect. Bruce Smith said it was a wet weather problem not a normal sewer problem. Jack Kramer assured them the sewer line is an 8 inch line which can carry up to 400 gallon per minute and it would definitely carry the load unless it was excessively wet weather. He explained 10 machines would dump only 50 gallon per minute.

Richard Hamit questioned parking for the intended laundermat. Bruce Smith was instructed to check it out, making sure the traffic pattern is suitable before approving the building permit. Steve Jones said he would work with Smith if necessary.

Richard Hamit made a motion, seconded by Dale Fox to adopt Ordinance 147 changing the zoning for the property known as 208 East 8th from M-1 (Mobile home) to B-1 (Business). Motion carried 4-0.

Jack Kramer was thanked for coming and left at 9:15 PM.

ZONING: Mayor Post presented Ordinance 146, an Ordinance amending Ordinance NO. 95 (Zoning) by providing for additional uses of property. He explained the ordinance was drawn up in conjunction with the planning commission recommendation of February 9, 1988 and the Council decision of February 10, 1988. Steve Jones, City Attorney, discussed the City's options. It was agreed the fee would be set at \$250. Dale Fox made a motion, seconded by J.A.Cordts to approve Ordinance 146 with a fee of \$250. Motion carried 4-0.

DOG LICENSING ETC: Mayor Post presented Ordinance #145, An Ordinance amending sections 613a & b, 625b and 632 of Ordinance 91 (Criminal Code) pertaining to live-stock impoundment fees, dog licensing and dog impoundment fees. Richard Hamit made a motion, seconded by Dale Fox to approve Ordinance 145. Motion carried 4-0.

ANNEXATION: Steve Jones went over the Resolution to Annex with the Council. Dale Fox made a motion, seconded by Davenna Jones to approve the Resolution to Annex. Motion carried 4-0. Steve Jones asked permission to contact Jack Kramer of Kramer Engineering to prepare a plan for extension, financing and timetable for extending services to areas under consideration for annexation. The Council agreed by consensus. Jones said he would draw up the necessary paperwork and would mail it to the clerk so the process could be implemented as soon as possible. He was thanked for coming and left at 10:35 PM.

STREET SIGNS: Bruce Smith reported he had received prices from three companies for new street signs ranging from \$16 to \$9 each. He said the lowest price was from the Kansas Department of Corrections. He said we would need approximately 60 signs. It was agreed by consensus for Smith to purchase the signs from the Kansas Department of Corrections.

ROOF/CHLORINATOR BUILDING: Smith reported the roof at the chlorinator building was in bad shape and needed replacing. The building is 13' X 22'. It was agreed by consensus for Smith to go ahead and get bids.

ROOF/LIBRARY BUILDING: Smith reported he had someone look at the roof and it appears the problem is the steel tower. He said he had two offers to take it down. It was agreed by consensus for Smith to go ahead and get bids, making sure the bidders were properly insured. He was also authorized to go ahead with the work at a maximum of no more than \$500.

POOL REPAIR/PAINT: Smith said he had received an estimate of \$3500 from Allen and Sons Sandblasting to sandblast and repaint the pool. It was agreed by consensus for Allen to go ahead with the job. Smith also discussed the decking which is getting bad. He was instructed to check into it and get back with the council.

MISC: Ron Dean reported he had talked with Don Keim about moving the light switch in the police station and should have a bid soon. He was instructed to get bids from Overbrook Lumber and Northbrook Lumber for both the police station and city hall. The clerk said she had a verbal bid from Keim for the city hall in the amount of \$25, but he had not said how he planned to close off the hole where the old switch had been.

Some of the council members questioned Ron Dean as to his plan for opening the Kansas State Bank basement during tornado alerts etc. Dean said he had always gone ahead and opened it as soon as he got his weather alert report.

March 9, 1988

Mayor Post reported the Fidelis Club is sponsoring a centennial scrapbook. He said Lois Ruble had contacted both him and the clerk to ask if the city would write a letter agreeing to sponsor it as they did the centennial cookbook. It was agreed by concensus for the clerk to prepare a letter for the Mayor's signature.

Davenna Jones made a motion, seconded by Dale Fox to adjourn the meeting.  
Motion carried 4-0. The meeting was adjourned at 10:50 pm.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

mjc

Approved 4-13-88

MINUTES - Regular meeting of the Overbrook City Council - April 13, 1988

MEMBERS PRESENT:

J.A.Cordts  
Dale Fox  
Richard Hamit

Davenna Jones  
Mayor Dennis Post

MEMBERS ABSENT:

Floyd McGuire

OTHERS PRESENT:

Jim Jones, Midwest Tank      Ron Dean  
Jack Kramer, Kramer Engr.      Cheryl Brown, Asst. Clerk  
JoAnn Allen      Mildred J.Cannon, Clerk  
Bruce Smith

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The clerk called the roll.

MINUTES: The minutes of the March 9, 1988 regular meeting were reviewed. Davenna Jones made a motion, seconded by Richard Hamit to approve the minutes as written. Motion carried 4-0.

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion, seconded by Dale Fox to approve all warrants. Motion carried 4-0.

WEST WATER TOWER: Jim Jones, Midwest Tank was present to discuss a contract for work to be done on the west water tower. He explained that his company is under contract with the city to inspect the towers every two years at which time they flush the tanks and do whatever touchup is necessary. He said the latest inspection revealed that the tank needed cleaned and painted on the outside only. He said the inspection also revealed that the bowl area and riser pipe are in bad shape and would need to be sand blasted, primed and painted. He also said the top needed special attention and although the legs only had normal wear and tear they also would need painting. He noted if the work is left undone, by next year the complete tank would have to be sand blasted. He said the total price would be \$7,325. After a brief discussion, Dale Fox made a motion, seconded by J.A. Cordts to approve the contract with Midwest Tank for exterior cleaning and painting of the west water tower in the amount of \$7,325. Motion carried 4-0. The contract was signed in duplicate by Mayor Post. Mr. Jones was thanked for coming and left at 8:00 pm.

CABLE TV RATE INCREASE: Mayor Post read a letter from Robert Pabst dba Overbrook Cable Television Co., requesting a rate increase from \$10.00 to \$12.00 for basic cable service beginning May 1, 1988. Several Council members reported they had been approached by members of the community with complaints about the cable tv service. Mayor Post read portions of the original Franchise Agreement noting the rates could not be increased without the approval of the council. He also noted in the agreement the company is capable of 20 channels on the basic service cable. After a brief discussion, it was agreed these items should be discussed with Mr. Pabst. The matter was tabled to the May 11, 1988 regular meeting. The clerk was instructed to notify Mr. Pabst to be present at the May 11 meeting. She was also instructed to notify him that a rate increase could not be initiated until a decision is reached by the council.

PENDING SEWER PROJECT: Jack Kramer presented an estimate for Outfall Lines A and B as requested at the March 9 meeting. He said it would take from 60 to 90 days to complete the bidding process. Several ways to fund the project were discussed. Kramer said there was no grant money available this year. He also noted that Overbrook did not qualify for block grants. The Council agreed by consensus that the project would have to be funded by revenue based on usage. The Clerk was instructed to work up various rate increase figures with which to pay the bond issue and present it to the Council for their consideration. After a brief discussion, it was agreed that CP Engineering would be given an opportunity to submit an estimate for Outfall Lines A and B as requested by Paul Gassman. The subject was tabled to a later date.

STREET SURFACING: Bruce Smith reported it was time to be considering street resurfacing. He was instructed to contact several reputable companies to submit bids at the May regular council meeting. Councilman Hamit asked if Surrey was to be considered for surfacing this year. Smith said it was. Smith also requested permission to ask the street surfacing companies if they had any way to come back in and clean up the loose gravel before winter. He said he receives complaints every year when he does the snow removal. He said in the process loose gravel is deposited on the grass on the parkways. He was instructed to go ahead and inquire about it.

SWIMMING POOL REDECKING: Smith presented an estimate in the amount of \$6160.75 from Lang and Dultmeier to replace portions of the pool decking as requested at the March Council meeting. The estimate was for the most damaged sections only. Smith presented the Council with a plan from the contractor as to the portions in most need of replacement. Smith said he felt these sections were priority and the remainder could be done at a later date. The subject was discussed at length after which Richard Hamit made a motion, seconded by Davenna Jones to accept Lang and Dultmeier's proposal to replace specific portions of the pool decking in the amount of \$6160.75. Motion carried 4-0.

PATROL CAR: Ron Dean reported the Ford patrol car engine was approaching the need to either be replaced or overhauled. He said the car now has 91,000 miles on it. He presented the Council with three options and estimates from Marshall Automotive ranging from \$1100 to \$1800. He said the vehicle would be out of service somewhere between one and two weeks. Dean felt it would be best to take the car in before it actually has a serious problem. The Council, after a brief discussion, felt the car should be run as long as possible. It was also noted the car would not be out of service any longer one way or another. The Council also felt another estimate should be obtained from Osage Auto Works. The Council also reminded Dean that three mills had already been set aside in 1988 toward the purchase of a new car in the spring of 1989 with another three mills to come from the 1989 budget. Dean said he had not been aware of the Council's plans for the future in reference to a new car.

NEIGHBORHOOD WATCH: Dean commended JoAnn Allen and the Scouts for the help they have been in the neighborhood watch program. The Council concurred.

BETTERMENT COMMITTEE/STREET SIGNS: The Clerk presented a check in the amount of \$200 from the Overbrook Betterment Committee to help defray the cost of the new street signs. The Council expressed their deep appreciation.

MISC: It was noted that all Council members had received information concerning a mortgage credit certificate program. It was agreed by consensus not to do anything unless the mortgage company sent a representative to discuss the program. The matter was tabled to a later date.

Councilman Hamit requested the vacant lots at the Meadows Subdivision be mowed more often. The Clerk reported the vegetation must be at least 18 inches high before anything could be done. She said when the Police Chief notifies her of a problem area, she then sends a certified letter to the land owner giving them ten days in which to do the mowing or the city will come in and do it. The fee is then reported to the Osage County Clerk as a lien against real property. It was agreed Ron Dean and Bruce Smith would keep a closer watch on the problem areas so they could possibly be mowed more often.

Councilwoman Jones reported on complaints about congested parking on Oak Street between Fourth and Market. She said it was a school bus route and when vehicles are parked on both sides of the street the buses have trouble navigating. The matter was tabled to a later date when the council will review the appropriate ordinance for possible changes.

Dale Fox made a motion, seconded by Davenna Jones to adjourn the meeting. The motion passed 4-0. The meeting was adjourned at 9:32 pm.

Respectfully submitted,

  
Mildred J. Cannon  
City Clerk

APPROVED 5-11-88

APRIL 21, 1988

MEMBERS PRESENT:

J.A.Cordts  
Dale Fox  
Richard Hamit

Davenna Jones  
Mayor Dennis Post

MEMBERS ABSENT:

Floyd McGuire

OTHERS PRESENT: Paul Gassman, CP Engineers and Land Surveyors, Inc., Jack Kramer, Kramer Engineering, P.A., Max Friesen, Bruce Smith, Cheryl Brown, Asst. Clerk, Mildred J. Cannon Clerk.

The meeting was called to order at 7:00 pm by Mayor Post. The Clerk called the roll. Mayor Post read the special meeting request, noting there would be two items on the agenda - 1) considering bids for sewer project Outfall Lines A & B; 2) considering bids for chlorinator building, alternatives 1 and 2.

Paul Gassman, CP Engineers discussed his bid for services as follows:

|  |                  |
|--|------------------|
| Design   | \$ 12,500        |
| Construction Engineering                           | 9,500            |
| Preliminary construction estimate - Outfall Line A | 129,005          |
| Outfall Line B                                     | 26,140           |
|  | <u>\$177,145</u> |

He did not have an estimate for legal and bonds.

Gassman explained his company would have a qualified inspector present during the active phase of the project (laying of pipe, etc.). He projected the actual work could be started sometime in August or September, probably September. He said they would do the advertising for bids and he would attend the bid letting (all bids to be opened before the Council), his company would also run preliminary checks on each bidder. He said he anticipated the project would take from 60 to 90 days to complete. He said a new line would be laid parallel to the old one with little or no disruption of service. He was thanked for coming and left at 7:25 pm.

The Kramer Engineering bid estimate was passed out to the Council for comparison. Kramer's bid was as follows:

|  |                            |
|--|----------------------------|
| Design and construction engineering                | \$ 14,500                  |
| Resident Inspection and construction stakeout      | 10,760                     |
| Preliminary construction estimate - Outfall Line A | 111,170                    |
| Outfall Line B                                     | 18,770                     |
|  | <u>\$155,200</u> Sub total |
| Preliminary estimate legal and bonds               | 6,800                      |
|  | <u>\$162,000</u>           |

Jack Kramer, Kramer Engineering arrived at 7:45 pm. He said his company would try to have the project bid within 60 days. He said digging could probably be started by the end of July or first part of August with a projected completion date of October 15. He said it would be substantially completed by that time. He also assured the Council there would be no disruption of service and they would lay a by-pass line if necessary. He said his company would take care of the bidding and he would attend the bid letting in the Council's presence. He said they would have their inspector present at all times during pipe laying. He was thanked for coming and left at 8:00 pm.

Mayor Post said he had a problem with the difference in total estimates. Councilman Fox reminded the Council the estimates for the Outfall Line work were only estimates. There was considerable discussion. It was noted the first priority was to decide whether to actually do the project or not. Dale Fox made a motion, seconded by J.A.Cordts to go ahead with the Outfall Line A and B project only. Motion carried 4-0.

The Council continued the discussion in connection with the two estimates. Part of the Council felt the whole bid estimate should be considered and part of the Council felt only the engineering fee and design should be considered. Dale Fox made a motion seconded by Richard Hamit to accept the CP Engineering bid. Motion failed with Fox and Hamit registering yes votes and Cordts and Jones registering no votes. Mayor Post cast the deciding no vote. It was agreed the matter should be discussed with the city attorney. The subject was tabled to the May meeting.

Jack Kramer re-entered the meeting at 8:30 pm and was apprised that the Council had not made a decision. At this time he left the meeting.

The Council discussed various calculations of projected water and sewer rates worked up by the Clerk. No decision was made and the matter was tabled until such time as the Council makes a firm decision and all projected costs are known.

CHLORINATOR BUILDING ROOF: Bids for the chlorinator building roof were discussed. It was noted bids for two alternatives were requested.

- Alternative 1 redo the roof as is (flat)
- Alternative 2 redo the roof with a small slope

The bids were as follows:

|               |                   |           |
|---------------|-------------------|-----------|
| Alternative 1 | Northbrook Lumber | \$ 831.79 |
|               | Kenneth Schoenick | 822.00    |
|               | Overbrook Lumber  | 642.48    |
| Alternative 2 | Northbrook Lumber | 1362.25   |
|               | Kenneth Schoenick | 1111.57   |
|               | Overbrook Lumber  | 1111.73   |

After a brief discussion, J.A. Cordts made a motion, seconded by Davenna Jones to redo the chlorinator building roof with the small slope and to accept Overbrook Lumber bid in the amount of \$1111.73. Motion carried 4-0.

Richard Hamit made a motion seconded by J.A.Cordts to adjourn the meeting. Motion carried 4-0. The meeting was adjourned at 9:15 pm.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

APPROVED 5-11-88

MINUTES--Regular meeting of the Overbrook City Council - May 11, 1988

MEMBERS PRESENT:

|                               |                    |
|-------------------------------|--------------------|
| J.A. Cordts                   | Davenna Jones      |
| Richard Hamit                 | Floyd McGuire      |
| Dale Fox (arrived at 7:50 PM) | Dennis Post, Mayor |

OTHERS PRESENT:

|              |                     |                     |
|--------------|---------------------|---------------------|
| Gary Wacker  | Boy Scouts          | Phil Koontz         |
| Robert Pabst | present to observe: | Steve Jones         |
| Albert Smith | Ben Koontz          | Dorothy Shoup       |
| Ron Dean     | Jason Florance      | Cheryl Brown, Asst. |
| Bruce Smith  | Justin Florance     | Clerk               |
|              | Jamie Branson       |                     |

The meeting was called to order at 7:30 P.M. by Mayor Dennis Post. The assistant clerk called the roll.

MINUTES: The minutes of the April 13, 1988 regular meeting and the April 21, 1988 special meeting were reviewed. Richard Hamit made a motion, seconded by Davenna Jones, to approve both sets of minutes as written. Motion carried 3-0, with Floyd McGuire abstaining.

WARRANTS: The warrants of the previous month were reviewed. Councilman Cordts questioned #5063 to Carter Waters for \$827.58 for Saturock. Bruce Smith explained the Saturock is used in patching the streets. Floyd McGuire made a motion, seconded by Richard Hamit, to approve all warrants as presented. Motion carried 4-0.

STREET SURFACING: Mayor Post opened the sealed bids for street surfacing which were as follows;

|                            |                      |
|----------------------------|----------------------|
| Hi Plains Sand Co.         | 51¢ per square yard  |
| Black Top Construction Co. | 50½¢ per square yard |

Hi Plains also submitted the following proposals for Cedar Street (near the cemetery):

- |   |           |
|---|-----------|
| 1. Removal and replacement of the base material | \$1486.00 |
| 2. Single seal the cracks--2" overlay           | 1801.80   |

Black Top Const. did not submit a bid for Cedar Street section, stating the problem has existed for 10-15 years, and may be due to a water problem. They did suggest the section be dug up, compacted, and stabilized.

Payment to Black Top would be due upon completion; payment to Hi Plains half upon completion and half in November.

Bruce Smith reported that between 50 and 54 blocks are to be done; about half the city streets. The mayor questioned the city doing the pre-patching. Smith stated this is normal procedure as we can do it cheaper than the surfacing company. Gary Wacker of Hi Plains stated that if the city does the basework on the Cedar St. section, the cost would be less than proposed. Smith said that the city has done this type of work before with the equipment we have. Davenna Jones made a motion, seconded by Floyd McGuire, to accept the bid of 51¢ per square yard (excluding the Cedar St. section) from Hi Plains Sand Co. with payment to be half upon completion and the other half in November. Motion carried 4-0. After further discussion, the council decided that Smith should dig up and rock the area of Cedar St. as a temporary measure. Wacker stated the work could be done anytime. The council preferred that it be done before the fair in August. Wacker suggested mid-June, and Bruce Smith said the city should be ready by then, providing we don't have a cold spell. In response to Councilman Hamit's question, Mr. Wacker recommended a double seal for the streets in the southwest area of town done last year. Mr. Wacker was thanked for coming by the council

and left at 7:48 P.M.

AUDIT BID: The mayor opened the sealed bid from Peimann-Greenfield, CPA for the 1987 full city audit. The bid of \$4000.00 plus per diem was the only bid received. Richard Hamit made a motion, seconded by J.A. Cordts, to accept the bid of \$4000.00 plus per diem from Peimann- Greenfield CPA. The motion carried 5-0. The clerk is to call and schedule a time for the audit.

LIBRARY BOARD: Mayor Post reported to the council they need to appoint someone to replace Liz Cordts. Davenna Jones made a motion, seconded by Richard Hamit, to appoint Dana Wurdeman to the library board. Motion carried 5-0.

CABLE TV: Robert Pabst stated he was here by request of the council to answer concerns brought up at the last meeting. Mayor Post told him that the council was reluctant to grant a rate increase since they'd gotten several citizen complaints about service and poor reception. Councilman Fox said he'd been told by citizens that other towns were receiving more channels for the same fee. Mr. Pabst stated that the other towns get only the same number of channels as Overbrook for the same fee. Pabst said he gets alot of service calls that turn out to be VCR problems or broken knobs, etc. He did tell the council the system is capable of carrying more channels, but because he's planning to sell the franchise, and in his opinion it won't support the cost of expansion, he isn't planning on adding more channels. Pabst then asked the council for a letter of approval to transfer the franchise to Cable Vision of Texas. Mayor Post read Section XIX of the contract dealing with this matter. Discussion was tabled until after the annexation hearing.

ANNEXATION HEARING: Steve Jones, Attorney for the city, stated that according to statute, the city has to provide an opportunity for anyone concerned to speak. Mayor Post stated the hearing date and time had been published as required, and certified letters had been sent to all those affected by the annexation. After reading Ordinance 148, the mayor said the reason for annexing was to maintain better law enforcement. After some discussion concerning the exact area to be annexed, and the matter of snow removal of the roads annexed, Mayor Post asked that comments from the council be held. He then opened the opened the floor for concerns and comments from the public. NO ONE ADDRESSED THE COUNCIL. J.A. Cordts made a motion, seconded by Floyd McGuire, to accept Ordinance 148. Motion carried 5-0.

CABLE TV FRANCHISE: Mr. Pabst said he was hoping the transfer of the franchise would take place in about two months. Steve Jones reminded him that whoever takes over the frnchise must meet the requirements of the contract and provide proof of responsibility. The council asked Pabst to provide a profit-loss sheet, balance sheet, and list of operations from Cable Vision of Texas. The mayor asked Steve Jones for his opinion on the letter from Burns & Burns in behalf of Overbrook Cable TV regarding a rate increase. Jones said that due to recent de-regulation, the franchise no longer needs council approval for rate increases, but a resolution would be appropriate. Floyd McGuire made a motion, seconded by Davenna Jones, to raise the rate from \$10/mo. to \$12/mo. for basic service. Motion carried 3-2 with Richard Hamit and Dale Fox voting no. Steve Jones reminded the council to be sure that the franchise is current in their payments to the city before approving the transfer. Pablst then brought up a question he had about the legality of the council being able to administer the franchise according to something in the contract. When asked by Steve Jones as to who in the council he was referring to, Mr. Pabst could not be specific. The council recommended the contract be studied concerning this matter by the clerk and Steve Jones. Mr. Pabst was thanked for coming by the council and left at 8:30 P.M.

MISC: Bruce Smith told the council he'd been asked by Scoot O'Bryhim if the city would be responsible for putting in a sewer main for Cliff O'Bryhim's new house. Councilman Fox reported the area was brought into the city several years ago. Smith said the city is responsible for providing the main itself with the owner hooking up to it. The mayor questioned laying line now and having to dig it up later if the area is further developed. Steve Jones asked if the area should be engineered; Smith and Fox both felt it should be. The council decided they needed more information from the owner before they could give him an answer. Steve Jones reminded the council that they needed to decide how this would be funded before they do anything. Councilman Fox said if the owner decides not to have the extra engineering done, Cliff's house could be hooked into the existing line.

PAY/TEMPORARY HELP: Ron Dean informed the council that because he was having difficulty finding temporary help, he was recommending a pay increase to \$6.00/hr. This was the rate paid at fair time last year. Floyd McGuire made a motion, seconded by Dale Fox, to raise the pay rate for temporary help to \$6.00/hr. Motion carried 5-0.

SEWER PROJECT: The council reviewed the information concerning Kramer Engineering and CP Engineers & Land Surveyors. In response to Mayor Post's question, Steve Jones stated that as a third class city, they do not have to accept the low bid. After much discussion concerning references, qualifications, past performance, and financial statements (Steve Jones told the council that engineers are not bonded), Davenna Jones made a motion, seconded by J.A. Cordts to accept the bid of \$25,260.00 for the design and engineering of Outfall Lines A & B by Kramer Engineering. Motion carried 4-1 with Floyd McGuire voting no. Some possibilities of the funding were discussed. Steve Jones asked that Jack Kramer talk to him about Kramer's project funding proposals.

MISC: Bruce Smith questioned how the sewer was to be furnished to the lot north of Floyd McGuire's that had just been annexed. The council felt they should wait until the owner approaches the city with definite plans. The mayor brought up the matter of clean-up because of the thistles. Steve Jones recommended the clerk review the ordinance covering this matter.

Bruce Smith asked about re-surfacing the streets that will be affected by the sewer project. It was decided that those streets be deleted from re-surfacing this year.

The mayor reported that he had had Bruce Smith install new guttering at the swimming pool at the request of the Betterment committee. Mayor Post also asked Ron Dean to watch Fourth Street more closely regarding the 20MPH speed limit.

ADJOURNMENT: Floyd McGuire made a motion, seconded by Dale Fox, to adjourn the meeting. Motion carried 5-0.

The meeting was adjourned at 9:27 P.M.

Respectfully submitted,

Cheryl L. Brown  
Assistant City Clerk

APPROVED \_\_\_\_\_

MINUTES - Regular meeting of the Overbrook City Council - June 8, 1988

MEMBERS PRESENT:

|                            |                   |
|----------------------------|-------------------|
| J.A.Cordts                 | Davenna Jones     |
| Richard Hamit              | Floyd McGuire     |
| Dale Fox (arrived at 8:20) | Mayor Dennis Post |

OTHERS PRESENT:

|              |                   |
|--------------|-------------------|
| Peggy Tucker | Bruce Smith       |
| Max Friesen  | Mildred J. Cannon |
| Ron Dean     | Cheryl L. Brown   |

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The Clerk called the roll.

MINUTES: The minutes of the May 11, 1988 regular meeting were reviewed. Floyd McGuire made a motion, seconded by J.A.Cordts to approve the minutes as written. Motion carried 4-0.

WARRANTS: The warrants of the previous month were reviewed. Floyd McGuire made a motion, seconded by Richard Hamit, to approve all warrants. Motion carried 4-0.

WATER FAUCET/FLOWER GARDEN AT 56 HWY ARCH: Peggy Tucker was present on behalf of the Overbrook Betterment Committee to request a water hydrant be installed at the municipal flower garden located at the 56 Highway arch. She said the Searchlight Club was in charge of that specific area and it is a real problem to water the plants since the only water now available is a hydrant at the pool. Tucker noted the Betterment Committee plans to keep the gardens as an ongoing and continuous project. They also plan to put in some permanent plants. Tucker suggested the possibility of the Betterment Committee helping out with the cost.

Bruce Smith said he could hook a line onto the water line West of Shirley's Cafe or in the middle of the school ground (approximately 100 ft. either way). He said the cost would be approximately \$300. After a brief discussion Richard Hamit made a motion, seconded by Floyd McGuire to approve the installation of a water hydrant with lock, at the 56 Highway arch for the Betterment Committee. Motion carried 4-0. The council, by concensus, requested the Betterment Committee pick up the cost of the trenching at a maximum of \$100 if agreeable.

The Council commended the Federated Women's Clubs and Betterment Committee for the time and effort spent to beautify the city. Tucker was thanked for coming and left at 7:40 pm.

ORDINANCE 150/STANDARD TRAFFIC ORDINANCE 1988: Mayor Post introduced Ordinance 150 for consideration. Richard Hamit made a motion, seconded by Davenna Jones to approve Ordinance 150, Standard Traffic Ordinance 1988. Motion carried 4-0.

ORDINANCE 151/REPEALING 91-201(Criminal Code) DISTURBING THE PEACE: Mayor Post introduced Ordinance 151 for consideration. Davenna Jones made a motion seconded by J.A.Cordts to approve Ordinance 151 repealing 91-201 (criminal Code) Disturbing the Peace. Motion carried 4-0.

RESOLUTION No. 22/WAIVER OF FIXED ASSETS ACCOUNTING AND GAAP PRESCRIBED FINANCIAL STATEMENTS: Mayor Post introduced Resolution 22. The clerk explained the legislature had granted permission (KSA 75-1120a) for third class cities to waive fixed assets accounting etc. J.A.Cordts made a motion, seconded by Richard Hamit to approve Resolution 22. Motion carried 4-0.

WEST WATER TOWER: Bruce Smith reported he had contacted Midwest Tank in connection with a crack in the bowl area of the 75,000 gallon water tower and they were to send out a welding crew right away. He said it is the same tank that is scheduled for outside painting this year.

SEWER MANHOLE/SECOND AND SURREY: Smith reported he felt the manhole at Second and Surrey needed to be raised if the corner is to be widened. He said the way it stands now, if the corner is widened it will cover over the existing sewer manhole. He felt it should be raised around 12 inches. He also asked if some of the council members could look at the area before making a final decision. The matter was tabled to the next meeting.

O'BRYHIM SEWER PROJECT: Smith reported engineers from Kramer Engineering had looked at the area and they felt that a row of houses where the new one that is being constructed is located, would have to have a sewer line too deep running South to carry a row of houses. They felt eventually another T would have to be run on the North side of Second Street and a sewer line should be laid on the North side. He said he had discussed it with Scoot O'Bryhim and also apprised him of the need for easements. The clerk reported she had talked to O'Bryhim after he had a legal description drawn up and inasmuch as she is familiar with that type work, he had requested she draw up the document for him to sign. The council gave permission by concensus.

SWIMMING POOL FILTER PROBLEMS: Bruce Smith reported Connie Fenton had approached him about some problems they were having with the present filter system at the pool. It appears they have had a tendency to become torn in the bottom. The problem began approximately a year ago. He said she had obtained quotes from \$1300 to \$2100 for replacement. The council by concensus, felt this should be written into the 1989 recreation budget.

BALL PARK LIGHTS: Mayor Post reported David Florence had reported the top set of lights were not working at the ball park. The matter was discussed at length. The clerk was instructed to check back in the records to see if the ball association or the city was to pay for the repair and contact Mayor Post with her findings.

BUDGET: Items for the 1989 budget were discussed. The Clerk reported she had attended a budget seminar in Topeka where they had discussed the 1989 and 1990 budgets in connection with reappraisal. She said the amount levied for 1989 will be the same dollar amount in 1990 (no changes). 1991 will go back to the levy system, thus no one will be hurt by the change in valuation of their property.

The clerk reported she was to go to Lyndon June 21 at 1 pm to work on the budget and she invited those members of the council who were interested to come along to see how the budget process works.

The Council agreed by concensus to leave the budget changes to the discretion of the clerk and treasurer with no major changes anticipated. The council will review the final budget at the July meeting and the budget hearing will be held at the August council meeting.

MISC: Mayor Post reported several residents have approached him about the weeds, animals and junk cars on the property at the Northeast corner of Maple and Highway 56. The clerk reported in regard to the animals, they are allowed by law if they are 200 feet or more from the next property and/or if the neighborhood property owners do not complain. The subject of old or junk cars was turned over to the police chief.

Also in regard to junk cars, some members registered complaints about the ones around Osage Auto Works. Police Chief Dean was instructed to check it out and report back to the council.

POLICE REPORT: Police Chief Dean reported the owners of Ganders are planning a beer garden in the area behind their board fence. He said there has been a problem of fireworks coming out from behind the fence. He said he had checked with the Alcoholic Beverage Commission and found it is an open club/dinner place and it is legal to serve drinks outside ie beer garden area, but it has to be listed as part of the perimeter of the licensed area. He said at this point the club owners do not control the outside. He said he made the owners aware that if they are going to have that area open for drinking, he expects them to maintain it and then it becomes their problem. Some members worried about the noise level. The matter was tabled to a later date.

EXECUTIVE SESSION/SALARY ADJUSTMENTS: Davenna Jones made a motion seconded by J.A. Cordts that the Council go into executive session for 30 minutes beginning at 8:40 pm to review personnel salaries. Motion carried 5-0. Upon returning, Mayor Post called the meeting back to order after which Richard Hamit made a motion, seconded by J.A.Cordts to accept the salary adjustments as discussed at the executive session. Motion carried 5-0. (The increases to be made a permanent part of the personnel file.)

MISC: Floyd McGuire reported the 30 mph sign at 10th and Maple was down and should be replaced.

Bruce Smith reported the water usage was holding at 75% of capacity even though we are in a drought situation and at this point things look good. The council commended the residents for conserving water voluntarily.

Mayor Post reported he had been approached about replacing the high curb in front of the post office with handicapped access. Post explained just a few feet away was the bank drive which has handicapped access. He also pointed out the corner of 4th and Maple also was level. The council agreed by concensus that handicapped access around the post office is adequate.

Floyd McGuire made a motion to adjourn the meeting. Dale Fox seconded. Motion carried. The meeting was adjourned at 9:30 pm.

Respectfully submitted,

  
Mildred J. Cannon  
City Clerk

APPROVED: July 13, 1988

MINUTES - Regular meeting of the Overbrook City Council - July 13, 1988

MEMBERS PRESENT:

|               |                   |
|---------------|-------------------|
| J.A.Cordts    | Floyd McGuire     |
| Richard Hamit | Mayor Dennis Post |

MEMBERS ABSENT:

|          |               |
|----------|---------------|
| Dale Fox | Davenna Jones |
|----------|---------------|

OTHERS PRESENT:

|                  |              |
|------------------|--------------|
| Bruce Smith      | Ron Dean     |
| Max Friesen      | Cheryl Brown |
| Mildred J.Cannon |              |

The meeting was called to order by Mayor Dennis Post. The Clerk called the roll.

MINUTES: The minutes of the June 8, 1988 regular meeting were reviewed. Floyd McGuire made a motion, seconded by Richard Hamit to approve the minutes as written. Motion carried 3-0.

WARRANTS: The warrants of the previous month were reviewed. Richard Hamit made a motion to approve all warrants. J.A.Cordts second. Motion carried 3-0.

AUDIT REPORT: Bob Greenfield, Peimann and Greenfield, Chartered was present to review the audit report with the council. He said everything had gone very well and that the clerk's office was very good to work with. He said there was one problem that needed to be addressed. He said they had found that a few warrants had slipped by with only one signature and this must be watched closer. He suggested that since the state statutes dictate that there must be three signatures and it isn't always possible to locate all three signers, an alternate signer would be appropriate. After a brief discussion, Richard Hamit made a motion, seconded by Floyd McGuire to appoint the president of the council as alternate check signer. Motion carried 3-0. He was thanked for coming and left at 7:50 pm.

GAME MACHINE LICENSE: A game machine license request for The Amusement Company 301 Maple (formerly Mr. Video) was presented. The clerk noted the fee had been pro-rated for the balance of the year. The license request was for six machines. J.A.Cordts made a motion to approve the license for The Amusement Company. Richard Hamit seconded. Motion carried 3-0.

1989 BUDGET REVIEW: The clerk presented the 1989 proposed budget for the council review and change if appropriate. She noted that the tax levy had been lowered 2.51 mills. She also noted three mills have been set aside in 1988 and another three in 1989 for a new patrol car. Mayor Post asked what the recreation budget is spent for. The clerk explained it is used for utilities and repairs at the swimming pool and the city park. She explained any monies left in the fund at the end of the year are set aside in a capitol improvement fund. She also explained the swimming lesson fees and gate receipts went to pay the salaries of employees and phone etc. for the pool. She said these books are also audited at the same time the city books are done.

It was agreed by concensus to leave all figures as is, pending the budget hearing August 10.

FEDERAL REVENUE SHARING BUDGET AMENDMENT: The hearing for the proposed federal revenue sharing budget amendment was called to order at 8:00 pm. Mayor Post noted no one was present to speak for or against the amendment. The clerk explained the budget must be amended due to interest payments which had not been included in the initial figure when the budget was heard last summer. She said inasmuch as all the fund must be spent by October 1988 the budget needed to be amended so the city would not violate the cash basis law. Richard Hamit made a motion to approve the amendment. J.A.Cordts seconded. Motion carried 3-0.

SEWER PROJECT/BOND ISSUE: Mayor Post read a letter from Kramer Engineering outlining the costs of a bond issue for either 10 or 15 years. The subject was discussed at length. J.A.Cordts made a motion, seconded by Richard Hamit to approve a ten year General Obligation bond issue to be paid for from water and sewer revenue funds. Motion carried 3-0. The actual interest rate will not be known until the bonds are sold.

PERSONNEL POLICY: The clerk presented a complete personnel policy for council review and possible revision. She explained she had patterned it basically from one approved by the Kansas League of Municipalities. Hospitalization cost reimbursement was discussed as well as job definitions. McGuire questioned which definition that the law enforcement patrolmen came under. Mayor Post asked that Police Chief Dean supply the council with a weekly time sheet for 1986 and 1987 to be reviewed at the August council meeting. Dean explained he had to vary the schedule for the patrolmen due to their other jobs and also because the state requires it. McGuire made a motion to approve the personnel policy as written. The motion died for lack of second. One member noted it was not a good idea to adopt a policy when there was some question as to definition of certain positions. The matter was tabled to the August meeting.

WEST WATER TOWER REPAIR: Bruce Smith reported the repairmen from Midwest Tank had been out to inspect the tank damage. He said they said they would not guaranty the repair if it was welded. They felt it needed a plate on the bottom and a sleeve in the top of the riser pipe. They said if they welded it the cost would be approximately \$800. Mayor Post presented a proposal from Midwest Tank to install a 1/4"x 3' x 12" sleeve in the top of the riser and an overplate 12" of headplate using 1/4" steel. They would also retouch the interior coating. The price being \$3850. They told Smith that this was a working stress area.

One member questioned getting other bids. The clerk was instructed to contact the City Attorney to get an opinion as to whether the city is locked in with Midwest Tank for repairs or if they can take bids. The matter was tabled to the August meeting.

WATER/SEWER DEPT REPORTS: Bruce Smith reported minor damage to well No. 1 due to the recent storm. He also said the chlorinator pump had developed a problem He said they were being repaired at this time.

Smith reported he had contracted Dean Peimann to raise the manhole at Second and Surrey to put it in line with the new level of the street. He said at the same time he had Mr. Peimann redo the manhole on the North side of 56 Highway just East of LeRoy Shepard's property. He said the smoke testing had brought it to the city's attention several months ago.

Some members questioned whether Second and Surrey should be resurfaced at this time. Smith said he would check with Hi-Plains Sand to ascertain whether it might be possible to surface the inside track only, thus allowing the rest to

have time to settle in.

Smith reported he had been working on the O'Bryhim Sewer Project and was about half way finished. He said it would take around four more days to complete the job.

Floyd McGuire made a motion to adjourn the meeting. J.A.Cordts second. Motion carried 3-0. The meeting was adjourned at 9:07.

Respectfully submitted,

*Mildred Cannon*  
Mildred J. Cannon  
City Clerk

Approved Aug 10, 1988

## MEMBERS PRESENT:

J.A.Cordts  
Richard Hamit  
Dale Fox - arrived at 7:43

Floyd McGuire  
Mayor Dennis Post

## MEMBERS ABSENT:

Davenna Jones

## OTHERS PRESENT:

Dale Bloom  
Mr. & Mrs. Chester Barrett  
Max Friesen  
Don Keim  
Steve Jones - arrived at 7:48

Ron Dean  
Cheryl Brown  
Mildred J.Cannon  
Bruce Smith

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The clerk called the roll.

MINUTES: The minutes of the July 13, 1988 regular meeting were reviewed. Richard Hamit made a motion to approve the minutes as written. Floyd McGuire second. Motion carried. 3-0

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion, seconded by Floyd McGuire to approve all warrants through 5224. Motion carried. 3-0

WATER TOWER REPAIR: Chester Barrett, American Tank Co. was present to submit an oral bid for repair of the crack on the West water tower. Mr. Barrett said the problem was not uncommon and could be corrected by installing a plate of steel over the hole and extending it into the riser pipe. His bid was \$750 which included re-painting any damaged area. He said he would guaranty five years. Bruce Smith reported he had checked with the City of Walnut Grove, Missouri where American Tank had just finished the same type repair. He said they gave a good recommendation.

Mayor Post opened a bid from Payne Welding, Overbrook, in the amount of \$735 for welding only. Floyd McGuire reported Mr. Payne had said he would guaranty the work for two years. There was some question as to whether Payne had the necessary insurance coverage. Mayor Post re-read the bid from Midwest Tank received last month in the amount of \$3,850 with a three year guaranty for installing a sleeve in the top of the riser and an overplate of headplate and touching up the interior coating damaged by the repair.

Dale Fox arrived at 7:43. Mayor Post explained the tower problems and bids. After a brief discussion, Floyd McGuire made a motion to let the bid to American Tank. J.A. Cordts seconded. Motion carried 4-0. Mr. Barrett said he would send a written contract ASAP. Mr. & Mrs. Barrett were thanked for coming and left at 8:00 pm.

1989 BUDGET HEARING: The 1989 Budget Hearing was called to order and opened for discussion. There being no one present to protest, Dale Fox made a motion, seconded by Floyd McGuire that the budget be adopted as published. Motion carried. 4-0.

ELECTRICAL PROBLEMS/SWIMMING POOL: Don Keim was present to bring up some electrical safety problems he had noted at the pool. He said he had been called out to work on a faulty breaker and while he was there he noticed the floor was wet in the breaker room. He also noted the line along the fence with lights on it was a potential problem as were the underwater lights. It was noted that there was current present at all times on the west side and if there was a short, it could be very serious. Keim talked about ways to alleviate the problem. He suggested a waterproof panel outside

the bathhouse, also a switch on the inside. He also felt the bathhouse should be grounded. The problems were discussed at length. Keim was authorized to replace the faulty breaker and disconnect the pool lights. The other items were tabled to a later date.

CITY BUILDING ROOF: Dale Bloom, Secretary for the Masonic Lodge was present to request the city help pay for mortar work to be done on the North wall of the city building. He said some of the rock was falling out onto the fire department roof. He said the work would be done by Dean Peimann. The fire department had agreed to pay one third of the cost which Bloom said should run around \$300 total. Bloom said the lodge would furnish the sand and material. Dale Fox made a motion that the city pay one third of the cost of replacing the stone and mortar. Floyd McGuire seconded. Motion carried. 4-0.

Bloom also reported the roof was in bad shape and due to a bad job in the past, the insurance company had refused to honor the lodge's claim. Bloom said he had gotten bids from Northbrook (\$1,353.50) to redo the roof the same as it had been done before and one from Nickle Roof Co. (\$5,709.37) to remove the asphalt and install fiberglass. Nickle had agreed to guaranty the job for 5 years. Bloom said actually to do the job right it should be done with rubber or vinyl and would cost around \$6000. He said inasmuch as the city owns a vested interest in the building (the lodge owns the second story and the city owns the ground level), the lodge members were requesting the city's help. He said the lodge could contribute only \$1,000. The council agreed that it is a joint problem but were not sure the 1988 budget could handle it. Bloom was authorized to get proposals on rubber and also latex coating. The matter was tabled to the September 14 meeting at which time the Clerk and Treasurer would be able to ascertain if there was money available to help right now. Bloom was thanked for coming and left at 8:30 pm.

ORDINANCE 152: Steve Jones presented Ordinance 152, An Ordinance providing for the alteration, repair and construction of certain outfall sewer lines of the city etc and authorizing the issuance of General improvement bonds in the amount of \$162,000 and authorizing the sale of said bonds. Richard Hamit made a motion to adopt Ordinance 152. J.A. Cordts seconded. Motion carried 4-0. Jones then apprised the council that they would need to set a date to accept bids for the sale of the bonds. After a brief discussion, Dale Fox made a motion, seconded by Floyd McGuire to call a special meeting for August 13, 1988 at 7:30 pm at which time the sealed bids for bond purchase would be opened. Motion carried 4-0.

ORDINANCE 153 - WATER RATES: An ordinance fixing water rates was introduced. as follows:

- \*Minimum charge                   \$7.00 for the first 1,000 gallons  
  3.00 each 1,000 gallon or fraction thereof
- \*Public schools within the city limits - flat rate \$3.00 per 1,000 gallon
- \*Any water service meter damaged while being turned on or off without express permission of the Superintendent of Waterworks or in any way being tampered with, be subject to a penalty of \$50 plus costs to be added to and become a part of the current water billing.

Motion by J.A.Cordts to adopt Ordinance 153 setting water rates and penalties. Richard Hamit second. Motion carried 4-0.

ORDINANCE No. 154 - SEWER RATES: An ordinance fixing sewer rates was introduced as follows:

|                |         |                                       |
|----------------|---------|---------------------------------------|
| minimum charge | \$ 3.00 | Based on water usage                  |
|                | 1.00    | first 2,000 gallon                    |
|                |         | each 1,000 gallon or fraction thereof |
|                |         | exceeding first 2,000 gallon          |
|                | 150.00  | Maximum charge                        |

Floyd McGuire made a motion, seconded by Dale Fox to adopt Ordinance 154 setting sewer rates. Motion carried 4-0.

SOLID WASTE: Mayor Post reported that George Simmons or a representative of Topeka Waste Systems was to have been present tonight but has not arrived and has not contacted the clerk. The clerk said she had sent a letter of confirmation of the appointment to Mr. Simmons. The takeover of Heartland Refuse was discussed with Steve Jones, City Attorney. Jones was authorized to send a letter to Topeka Waste Systems requesting:

- 1) proof of actual assignment of the contract from Heartland Waste Partners, LTD to Topeka Waste Systems;
- 2) proof of Topeka Waste Systems financial ability to perform the contract;
- 3) the performance bond required under paragraph four of the contract;
- 4) proof of liability and workers' compensation insurance required paragraph 6 of the contract.

JUNK CARS: The problem of junk cars was again discussed at length. It was agreed that there should be a definition designation between salvage business and garage and/or auto repair. Ordinance No. 121, an ordinance relating to inoperable vehicles, etc., was discussed. It was agreed by consensus that Section 7 should be amended to read 30 days in lieu of 7 days. Also discussed was the need to repeal Ordinance No. 100, an ordinance prohibiting the parking of junk automobiles etc. Richard Hamit made a motion, seconded by Floyd McGuire to repeal Ordinance No. 100. Motion carried. 4-0.

MISCELLANEOUS - MAINTENANCE: Bruce Smith asked the council for permission to contact someone outside Overbrook to look into the radio transmitter problems. He was instructed to contact Kansas Electronics.

Smith reported there was still some problem with the library roof. He was instructed to contact Taylor Roofing to set up a meeting.

He reported the O'Bryhim sewer project had been completed.

He also reported the street signs have been ordered at a cost of \$45 each.

Smith said Dr. George Maichel had requested the city install new fence posts by well No. 3. After a brief discussion it was agreed that Dr. Maichel should give the city a written request and also should discuss the request with the council. The matter was tabled to a later date.

STREET SURFACING: Smith said the streets were in the process of being resurfaced. He questioned if the city wanted to do all of Maple Street. It was agreed by consensus that driving lanes only should be resurfaced.

MAINTENANCE HELPER'S SALARY: Neil Smith's hours and mileage was discussed. It was agreed Smith should be compensated the same per hour for all work done for the city whether it be checking the wells when Bruce is away or doing contract work on water line breaks and/or sewer projects. Floyd McGuire made a motion to approve check No. 5225. Richard Hamit second. Motion carried 4-0.

## MEMBERS PRESENT:

J. A. Cordts  
Dale Fox  
Richard Hamit

Bob Harvey  
Mayor Dennis Post

## MEMBERS ABSENT:

Floyd McGuire

## OTHERS PRESENT:

Dale Bloom  
Max Friesen  
Ed Reece  
Dr. Geo. Maichel  
Ron Dean  
Mildred J. Cannon

Jack Kramer  
Steve Jones  
Ron Heberling  
Bruce Smith  
Cheryl Brown

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The Clerk called the roll.

SWEARING IN CEREMONIES: The clerk administered the oath of office to Robert W. Harvey, newly appointed council person.

MINUTES: The minutes of the August 10, 1988 regular meeting and the August 31, 1988 special meeting were reviewed. Richard Hamit made a motion, seconded by J. A. Cordts to approve both sets of minutes as written. Motion carried.

WARRANTS: The warrants of the previous month were presented. J. A. Cordts made a motion, seconded by Richard Hamit to approve all warrants. Motion carried.

CITY OFFICE BUILDING/WALL REPAIR: Dale Bloom Secretary of Ridgeway Masonic Lodge was present to report the stone work as discussed at the August meeting had been finished and the city's portion would be \$68.37.

CITY OFFICE BUILDING/ROOF REPAIR: Mayor Post opened the sealed bids for roof repair of the city office building as follows:

|                     |           |    |                  |
|---------------------|-----------|----|------------------|
| Nicolay Roofing     | \$7723.10 | -- | Firestone rubber |
| Stevenson Co., Inc. | 6817.00   | -- | Goodyear rubber  |
| Roof Systems, Inc.  | 6584.00   | -- | Goodyear rubber  |
| Boone Bros. Roofing | 6670.00   | -- | Goodyear rubber  |

All bids and specs were studied and discussed at length. It was noted all specs were the same, and all Goodyear rubber would have a 10 year manufacturer warranty. Stevenson Co., Inc. would also give a two year company warranty. Ed Reece, Boone Bros. Roofing was present. Mr. Reece said local sub contractors would be utilized by his company and either he or a Goodyear representative would oversee their work. It was agreed by consensus that the council was very reluctant to take anything other than the low bid, but in lieu of the fact Boone Bros. Roofing would be using local sub contractors, the council felt the effort should always be made to use local people whenever possible, thus keeping local monies in the community. J. A. Cordts made a motion to award the contract to Boone Bros. Roofing in the amount of \$6,670 less \$1,000 to be paid by Ridgeway Masonic Lodge, with the stipulation that local sub contractors be utilized. Richard Hamit seconded the motion. Motion carried 4-0. It was also noted by the clerk that Overbrook is a third class city and there is no statutory requirement of public bids for cities of the second and third class

SEWER PROJECT - 1988: Jack Kramer was present to discuss a change in the route of the sewer project and to present said plans for approval. The need for new easements was discussed. The possibility of returning old easements to land owners was also discussed. Kramer said he would request bids as soon as the easements are obtained. After a brief discussion it was agreed the new route was a better idea and would mean less interruption to everyone. Dale Fox made a motion, seconded by J. A. Cordts to accept the plans as presented. Motion carried. 4-0. Kramer was thanked for coming and left at 8:25 pm.

JUNK CARS/AUTO SALVAGE: Don Heberling was present to discuss what the city plans were in reference to his auto works and the junk car ordinance. He said he would like to come to some sort of agreement. Several solutions were discussed, including rewriting some portions of the ordinance including reference to number of vehicles. It was agreed by consensus that each case would be treated individually on receipt of a formal signed complaint. Heberling was thanked for coming and left at 8:50 pm.

NEW PATROL CAR: Police Chief Ron Dean presented two bids for a new Ford Crown Victoria patrol car with police package. The bids were \$13,985 and \$14,015. He noted the city would install their own antenna, light bar and radio, etc. He said to get either price, the vehicle would need to be ordered with the Osage County Sheriff Patrol cars and would be delivered around November or December. The clerk reported the money would not be available until February 1989 to purchase a new car as discussed at the August meeting. After a brief discussion it was agreed by consensus that Dean should bring in bids from Chevrolet and Plymouth and also get a bid from Ford for February 1989 delivery. The matter was tabled to the October meeting.

WATER/SEWER DEPT. REPORT: Bruce Smith reported a minor electrical problem at well five that has now been repaired.

Smith said he had been looking into prices for a new radio to replace the one at the wells. He explained it is a FM frequency radio that operates the water level and turns the wells on and off. He said as yet he can't locate anyone to repair the existing one and is in the process of obtaining prices for a new system.

Smith also reported the welding had been done on the West tower and it is now ready to be painted.

PERSONNEL PACKAGE: Longevity vacation allowance and over-accumulation of sick leave was discussed. After a brief discussion, both matters were tabled to a later date.

SOLID WASTE CONTRACT: Mayor Post read a letter dated September 9, 1988 from George Simmons, Topeka Waste Systems confirming the items he had committed at the August council meeting. In answer to Mayor Post's question of legality Steve Jones said he felt the letter was legal and binding. After a brief discussion, Dale Fox made a motion, seconded by Richard Hamit to accept the assignment of the Heartland Refuse contract to Topeka Waste Systems. Motion carried 4-0.

MISC: Mayor Post reported Coni Fenton had received two bids from Patio, Pool and Fireside to repair or replace the filter system on the swimming pool in the amounts of \$4,008.96 and \$7,409.95. After a brief discussion the matter was tabled to spring 1989.

Mayor Post reported the president of the Fair Board had suggested to the clerk that if the city wanted them to bring the conference table back, the board would be interested in trading the use of the table for security at the fair. After a brief discussion, Mayor Post was authorized to send a letter to the fair board president requesting he and/or members of the board attend the October council meeting to discuss any problems they might have.

Dale Fox made a motion to adjourn the meeting. Bob Harvey seconded. Motion carried. The meeting was adjourned at 9:30 pm.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

APPROVED: 10-12-88

## MEMBERS PRESENT:

J. A. Cordts,  
Dale Fox  
Richard Hamit

Bob Harvey  
Mayor Dennis Post  
Floyd McGuire (arrived at 8:45pm)

## OTHERS PRESENT:

Robert Pabst  
Lloyd Puhl  
Bruce Smith  
Ron Dean

Max Friesen  
Cheryl Brown  
Mildred J. Cannon

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The Clerk called the roll.

MINUTES: The minutes of the September 14, 1988 regular meeting were reviewed. Bob Harvey made a motion, seconded by Richard Hamit to approve all warrants. Motion carried.

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion, seconded by J. A. Cordts to approve all warrants. Motion carried.

SEWER PROJECT UPDATE: Mayor Post reported that Steve Jones and Jack Kramer were in the process of obtaining new easements. He said Kramer had reported that after the easements are signed and recorded, it would be five or six weeks before the bids are in and the job started. The project itself would take approximately 90 days before completion, weather permitting. It was noted the project won't be finished for at least four to five months. The possibility of waiting until spring to start the project was discussed. The matter was to be discussed with Jack Kramer before taking bids.

CABLE TV FRANCHISE ASSIGNMENT: Robert Pabst, present owner of the B & M Systems and Construction (Overbrook Cable Television Co) introduced Mr. Lloyd Puhl, representative of Cablevision of Texas. Mr. Puhl was present to answer whatever questions the council members might have. He said his company offers 22 channels along with HBO, Cinemax, and Disney channels. He said the basic channel service was \$13.50 in most areas but there would be no raise in rates here at this time. He said his company would be checking all equipment, lines, etc., and there would be no interruption of service. After a brief discussion, it was agreed the Cablevision company had been looked into and there was no good cause not to assign the present franchise agreement. Dale Fox made a motion authorizing the transfer of the present cable television franchise dated January 21, 1981 from Robert A. Pabst dba Overbrook Cable Television Company to Cablevision of Texas III. Bob Harvey second. Motion carried. The clerk was instructed to compose a letter to Cablevision of Texas III for Mayor Post's signature, apprising them of the council decision. Mr. Pabst and Mr. Puhl were thanked for coming and left at 7:55 pm.

ORDINANCE 156/ AN ORDINANCE REPEALING ORDINANCE #100 RE: "THE PARKING OF JUNK AUTOS ON PUBLIC OR PRIVATE PROPERTY." Mayor Post presented Ordinance 156 for consideration. Richard Hamit made a motion, seconded by Bob Harvey to approve Ordinance 156 repealing Ordinance 100. Motion carried.

ORDINANCE 157/AN ORDINANCE AMENDING SECTION 7 OF ORDINANCE 121 RELATING TO INOPERABLE VEHICLES: Mayor Post presented Ordinance 157. The Ordinance was discussed at length, after which Bob Harvey made a motion, seconded by Richard Hamit to approve Ordinance 157 on the condition that the word informal be deleted and the word formal be inserted on line one of paragraph entitled Administrative Procedures. Motion carried.

MISCELLANEOUS MAINTENANCE REPORTS: Bruce Smith reported the west water tower had been painted and the chlorinator building roof was finished. Smith also reported there was still some problem with the library roof. The clerk was instructed to write to Taylor Roofing apprising them of the problems and asking their advice.

Mayor Post asked that Smith check into the status of the rails for the steps in front of the library.

PATROL CAR BIDS: Ron Dean presented a bid from Bozarth Chevrolet for a 1989 Caprice with police package in the amount of \$13,863.20. He explained he had tried to get a bid on a Chrysler product but that they were no longer producing a police package. After a lengthy discussion, it was agreed by consensus to authorize Dean to order the Ford Victoria at the bid price of \$13,985, as discussed at the September meeting if it had the 6-60 warranty. If it did not have the warranty, Dean was told to order the Chevrolet. It was noted Dean was to order only for delivery after the first of the year with payment to be made in February.

PERSONNEL PACKAGE: Longevity vacation allowance was again discussed. It was agreed by consensus that vacation allowance be as follows:

|                            |                      |
|----------------------------|----------------------|
| First 5 years              | 1 day per month      |
| 6th year through 10th year | 1 1/2 days per month |
| 11th year thru 15th year   | 1 1/2 days per month |
| over 15 years              | 1 3/4 days per month |

Also discussed was sick leave and vacation carry over. It was agreed to pay unused vacation time for 1988 as in the past. Future carry over for both sick leave and vacation would be discussed at a later date.

MISCELLANEOUS: Mayor Post reported that even though the Fair Assn. had been invited to come to this meeting to discuss any problems they might have, they had not chosen to do so. It was noted the conference table had been donated many years ago to the city by First Security Bank with the stipulation that the Fair Assn. be allowed to use it during fair time.

Mayor Post also reported in connection with the table, the city hall had borrowed the municipal court room table. The clerk explained she had contacted Ron Dean and he felt since it would only be for a couple of weeks, municipal court could be held in his office. Dean said Judge Coursen did not agree with this and Mayor Post was contacted to move the table back into the court room. He said Judge Coursen voiced many grievances in connection with the court room accommodations. Mayor Post noted he had sent a letter to Judge Coursen requesting he attend this council meeting to talk about whatever problems he might have but he had sent a letter stating he had a previous commitment. Coursen also stated in the letter that he was concerned with the impression the municipal court gives. Mayor Post noted the conference table was now back in city hall, the court room table was back in the court room and there were new flags in the court room. The clerk

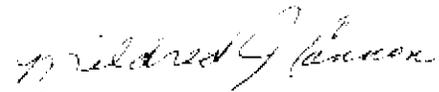
reported the municipal court receipts were \$1400 and expenditures were \$2,667 to date. The council felt there was nothing wrong with the court room and if Coursen had a problem he should come to council meeting and address the council about it.

Floyd McGuire reported Jim Duncan had requested some work be done on the ditch in front of his house. Bruce Smith said he was waiting until he could get together with the township to use their maintainer.

Bruce Smith asked the council's permission to do some work on Cedar south of Market Street. It was agreed by consensus to have rock layed now so it would have time to settle before the streets are resurfaced next summer.

Dale Fox made a motion to adjourn the meeting. Robert Harvey seconded. Motion carried. The meeting was adjourned at 9:30 pm.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

APPROVED *Nov. 9, 1988*

## MEMBERS PRESENT:

|               |                   |
|---------------|-------------------|
| J.A.Cordts    | Bob Harvey        |
| Dale Fox      | Floyd McGuire     |
| Richard Hamit | Mayor Dennis Post |

## OTHERS PRESENT:

|                |                  |
|----------------|------------------|
| Elaine Wells   | Ron Dean         |
| Casey Mussatto | Cheryl Brown     |
| Bruce Smith    | Mildred J.Cannon |
| Jack Kramer    |                  |

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The Clerk called the roll. Mayor Post welcomed Kansas State Representative Elaine Wells and congratulated her on her re-election.

MINUTES: The minutes of the October 12, 1988 regular meeting were reviewed. J.A.Cordts made a motion, seconded by Dale Fox to approve the minutes as written. Motion carried.

WARRANTS: The warrants of the previous month were presented. Richard Hamit made a motion, seconded by Floyd McGuire to approve all warrants. Motion carried.

ECONOMIC DEVELOPMENT: Elaine Wells and Casey Mussatto were present to apprise the Council of the Osage County Economic Development Action Committee and its functions. They explained what the committee's functions are and how it was organized. She explained a survey had been taken to ascertain what areas of economic development the county could grow in. The committee was encouraged by the Department of Commerce to continue meeting even though its initial function had been to work toward obtaining the super collider for Osage County. She said now they are working with the Dept of Commerce to try to unify the county. She said there were several areas the county could expand in and one was travel and tourism. She said with the Santa Fe Trail, coal mines and two area lakes available it appeared to be one good area to explore. Another area would be industry. She said they were also involved with KANDD which is an economic development program for a six county area. Right now they are considering becoming a non profit corporation but will need the support of the whole county to keep these efforts going. She asked the council to consider appointing a representative to attend the meetings which are held on the third or fourth Thursday of each month. The minutes of the meetings will be printed in the newspaper to keep the community aware of their progress. They were both thanked for coming and left at 8:00 pm.

1988 SEWER PROJECT: Jack Kramer, Kramer Engineering was present to discuss the setting of a bid letting date and also discuss the signing of the remaining easements. Release of the current easements was also discussed. Kramer suggested the release of whichever present easements that are no longer necessary after the project is finished. The council agreed by consensus.

The date of December 14, 1988 at 8:00 pm was set for accepting bids. Kramer said the project would take 90 days with another 30 days to finish it if the weather turns bad. Kramer was thanked for coming and left at 8:15 pm.

MORTGAGE CREDIT CERTIFICATE PROGRAM: Mayor Post brought up the subject of the single family mortgage credit certificate program. He said for anyone to be able to take advantage of the tax break, the city would have to pass a resolution authorizing the execution and delivery of a cooperation agreement pursuant to K.S.A. 12-101 and the Kansas local residential housing finance law etc. The Mayor read the resolution and cooperation agreement aloud. After a brief discussion, Dale Fox made a motion to accept Resolution 23. J. A. Cordts second. Motion carried. The clerk was instructed to contact the necessary parties.

MISCELLANEOUS: Bruce Smith reported he had received a letter from the Kansas Correctional Industries in reference to the street signs he had ordered. The letter stated they could not fill the order. It was agreed inasmuch as the signs purchased from anyone else would be at a much higher price, the city would wait until 1989 to purchase the new street signs.

Ron Dean reported Ed Harmison as Emergency Medical Technician, had started a committee to raise the funds to purchase a "Jaws of Life" to be used with the first responder unit. The cost was estimated at \$5,000 for a used unit (a new one would cost approximately \$9,000.)

Dale Fox reported he had been approached about the garage which had been moved onto the property at 210 East Fifth. Mayor Post explained the Board of Zoning appeals had been contacted and a hearing was held. The Board had approved the placement of the garage as long as it meets the Boards requirements.

Mayor Post reported the Larry Coursen lawsuit was to be heard in Shawnee County November 10.

J. A. Cordts questioned what is being done about the Clark Coursen mobile home inasmuch as the 90 days have elapsed since the first notice. Mayor Post said he would send a letter requesting the removal and he would also discuss the matter with the city attorney.

UNFINISHED BUSINESS: Mayor Post presented a bid obtained by Dr. George Maichel for the fence posts discussed at the October meeting. The bid was from Brocheiser Fencing for the amount of \$130. After a brief discussion, J. A. Cordts made a motion, seconded by Richard Hamit to pay the \$130 for the gate posts when the project is finished. Motion carried.

Floyd McGuire made a motion, seconded by Dale Fox to adjourn the meeting. Motion carried. The meeting was adjourned at 9:20 pm.

Respectfully submitted,

*Mildred L. Cannon*

Mildred L. Cannon  
City Clerk

APPROVED: Dec. 14, 1988

CITY OF OVERBROOK  
MINUTES OF REGULAR MEETING

December 14, 1988

MEMBERS PRESENT:

|               |                   |
|---------------|-------------------|
| J. A. Cordts  | Robert Harvey     |
| Dale Fox      | Floyd McGuire     |
| Richard Hamit | Mayor Dennis Post |

MEMBERS ABSENT:

none

OTHERS PRESENT:

|   |              |
|---|--------------|
| Dr. George Maichel                              | Max Friesen  |
| Warren Engler                                   | Steve Jones  |
| Jack Kramer                                     | Bruce Smith  |
| Ben Kramer                                      | Ron Dean     |
| Mildred Cannon                                  | Cheryl Brown |
| Representatives from various construction firms |              |

The meeting was called to order at 7:30 pm by Mayor Dennis Post. The Clerk called the roll.

MINUTES: The minutes of the November 9, 1988 regular meeting were reviewed. Floyd McGuire made a motion, seconded by Richard Hamit, to approve the minutes as written. Motion carried 5-0.

WARRANTS: The warrants of the previous month were presented. Floyd McGuire made a motion seconded by J. A. Cordts to approve all warrants. Motion carried 5-0.

HEARING/WATER UTILITY: Dr. George Maichel was present to discuss his November water bill. He said he felt there had to be something wrong with the meter, that his normal usage was approximately 3,000 gallons per month and this bill was for 20,700 gallons. He said Bruce Smith had notified him there was a problem and although he knew he had a stool overflow, he did not feel that could cause such a high reading. The clerk assured him that it was not unusual for an overflowing stool to run at least that much usage or more. Dale Fox also reiterated that when he worked for the city it was not unusual to have a leaking stool run that much or more in a very short time. Bruce Smith said he had a device with which he could compare the present meter with a new one to check the accuracy of the old one. He also reported Maichel's usage was back to the normal 3,000 gallon usage. Smith was instructed to check the meter out and to install a new one if the old one was found to be inaccurate. Mayor Post apprised Maichel that the city's policy is, if it goes through the customer's meter, the customer is responsible. The Clerk reiterated, if a meter goes bad, it is in the customer's favor. Maichel asked that the ten percent penalty be removed. This was agreed to by consensus.

SURFACE WATER PROBLEM: Warren Engler was present to request something be done to alleviate the flow of surface water into his building at Fourth and Maple. He noted the street and curb are the same height and surface runoff from the fire station side of the street flows over the curb and into his building. Bruce Smith was instructed to look into the problem and do whatever is necessary to alleviate the situation.

SEWER PROJECT BID OPENING: The bids for the sewer project were opened by Mayor Post and read by Jack Kramer beginning at 8:00 pm. The bids were as follows:

|                             |              |
|-----------------------------|--------------|
| HDB Construction            | \$156,915.77 |
| Mack Excavating, Inc.       | 126,579.80   |
| J.L. Clark Pibg. & Htg. Co. | 126,045.44   |
| Larson Construction         | 112,242.50   |
| McCorkendale Construction   | 106,993.15   |
| Herrman's Excavating, Inc.  | 99,452.60    |
| B. A. Durst, Inc.           | 95,311.00    |
| Hill Construction Co.       | 93,414.45    |

After a brief discussion, Dale Fox made a motion, seconded by Richard Hamit to accept Hill Construction Co. of DeSoto, Kansas as low bidder based on Mayor Post's findings in connection with Hill's references and if the references do not check out, Mayor Post be authorized to proceed with the lowest responsible bid. Motion carried. 5-0.

All bidders with the exception of Hill Construction Co were thanked for coming and left at 8:10 pm.

Bob Hill was introduced to the council. He said he had been in business since 1975 and averaged approximately \$1,000,000 in business per year. He said his company had done work for the City of Lawrence for the past 13 years and the Mayor could call them for reference.

EASEMENTS: Kramer reported there was a problem with one of the easements. He said they had not been able to agree but he felt possibly he could go in and change the plans using the old easement and maybe pump around it. He said they were just running along the edge of the lots in question.

Kramer reported the railroad permits will be coming any day and it might be wise for the council to authorize the Mayor to sign when they arrive. Richard Hamit made a motion authorizing Mayor Post to sign the railroad right of way permits when they arrive. J. A. Cordts second. Motion carried. 5-0

LARRY COURSEN LAWSUIT: Steve Jones brought the council up to date on the Coursen lawsuit in reference to the placement of a doublewide trailer in the city limits. He said inasmuch as all the local judges knew Judge Coursen and didn't want to get involved, the case was forwarded to Judge Newton Vickers, Shawnee County who will hear it. Jones said he would keep the city apprised of future developments.

CLARK COURSEN TRAILER: One member asked what has been done on the Clark Coursen trailer situation. Mayor Post said he had written a letter on November 10 but had not received a response at this time.

ENVIRONMENTAL WATER TECHNOLOGY SCHOOL: Bruce Smith requested permission to attend a 16 week college credit course to be held in Topeka at the Oakland Wastewater Treatment Plant. The school is being held by the Kansas Environmental Training System in cooperation with Fort Scott Community College. The price of the course is \$275. Smith said if the city wanted to purchase the necessary books in lieu of rental it would be another \$45. Dale Fox made a motion, seconded by Bob Harvey to approve permission for Smith to attend the school at the city's cost plus purchase the books for future reference. Motion carried 5-0.

MISC: Mayor Post reported he had talked with the owners of the cable tv company and the ownership would not be transferred to the new owners until after the first of the year due to problems with the tower leases.

Ron Dean asked permission to purchase a ham or fruit basket for each of his men for Christmas. Floyd McGuire made suggestion that the city purchase a turkey or ham for all city employees. After a brief discussion Floyd McGuire made a motion that the city authorize the purchase of a 12 pound turkey for each employee or a comparable price ham, to be purchased at either O'Bryhims or Davis Meats. Dale Fox second. Motion carried 5-0. Max Friesen as "citizen and tax payer" suggested the council and mayor also receive a turkey or ham in view of their loyal service. Floyd McGuire made a motion to that effect which died for lack of second.

LICENSE: Mayor Post presented Game Machine/Juke Box licenses for the following:

Juke Box - Shirley's Cafe  
Juke Box and Game Machines - Patch  
Juke Box and Game Machines - Ganders  
Game Machines - Mr. Video

Dale Fox made a motion to approve all game machine/juke box licenses. Floyd McGuire seconded. Motion carried 5-0.

Mayor Post then presented Cereal Malt Beverage Licenses for the following:

O'Bryhim's Thriftway, Inc. - for sale in unopened containers  
Patch - for sale in unopened containers and for consumption on the premises  
Casey's General Stores, Inc. - for sale in unopened containers

Dale Fox made a motion to approve all cereal malt beverage licenses. J. A. Cordts seconded. Motion carried 5-0.

MISC: Richard Hamit reported he had been hearing complaints about cars parked on the wrong side of the street and also junk cars in his neighborhood. Floyd McGuire also reported complaints about parking on the street on the 300 block of Oak. He said it was very congested and was hard for the school buses to navigate. It was noted the school buses only go down that street twice a day.

Mayor Post reminded the council that January 24 was the deadline for filing for city office.

Floyd McGuire made a motion to adjourn. Richard Hamit seconded. Motion carried. The meeting was adjourned at 9:05 pm.

Respectfully submitted,

  
Mildred J. Cannon  
City Clerk

mje

APPROVED

Jan. 11, 1989