

MINUTES REGULAR MEETING OF THE COUNCIL DECEMBER 14, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves,
Bruce Anderson, Mayor Richard Hamit. Mark
Criger absent.

OTHERS PRESENT: Ron Dean, Max Friesen, Ed Harmison, Hans Rayner,
Glyn Day, Jeff Merkel, Mark Daniels, Lila Hamit,
Cheryl Brown.

The meeting was called to order at 7:30 P.M. by Mayor Hamit.
The clerk called the roll; there was a quorum.

MINUTES/WARRANTS: Dale Fox made a motion, seconded by Carolyn
Meerian, to approve the minutes of the November meeting with the
discussed changes. Motion carried.

Carolyn Meerian made a motion, seconded by Dennis Graves, to pay
all warrants presented. Motion carried.

"NUISANCE" ORDINANCE: Mayor Hamit presented Ordinance No. 192, an
ordinance declaring certain matters as nuisances, providing for the
removal of said nuisances, and authorizing assessment of costs and
penalties. Dennis Graves made a motion, seconded by Bruce Anderson,
to adopt Ordinance No. 192. Motion carried.

WATER RATE INCREASE: Mayor Hamit presented some options for
raising water rates to cover the additional cost of purchasing water
from Rural Water District #5. The mayor recommended raising the
monthly minimum \$2.00 per month, and the per thousand gallon charge
by \$1.00. This would change the rate from \$7.00 to \$9.00 and each
additional 1000 gallons from \$3.00 to \$4.00. It was pointed out that
the rates have not been raised since 1988, and that the auditors have
recommended raising rates to establish a reserve for emergencies the
last two years. After discussing what revenue is needed, Dale Fox
made a motion, seconded by Carolyn Meerian to draft an ordinance to
raise the rates to \$9.00 for the first 1000 gallons, and \$4.00 per
each additional 1000 gallons. Motion carried. The new rates will be
in effect on the February billing. The clerk asked if the \$75.00
deposit requirement for new water service could be included in this
ordinance. The council agreed by concensus.

CEREAL MALT BEVERAGE & GAME MACHINE LICENSE RENEWALS: Dale Fox
made a motion, seconded by Bruce Anderson to renew the licenses to
sell cereal malt beverages for Reunion Pizza, O'Bryhim's Thriftway,
Creey's General Store, and the Patch. Motion carried.

Bruce Anderson made a motion, seconded by Carolyn Meerian, to
renew game machine licenses for Reunion Pizza, the Patch, Shirley's
Cafe, and the Palladium. Motion carried.

POLICE REPORT: Chief Ron Dean introduced Jeff Merkel and Bob
Brautman who will be helping part-time. The council agreed by

consensus to commission Brautman so that he could wear an Overbrook uniform for special training on December 17th. Chief Dean gave the council a report on how his duty hours were logged in the month of November. After studying requirements for obtaining grant money, he said he would rather use part-time people rather than another full-time officer at the present. Chief Dean stated that Overbrook has the lowest crime rate in the county. Scheduling for the police department was discussed. Mayor Hamit mentioned the possibility of having the phone ring in at the sheriff's office after so many rings. Dale Fox made a motion, seconded by Bruce Anderson to go into executive session for 15 minutes to discuss matters related to non-elected personnel. Motion carried. Mayor Hamit called the meeting back to order at 8:25 P.M. No action was taken as a result of the executive session. The mayor said several of the business people in the community had expressed their appreciation for good police protection.

MISC: Dennis Graves made a motion, seconded by Dale Fox, to give \$20 gift certificates to the city staff. Motion carried.

WATER REPORT: Mayor Hamit reported in Bob Sisson's absence that one of the wells has a possible leak in the pump and will probably have to be repaired by Patchen's. The clerk reported that there has been a problem with the sewer north of the highway again.

COUNCILMEMBER REPORTS: Dennis Graves wanted to publicly thank Ron Dean for the good job he is doing. Graves said he had contacted the Osage County Sheriff and the County Attorney to ask their opinions regarding Chief Dean's performance. The County Attorney wrote a letter of commendation for Dean, and the sheriff also responded favorably by phone.

Dennis Graves also brought up setting time limits for building permits for the council to consider. Carolyn Meerian said this has been brought up several times, and the zoning ordinance needs more teeth to enforce possible violations. Chief Dean said that the new nuisance ordinance should help distinguish between construction and trash or junk. The clerk said that the council needs to appoint someone to inspect complaints. Carolyn Meerian made a motion, seconded by Dale Fox to appoint the Chief of Police as the public officer to inspect and report on nuisance complaints. The matter of "grandfathering" certain conditions was discussed. Mayor Hamit asked Chief Dean for an interpretation. Chief Dean said that only existing conditions or animals or buildings can be grandfathered, and that replacing said objects is not permissible. Building codes for the city were also discussed. The matter was tabled for further discussion. Glyn Day volunteered to try to obtain some guidelines for the council to consider.

Dennis Graves asked about the possibility of returning half of traffic fines to the police fund. The clerk explained that the fines are deposited to the general fund, but the general fund is used to fund law expenses after the budgeted amount is used. The council assured Chief Dean that the funds needed for required training would be provided.

Graves said he had received a complaint about water not draining

t the intersection of 5th & Maple on the west side. The clerk was instructed to inform Bob Sisson.

Dale Fox said Richard Davenport of Midway USA Service contacted him about Bruce Anderson's driveway. Davenport said he had been backing in the driveway to get to the trashcans. Bruce Anderson said there wasn't a problem when the driveway was gravelled, but now it has an asphalt overlay. Anderson said he would make sure his solid waste was curbside in the future. Dale Fox said to tell Davenport to furnish some kind of sealer to prevent further damage.

Mayor Hamit told the council that Glyn Day had volunteered to serve on the Board of Zoning Appeals. Dale Fox made a motion, seconded by Carolyn Meerian, to appoint Glyn Day to the Board of Zoning Appeals for the rest of Mark Daniels term. Motion carried.

Glyn Day said Steve and Cindy Kurtz were still working on the Ball Association report.

Carolyn Meerian asked about plans for handicapped accessibility for City Hall. The council asked that Bob Sisson contact Leo Lang about ramps, etc. Glyn Day said he could provide some literature regarding ADA requirements.

MISC: Mayor Hamit presented a contract from Bogner & Button for the 1994 audit. The council agreed by concensus to pay the \$3700

The Board of Zoning Appeals recommendation to approve the USD 334 request to move the modular classroom was presented to the council. Bruce Anderson made a motion, seconded by Carolyn Meerian, to approve the recommendation. Motion carried.

Mayor Hamit read a letter from Cablevision, Inc. requesting the city to renew the contract in January, 1996. The council agreed by concensus to have a representative come to the February meeting.

The mayor read a letter of resignation from Sandra Schiffelbein who is currently municipal court clerk. Judge Coursen has hired his daughter as clerk. Dale Fox made a motion, seconded by Bruce Anderson, to accept the letter of resignation. Motion carried.

The matter of replacing Shelly Dean as animal control officer was tabled until spring.

COMMENDATION: Chief Dean wanted to commend Chaplain Paul Perry for all he and his family did for the Scott family following their house fire.

Dale Fox made a motion to adjourn the meeting at 9:30 P.M. Dennis Graves seconded the motion; motion carried.

Respectfully submitted,

Cheryl L. Brown,
Clerk

APPROVED _____

CITY OF OVERBROOK

MINUTES REGULAR MEETING OF THE COUNCIL NOVEMBER 9, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves, Mark Criger, Bruce Anderson, Mayor Richard Hamit.

OTHERS PRESENT: Glyn Day, Steve Kurtz, Bob VonStein, Jim Duncan, Max Friesen, Bob Sisson, Lila Hamit, Cheryl Brown.

The meeting was called to order at 7:30 P.M. by Mayor Hamit. The clerk called the roll; all members were present.

MINUTES/WARRANTS: Dale Fox made a motion, seconded by Carolyn Meerian, to approve the minutes with changes regarding the wording concerning pool repairs and the lights at the school crosswalk. Motion carried.

— Bruce Anderson made a motion, seconded by Carolyn Meerian, to approve payment of warrants #9772 to #9843. Motion carried.

SOLID WASTE CONTRACT: Mark Criger asked that the present contract with Midway USA Service be discussed. The council agreed that since starting pick-up times were not specified, that working with Mr. Davenport regarding complaints is our only option at this time, and this matter should be addressed in future contracts. Dale Fox said that it was his understanding that Midway starts early in case he has to make two runs, and the landfill in Perry has time limits for emptying trucks.

RURAL WATER SERVICE REQUEST: Mayor Hamit said he had talked to Jack Kramer of Kramer Engineering. Kramer recommended that the city not provide rural service to anyone other than those whose property contains the city's water lines. Mark Criger made a motion, seconded by Bruce Anderson, that the city deny the request by Tom Lane for rural water service. Motion carried. Mayor Hamit said that he also talked to Kramer about water rate increases. Kramer would be willing to do this for a fee, so Mayor Hamit said he had asked the clerk to present some figures for consideration. The reason for the rate increase is to cover the extra payment to Rural Water District #5 for the city's share of the new tower expenses. The clerk explained the chart she had prepared with several options. The council agreed by consensus to keep the minimum fee as low as possible, and have the bulk of any increase in the actual gallons used. Mayor Hamit recommended that average usage be studied before any definite rates be set. The matter was tabled until the next meeting. The clerk stated that the rates have not been raised since 1988.

RECREATION/BALL ASSOCIATION: Bob VonStein, Glyn Day, Steve Kurtz, and Jim Duncan were present to discuss concerns from the council. Mayor Hamit said one of the concerns was purchasing food for the

concession stand out of town. Steve Kurtz said that some of the candy items were bought out of town if they weren't available from O'Bryhim's. He said the intent was to support local businesses when possible. Steve Kurtz presented the council with a basic breakdown of the Ball Association's expenditures for the 94 season after Carolyn Meerian said she had received questions about how city funds were spent. The figures indicated that money had been spent on replacing equipment, field maintenance, umpires, and concessions. Glyn Day said that the concession stand netted somewhere around \$1100, but some of the expenses taken from the ball account may have been taken from the concession account in previous years. Carolyn Meerian requested a copy of the final reports be given to the council when completed. Mayor Hamit asked what was going to be asked of the city for the next season. Glyn Day said that probably the same amount as was given for 1994 which was \$500, but that new board members would be elected in the spring. Bob VonStein said that a better-designed net to protect people from foul balls coming from the opposite fields should be researched. The council suggested that the board bring some facts and figures to them for consideration. VonStein said that there isn't much money in the Jones Park fund, and that postage costs for mail solicitations are more than what comes back to them in donations. The council congratulated Coach VonStein a great football season, and wished the Chargers luck in the play-offs.

NUISANCE ORDINANCE: The council discussed the ordinance that Lyndon has used since 1991 to handle nuisances such as trash, dead animals, offensive odors, weeds, appliances, safety hazards, traffic obstructions, etc. The present ordinance does not list in detail what things other than weeds constitute a nuisance, and unless a health or safety hazard can be established, the city doesn't have much leverage. The proposed ordinance would authorize the appointed public officer to report and act upon possible violations, as well as require the public officer to inspect the premises upon receiving a complaint. The council agreed by consensus that a message log be kept by the office staff and the police department to record complaints that are received so that any actions taken or not taken can be tracked by the council. The clerks asked about how to handle complaints when the person making the complaint does not want to be named. The council felt that if the person doesn't want their name used, they should be advised to come to the council. Dennis Graves made a motion, seconded by Carolyn Meerian, to have the proposed ordinance drafted with changes in Section III as follows: Omit the "in writing signed by two or more persons" and adding "also" in reference to the public officer making inquiry as to possible violations. Motion carried.

DELINQUENT UTILITY PAYMENTS: The policy written by Mayor Hamit to address non-payment of water bills was brought up for discussion. The policy would supplement Ordinance 106 as far as giving the clerks definite procedures regarding disconnecting and restoring service to everyone, including rental properties. Bruce Anderson made a motion, seconded by Dale Fox, to adopt the delinquent policy as written. Motion carried.

MISC: The clerk reported she had received a letter from the county commissioners regarding burn fees at the county landfill.

The clerk also reported on her research of interest rates paid by other cities on their utility deposits. She was told that the state sets the minimum rate which is 3 1/2 % at this time, but this may be changed sometime in December. All of the cities reported that they return the deposit after one year's favorable record. Carolyn Meerian made a motion, seconded by Dale Fox, to require a \$75.00 deposit on each initial water service as of January 1, 1995 to be returned with interest (rate to be determined by current Kansas statute) after a period of 12 months of satisfactory payments. Motion carried.

MAINTENANCE REPORT: Bob Sisson told the council that the paint for crosswalks on Maple has been delivered. He also said that there had been a sewer plugged near Walnut and Market. It's now running, but he may have to have it cleaned out again, or replace some of the line in the future. Sisson said he still has some street patching to do, but otherwise is ready for winter. He told the council that the overlay is holding up well at the Co-op.

TREASURER'S REPORT: Max Friesen said the funds look okay, except that the law fund is low. The clerk said she was told by the auditor to use the general fund-law line for expenses other than payroll. There is still budget left but the fund balance is low.

COUNCILMEMBER REPORTS: Mark Criger asked if a bid for pool repairs had been received from Preston Miller, and was told not as yet. Criger also inquired if the city was going to apply for funds authorized by the new crime bill. The mayor said the city had received application forms, and would work with Chief Dean to apply.

Dale Fox said that he had received a complaint from a resident that the police car had gone through town at a high rate of speed the day before. The clerk said that it was a county sheriff's car, and she had reported it to the sheriff's dispatcher because of the high speed and also not using the siren. The incident was witnessed by the clerk while she was sitting at her desk.

Dale Fox made a motion, seconded by Carolyn Meerian, to go into executive session to discuss matters related to non-elected personnel for 10 minutes. Motion carried. Mayor Hamit called the meeting back to order; no action was taken as a result of the executive session.

Carolyn Meerian asked if we had received more information regarding a bicycle ordinance. The clerk said Chief Dean was still checking ordinances from other towns. Mayor Hamit suggested the matter be tabled until Chief Dean is present.

MISC: Max Friesen told the council that he needs to know where the exact location of the water line coming into the east tower is in order to develop his property in that area. He requested that Bob Sisson be allowed to use the backhoe to help locate the line. The

council agreed by consensus.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 10:00 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED: 12-14-94

CITY OF OVERBROOK

MINUTES

REGULAR MEETING OF THE COUNCIL

OCTOBER 12, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves, Mark Criger, Mayor Richard Hamit, Bruce Anderson absent.

MEMBERS PRESENT: Tom Lane, Glyn Day, Max Friesen, Bob Sisson, Ron Dean, Lila Hamit, Cheryl Brown.

The meeting was called to order by Mayor Hamit at 7:30 P.M. The clerk called the roll; there was a quorum present.

MINUTES/WARRANTS: Dale Fox made a motion, seconded by Mark Criger, to approve the September regular meeting minutes as written. Motion carried. Warrants #9693 through # 9770 were presented for approval after a brief discussion of warrants related to the police department. Mark Criger made a motion, seconded by Dale Fox, to pay all warrants presented. Motion carried.

SANTA FE TRAIL DAY HONORS: The clerk said that Ed Harmison had requested the council to recognize Tess McIntosh and Donna Sowers for their work promoting Overbrook's first Santa Fe Trail Day activities. After discussing the matter, Dale Fox made a motion, seconded by Dennis Graves, to officially recognize the C.I.C. with honorable mention of Tess McIntosh and Donna Sowers for all the work that was done for Santa Fe Trail Day. Motion carried.

RURAL SERVICE REQUEST: Tom Lane came before the council to report that John Butel of RWD #5 had recommended Mr. Lane get water for his rural property from the city. Lane also said Ralph Bryson had discussed the possibility of where the connections could be made. There was discussion of where the existing lines are located, and how many meters would be needed. Lane said he would need one or two meters at the most. Bob Sisson said he had reservations about furnishing water to property other than where the original lines were laid. Lane said that Butel told him that RWD would have to bring a line from the south, about a mile. Dennis Graves made a motion, seconded by Carolyn Meerian, to contact Kramer Engineering for information regarding the feasibility of adding more rural meters. The council agreed by consensus to table the matter until more information could be obtained.

RATES FOR WATER AND WATER METERS: Mayor Hamit stated that raising the charge for a new water meter needs to be considered, and also the possibility of raising the water rates since we will be paying an additional fee to RWD#5 to help pay for the new tower. The mayor said he would talk to Jack Kramer regarding this matter. The clerk said that this payment would be approximately \$2300 per month in addition to the actual water used. After discussing our cost for the actual meter and set, Dennis Graves made a motion, seconded by Mark

iger, to raise the charge for a new water meter from \$350 to \$500.
tion carried.

OL REPAIRS: Mark Criger reported that JoEilen Criger had not
en able to get a firm bid for repairs on the filter system, valves,
d pump at the pool from Preston Miller, so this matter was tabled
til such time.

CANT HOUSE COMPLAINT: Chief Dean said he was waiting on the
uncil to act on a new ordinance regarding nuisance matters before
ilting a letter to the owner of the property at 405 Market. The
tter was tabled until the next regular meeting to give all the
uncil members time to study the proposed ordinance.

CYCLE/SKATEBOARD SKATEBOARDS: Chief Dean said he was still
oking at different ordinances to cover this matter. There have
en complaints from some of the businesses who are concerned about
e safety of their customers, and also of the kids who are riding
kes and skateboards on the sidewalks in the business district.
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LINQUENT WATER PAYMENTS: Mayor Hamit read the proposed policy
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ould have to pay the full amount owed before the service is
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problem when the property changes ownership. Dale Fox said he had
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licy of not turning on new service until the old service balance
s been paid was discussed. The matter was tabled until the
nterest rate could be determined. The council agreed by consensus
levy a \$75.00 deposit on each new service, which would be returned
th interest after a certain time.

MEASURERS REPORT: Max Friesen noted that the \$24,000.00 reserve
alance was zero. The clerk said that she had been advised by Jim
ng of Bogner & Button to transfer the reserve fund into the
ter/Sewer fund since the bond was paid off in September. This
erve can be used for any water-sewer related purposes. Max
iesen said that all accounts looked to be in good shape.

MAINTENANCE REPORT: Bob Sisson reported that the leak at the pool
fixed as far as he can tell without water in it. He also said the
s had been installed for the new "one-way street", and that he
ad the 20 mph signs for the Meadows addition, but they aren't up at
his time. He also said he was going to do some street repair where
w houses had been built. Sisson also said that John Butel had told
m he could make the necessary changes at the pump house so we can

to more water from RWD 5. He told the council that there had been a
wer stopped up near 5th & Locust, but everything seems to be okay
W. The mayor reminded him to check some other places where we have
d problems before.

W REPORT: Chief Dean said he had been checking out the tree
anches in different parts of town. He also said that he had talked
Steve Jones about the nuisance ordinance that the council is
udging, and it seems to have everything that the city would need.
yor Hamit asked him about the bill for jackets, and Chief Dean said
at the city had always furnished shirts and jackets for him and the
o part-time officers. He also explained that the department had
ught a scanner for each patrol car, and wigwags. Mayor Hamit said
at he would like to be notified before municipal court is held in
ty Hall in the future.

CATE STREET: Mark Criger made a motion, seconded by Dennis
aves, to adopt Ordinance #191 to vacate Elm Street between Eighth
reet (HWY 56) and Seventh Street. Motion carried.

SC: The clerk said that she had talked to a school board member
d written a letter requesting that a sidewalk be put along the
th side of the existing playground to help with pool traffic. The
for a hearing to move the mobile classroom from one location to
other on school property was discussed. The clerk said she was
iting for an opinion from Steve Jones.

B LICENSE: Carolyn Meerman made a motion, seconded by Dale Fox,
approve the application for a Cereal Malt Beverage license for
eryl Elder, dba Reunion Pizza & Restaurant. Motion carried.

UNCILMEMBER REPORTS: Dennis Graves asked about applying for a
O PARKING" sign north across from Jack's Cafe since vision is
ocked when semi's park there. Dale Fox said that the parking on
e southeast corner of Maple and Market also needs to be studied.
e council agreed by concensus to have Ron Dean check into these
tters. Max Friesen asked where big trucks are supposed to park
en they're in town for meals, etc. as the city does have alot of
uck traffic. Dale Fox said that he thought it would be safer if
e big trucks were allowed to park in the middle of Maple to make
liveries, and also wait for their turn at the elevator rather than
ark in the residential areas. Chief Dean agreed and said he didn't
e a problem with this idea. The council agreed that they wanted to
ccommodate the trucks, but make things safe at the same time.

Mark Criger said he had been contacted about the lack of
esignated handicapped parking in the vacinity of Maple and Market
ose to the video store. The council agreed by concensus to have
hief Dean look into a location for handicapped parking.

Mark Criger also said he had received complaints regarding how
y the solid waste hauler starts making his pickup. The clerk
aid she had talked to Richard Davenport about this matter. He said
hat even though Overbrook is the only town he picks up on Monday's
nd Thursday's, he has to start early since he has to make two trips
o Hamm's most days and he can't unload there after 4:00 P.M. He

es the businesses first, but there will be some noise at residences
ose to businesses.

Mark Criger brought up the fact that he has noticed several
ghtpoles around town that are leaning. The clerk was instructed to
ntact Ed Butterfield to see what can be done.

MAYOR'S REPORT: Mayor Hamit requested the full time employees
address matters that have been decided at council meetings as
mely as possible, and if there are delays to keep the mayor and
ouncil informed.

The mayor also asked if the council wanted to pursue painting
crosswalks at each end of the 300 block of Maple. He had been
proached by a person who has limited vision and has difficulty
eing on unmarked pavement. The council agreed by consensus to have
b Sieson paint white crosswalks at Maple and Santa Fe Trail and
co at Maple and Market. Chief Dean explained that certain signs
e necessary in order to stop traffic, not just painted lines.

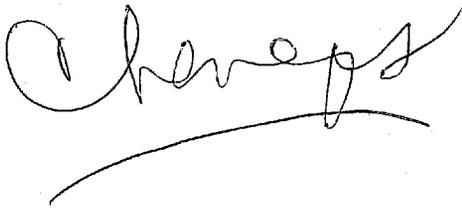
SC: Chief Dean said the city is going to have to add a larger
ashing light at the school crosswalk on the highway per state law.
d Keim Electric will be doing the installation.

Dale Fox made a motion, seconded by Mark Criger, to adjourn the
eeting at 9:35 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,
Clerk

PROVED 11-9-94



CITY OF OVERBROOK
MINUTES REGULAR MEETING OF THE COUNCIL OCTOBER 12, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves,
Mark Criger, Mayor Richard Hamit. *Bruce
Anderson absent.

OTHERS PRESENT: Tom Lane, Glyn Day, Max Friesen, Bob Sisson,
Ron Dean, Lila Hamit, Cheryl Brown.

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The clerk called the roll; there was a quorum present.

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addition to the actual water used. After discussing our cost for the
actual meter and set, Dennis Graves made a motion, seconded by Mark

Criger, to raise the charge for a new water meter from \$350 to \$500.
Motion carried.

filter system, valves, pump
POOL REPAIRS: Mark Criger reported that JoEllen Criger had not been able to get a firm bid for pool repairs from Preston Miller, so this matter was tabled until such time.

VACANT HOUSE COMPLAINT: Chief Dean said he was waiting on the council to act on a new ordinance regarding nuisance matters before writing a letter to the owner of the property at 405 Market. The matter was tabled until the next regular meeting to give all the council members time to study the proposed ordinance.

BICYCLE/SKATEBOARD SKATEBOARDS: Chief Dean said he was still looking at different ordinances to cover this matter. There have been complaints from some of the businesses who are concerned about the safety of their customers, and also of the kids who are riding bikes and skateboards on the sidewalks in the business district. The matter was tabled until more ordinances can be studied.

DELINQUENT WATER PAYMENTS: Mayor Hamit read the proposed policy that he had written. There was discussion as to how many days should be allowed before the bill is delinquent, and how long a customer could have to pay the full amount owed before the service is disconnected. The mayor said that even though the present ordinance requires the property owner to be responsible for the final water bill, City Attorney Steve Jones recommended requiring a deposit for all new services to offset any final bills that may go unpaid. Outstanding water bills can be added to the property tax, but this is a problem when the property changes ownership. Dale Fox said he had always favored asking for a deposit, but the city had been advised not to enact this policy because of having to pay interest. Max Friesen recommended talking to KPL as they require deposits. The policy of not turning on new service until the old service balance has been paid was discussed. The matter was tabled until the interest rate could be determined. The council agreed by concensus to levy a \$75.00 deposit on each new service, which would be returned with interest after a certain time.

TREASURERS REPORT: Max Friesen noted that the \$24,000.00 reserve balance was zero. The clerk said that she had been advised by Jim Long of Bogner & Bütton to transfer the reserve fund into the Water/Sewer fund since the bond was paid off in September. This reserve can be used for any water-sewer related purposes. Max Friesen said that all accounts looked to be in good shape.

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sewer stopped up near 5th & Locust, but everything seems to be okay now. The mayor reminded him to check some other places where we have had problems before.

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VACATE STREET: Mark Criger made a motion, seconded by Dennis Graves, to adopt Ordinance #191 to vacate Elm Street between Eighth Street (HWY 56) and Seventh Street. Motion carried.

MISC: The clerk said that she had talked to a school board member and written a letter requesting that a sidewalk be put along the south side of the existing playground to help with pool traffic. The need for a hearing to move the mobile classroom from one location to another on school property was discussed. The clerk said she was waiting for an opinion from Steve Jones.

CMB LICENSE: Carolyn Meerian made a motion, seconded by Dale Fox, to approve the application for a Cereal Malt Beverage license for Cheryl Elder, dba Reunion Pizza & Restaurant. Motion carried.

COUNCILMEMBER REPORTS: Dennis Graves asked about applying for a "NO PARKING" sign north across from Jack's Cafe since vision is blocked when semi's park there. Dale Fox said that the parking on the southeast corner of Maple and Market also needs to be studied. The council agreed by concensus to have Ron Dean check into these matters. Max Friesen asked where big trucks are supposed to park when they're in town for meals, etc. as the city does have alot of truck traffic. Dale Fox said that he thought it would be safer if the big trucks were allowed to park in the middle of Maple to make deliveries, and also wait for their turn at the elevator rather than park in the residential areas. Chief Dean agreed and said he didn't see a problem with this idea. The council agreed that they wanted to accommodate the trucks, but make things safe at the same time.

Mark Criger said he had been contacted about the lack of designated handicapped parking in the vicinity of Maple and Market close to the video store. The council agreed by concensus to have Chief Dean look into a location for handicapped parking.

Mark Criger also said he had received complaints regarding how early the solid waste hauler starts making his pickup. The clerk said she had talked to Richard Davenport about this matter. He said that even though Overbrook is the only town he picks up on Monday's and Thursday's, he has to start early since he has to make two trips to Hamm's most days and he can't unload there after 4:00 P.M. He does the businesses first, but there will be some noise at residences

close to businesses.

Mark Criger brought up the fact that he has noticed several lightpoles around town that are leaning. The clerk was instructed to contact Ed Butterfield to see what can be done.

MAYOR'S REPORT: Mayor Hamit requested the full time employees to address matters that have been decided at council meetings as timely as possible, and if there are delays to keep the mayor and council informed.

The mayor also asked if the council wanted to pursue painting crosswalks at each end of the 300 block of Maple. He had been approached by a person who has limited vision and has difficulty seeing on unmarked pavement. The council agreed by consensus to have Bob Sisson paint white crosswalks at Maple and Santa Fe Trail and also at Maple and Market. Chief Dean explained that certain signs are necessary in order to stop traffic, not just painted lines.

MISC: Chief Dean said the city is going to have to add lights at the school crosswalk on the highway per state law, and Keim Electric will be doing the installation. *a laser flashing*

Dale Fox made a motion, seconded by Mark Criger, to adjourn the meeting at 9:35 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,
Clerk

APPROVED _____

11-9-94

MINUTES REGULAR MEETING OF THE COUNCIL SEPTEMBER 14, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Bruce Anderson, Mayor Richard Hamit, Dennis Graves and Mark Criger absent.

OTHERS PRESENT: Tom Lane, JoEllen Criger, Patricia MacKenzie, Hans Rayner, Bob Sisson, Ron Dean, Max Friesen, Lila Hamit, Cheryl Brown.

The meeting was called to order by Mayor Hamit at 7:30 P.M. The roll was called by the clerk; there was a quorum present.

MINUTES/WARRANTS: Dale Fox made a motion, seconded by Bruce Anderson, to approve the minutes of the regular August 10th meeting. Motion carried. Dale Fox made a motion, seconded by Carolyn Meerian, to approve the minutes of the special meeting of August 25th as written. Motion carried.

Bruce Anderson made a motion, seconded by Carolyn Meerian, to pay all warrants presented for payment. Motion carried.

REQUEST FOR WATER--RURAL: Tom Lane came before the council to request water service to three or four houses 2 1/4 miles east of Overbrook, close to the Ed Bessette property. After discussion of where the existing city lines are located, the council agreed by consensus that Mr. Lane should check with Rural Water #5 before any decision is made.

FINAL POOL REPORT: JoEllen Criger came before the council to report on the 1994 pool season. She said that the pool had only had to be closed a couple of days due to weather. She told the council that when the algae problem was being checked, Preston Miller of Image Pools recommended that American Leak Detection of Kansas City be consulted. They did find a leak, and said that it should be fixed this fall rather than next spring. The concrete work could be done locally, and the city could fix the actual leak. The silica sand also needs to be replaced, and one valve on the filters needs to be repaired. Miller gave a bid of \$35/hr to do the repairs. JoEllen also said the edge of the pool needs to be resealed. She said the rotary club offered to pay \$200 to extend the fence around the shelter area, and that Davis Fence gave a bid of \$1000. Overbrook Lumber gave a bid of \$800, and she is going to talk to Gayle Warren about a bid. Dale Fox made a motion, seconded by Carolyn Meerian, to authorize Bob Sisson to have Leo Lang do the concrete work necessary to repair the leak at the pool. Motion carried. JoEllen Criger was asked to try to get a firmer bid from Preston Miller in regards to the pool repairs. The council commended JoEllen on the way the pool was managed.

VACANT LOT COMPLAINT: Patricia MacKenzie came before the council to register a complaint about the owner of the property at 405 W. Market bringing in trash. She said that her husband had burned the

rash once, and they had had Ron Dean contact him once to tell him that he cannot bring in trash. Mrs. MacKenzie said that he is still using the lot as a dumpsite. She also said that they have also seen rats and snakes. Chief Ron Dean was instructed to contact Steve Jones in regards to a letter of warning to the owner telling him to clean up the property, or the city will have it done at his expense. The possibility of having the building condemned was also discussed.

MEDICAL OFFICER FOR LAW/CITY: Hans Rayner, the new Physicians Assistant, has been appointed as medical officer for the city. He came before the council to talk about some of the new federal and state mandates for emergency personnel handling "hazardous waste". This means getting an industrial health program in effect. Mr. Rayner said that there are companies that do nothing but set up these programs. He said that he could set up a program for the entire city staff that would be modeled after the program his parent corporation uses. The program would address Bloodborne Pathogens, Hazardous Waste Exposure, and when certain safety equipment is needed. Rayner stated that the community has some of the resources needed to do a lot of the background to set up our program. Ron Dean suggested that he, Hans Rayner, and Bob Sisson work together to evaluate the present needs of the city. The council agreed to this by consensus. Dale Fox stated that he would like to meet with the committee.

20 MPH SPEED LIMIT: Dale Fox made a motion, seconded by Bruce Anderson, to adopt Ordinance #188 which makes the speed limit 20 M.P.H. on Devon Street between Second Street and Santa Fe Trail Street; on Surrey Lane between Second Street and Santa Fe Trail Street; and on Second Street between Devon Street and Surrey Lane. Motion carried.

994 TRAFFIC ORDINANCE: Dale Fox made a motion, seconded by Carolyn Meerian, to adopt Ordinance #189 to regulate traffic within the corporate limits of the City of Overbrook. Motion carried.

994 PUBLIC OFFENSE ORDINANCE: Carolyn Meerian made a motion, seconded by Bruce Anderson, to adopt Ordinance #190 to regulate public offenses within the corporate limits of the City of Overbrook. Motion carried.

DISCUSSION: Bob Sisson asked about putting up some kind of signs to make people more aware of the new 20 mph speed zones on Surrey Lane and Devon Street. The council agreed by consensus to putting up some kind of signs at least for a period of time.

DISCUSSION: Mayor Hamit reported that Steve Jones is checking into some of the legal aspects concerning the collection of delinquent water bills. The matter was tabled until later.

ONE-WAY STREET: Chief Dean said he had polled the residents along Seventh Street, and they were in favor of the ordinance. Carolyn Meerian brought up the kids riding their bikes to the pool in the summer. Chief Dean stated they will have to use Maple as well as the cars. Bruce Anderson mentioned the possibility of asking the school

to improve the existing walkway. Dale Fox made a motion, seconded by Carolyn Meerian, to adopt Ordinance #187 to make Seventh Street one-way going west between Maple Street and Locust Street. Motion carried.

PHONE NUMBER RESERVATION: The clerk reported that the phone numbers at the pool and ballpark have been reserved at no cost during the winter months.

DISC: The clerk reported that the CIC has cancelled the street dance on Santa Fe Trail Day. They also brought new "Welcome to Overbrook" brochures.

She also said that Ira Allen had instructed her to get a couple of bids for the replacing the cracked window in City Hall. Only one of the companies has responded with a bid of \$420. Scott Thompson told her to go ahead with that bid as the whole cost will not be covered since the damage started before the windows were added to the policy.

The clerk also said that the city needs to elect a voting delegate to the League of Municipalities. Carolyn Meerian nominated Richard Hamit; Bruce Anderson seconded the nomination. Richard Hamit was elected as delegate.

Mayor Hamit commended the CIC on the new brochures, and recognized them for all their work on Santa Fe Trail Day activities.

The clerk told the council that on the recommendation of Mark Prider, she had asked for a bid on bookcases for City Hall. The bids were for either \$850 or \$950. The council agreed by consensus for the clerk and assistant to look for something less expensive.

MAINT REPORT: Bob Sisson reported that he had some street repair work several places, but otherwise the streets look okay going into winter. Bruce Anderson asked if Bob could check into the Library window. Sisson told the council he felt that providing rural water service to people, other than where the lines run through the property, was not feasible. The council agreed.

LAW REPORT: Chief Dean reported that he is still looking into a good ordinance to regulate bicycle and skateboard traffic on business sidewalks. The Lyndon ordinance could be used if the punishment section is changed. This was tabled until more study is done.

He also told the council that the city is going to have to purchase a screening meter for tinted windows.

Chief Dean reported that there is a property line dispute in progress between Ken Brubaker and Paul Perry. He feels this is really a civil matter, but there had been some lines painted that could result in criminal charges. Chaplain Perry just wanted the lines removed, but at this time Mr. Brubaker is refusing to do this. Chief Dean said he is working with Steve Jones and the abstractor regarding what is street and what is private property. It was also pointed out that Mr. Perry has a deed to lots 17 and 18. Lot 18 had been sealed, which leads people to think that it is a street rather than a lot. Chief Dean voiced his concerns about what he can legally enforce until the attorney and abstractor can make any decisions.

COUNCIL REPORTS: Carolyn Meerian stated that with the expansion the city is experiencing, she feels the city needs to adopt building codes. She also questioned our present building permit which can be renewed yearly for an indefinite time. Solutions such as having a percentage completed each year were discussed. The council agreed by consensus to check with the League for sample ordinances to cover building codes and permit time limits. Mayor Hamit said that when we looked into building codes before, we were advised to hire a consultant if the need arises.

PAYMENT FOR LEAGUE BUILDING: Mayor Hamit reported that even though the city voted "no" on the purchase of the new building, each member of the city has been given a choice of how to make the payments. The city can either make one payment per year or monthly installments. The clerk was instructed to check on how firm the one-time payment is, and can we get the cheaper rate since we received the notice after our regular August meeting.

Mayor Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 9:45 P.M. Motion carried; the meeting was adjourned.

Respectfully submitted,

Cheryl L. Brown, Clerk

APPROVED

10-12-94

CITY OF OVERBROOK
SPECIAL MEETING OF THE COUNCIL

AUGUST 25, 1994

MEMBERS PRESENT: Carolyn Meerman, Dennis Graves, Mark Criger,
Bruce Anderson, Dale Fox, Mayor Richard Hamit.

OTHERS PRESENT: Max Friesen, Debra Knight, Cheryl Brown.

The mayor called the special meeting to order at 6:30 P.M. The clerk called the roll; there was a quorum.

Mayor Hamit explained the special meeting had been called to discuss the annexation and zoning of the Knight's property west of Casey's General Store on Highway 56, and also to discuss providing water and sewer service to Max Friesen's property east of Ash Street.

REQUEST FOR SERVICE: Max Friesen told the council that he had Kramer Engineering stake some possible building lots for a prospective buyer, and needed to review what the city will provide. Friesen said he thought the developer put in the streets and sewers, and the city runs the water line down the street. After reviewing the minutes from the Shepard annexation, Mayor Hamit stated that the developer furnished the sewers and manhole and built the street with the city extending the water line along Ash Street. Mayor Hamit said that the city attorney advised the city to ask for a letter requesting water and sewer service before annexation, and include the intent to petition for annexation.

PETITION FOR ANNEXATION: Debra Knight came before the council to request annexation of their property west of Casey's on Highway 56, and that it be zoned as "Commercial". The council questioned Mrs. Knight about the area to be fenced, and what kind of fence would be used. She said they had not decided, but assured the council that it would not be tacky. Mrs. Knight said they had been soliciting businesses to locate in front of the storage units they are going to build, and would build according to what business might locate at that site. Different types of lighting was discussed. Dale Fox made a motion, seconded by Mark Criger, to adopt Ordinance 186 which to annex the Knight's property, and to zone it as commercial with no outside storage at this location. Motion carried.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 7:05 P.M. Motion carried, the meeting was adjourned.

Respectfully submitted,

Cheryl L. Brown,
Clerk

9-14-94

MINUTES REGULAR MEETING OF THE COUNCIL AUGUST 10, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves,
Mark Criger, Bruce Anderson, Mayor Richard
Hamit.

OTHERS PRESENT: Mr. & Mrs. Randy Knight, Jim Long, Mike Fawl,
Jeff Badger, Terry Schmidt, Scott Averill, Ron
Hunt, Derrick Dahl, Max Friesen, Cliff Fischer,
Ron Dean, Gail Allen, Sue Johnson, Bob Sisson,
Lila Hamit, Cheryl Brown.

The mayor called the meeting to order at 7:30 P.M. The clerk called the roll; there was a quorum.

MINUTES/WARRANTS: Carolyn Meerian made a motion, seconded by Dennis Graves to approve the minutes of the regular July council meeting. Motion carried. Bruce Anderson made a motion, seconded by Carolyn Meerian to approve the minutes of the July 18th special council meeting. Motion carried.

After discussion of warrants to D.A.'s Backhoe and to Musick's Excavating regarding city maintenance, and to Osage AutoWorks for the 92 Taurus patrolcar, Bruce Anderson made a motion, seconded by Mark Criger to pay all warrants presented. Motion carried.

REQUEST FOR ANNEX: Randy and Debra Knight were present to discuss the recommendation of the planning commission hearing held August 9th. Mayor Hamit read the recommendation to zone the property as Commercial by the commission. By ordinance, the council must wait for 14 days to act which gives residents time to make legal protests. Knight asked if the council would be willing to have a special meeting to annex and zone the property to eliminate their having to wait until the September 14th regular meeting. The council agreed by concensus, and discussed August 25th as a possible date for the meeting.

AUDIT REPORT: Jim Long of Bogner & Button was present to report on the audit of the 1993 financial records for the City of Overbrook, including the library and recreation commission. Long reported that all the funds did well, except the library fund and the water/sewer fund which spent more money than was budgeted. Long gave his recommendations as to how to avoid this in the future. He also presented a management letter with observations to benefit the city in the future. When questioned about the drop in the water/sewer balances, Long suggested considering raising the water rates as this has not been done since 1988. He also said that the drop in the 1993 11 levy will hurt the city's cash balances at year end and may take some time to replenish. Long stated that the items mentioned in the letter have been addressed to the parties responsible. The council agreed by concensus to accept the audit report as presented.

1995 BUDGET HEARING: The Budget Hearing was opened at 8:00 P.M.

by Mayor Hamit. Max Friesen, city treasurer, went over the proposed budget prepared by Swindoll, Janzen, Hawk & Loyd of McPherson. This is the same firm that prepares the Osage county budget and audit, and has been used by the city before. The clerk said that Jim Long of Bogner & Button recommended that we budget the full amount allowed by law for legal purposes, but this doesn't mean that the money has to be spent. Friesen said that two of the water-sewer related bonds will be paid later this year which will help that fund, but that the water rates probably should be raised. Dale Fox made a motion, seconded by Mark Criger, to adopt the proposed 1995 budget as presented. Motion carried.

VACATING STREET: Mike Fawl, Jeff Badger, and Terry Schmidt of USD 434 came before the council to request Elm Street between Highway 56 and West Seventh be vacated due to the upcoming school building project, moving a modular classroom on the property at 611 Oak which has been bought by USD 434, re-zoning another piece of property for parking, and making Seventh Street one-way going west from Maple to Locust to help control traffic by the school. The council asked for a drawing of the proposed building project. The council agreed by consensus to draft an ordinance vacating Elm between Hwy 56 and W. 7th to be acted upon at a future meeting. Mayor Hamit explained that moving the modular classroom would need to be handled by a hearing before the Board of Zoning Appeals. In regards to making 7th St. one-way, the mayor asked that the council be given a drawing of the project, and Police Chief Dean was instructed to start the polling process.

SANTA FE TRAIL DAYS: Tess McIntosh and Donna Sowers of the CIC came before the council to report on activities planned for September 17th. They had discussed having people display their crafts, etc. on the sidewalks in the 300 block of Maple. Chief Dean said he didn't think there would be a problem as long as the businesses didn't object. Carolyn Meerman said since the sidewalks belong to the businesses, the businesses should be asked for permission. The council agreed by consensus. After considerable discussion, Mark Criger made a motion, seconded by Bruce Anderson to close the 300 block of Maple from 7:00 P.M. to 12 midnight on September 17, 1994 for a street dance sponsored by the CIC to be held from 8:00 P.M. to 11:00 P.M. Motion carried.

TENNIS ASSOCIATION: Scott Averill, Ron Hunt, and Derrick Dahl were present to show the council a drawing of the tennis court plans. Averill said they had talked to Killough's about laying the asphalt with the tennis association doing the scraping and gravelling. They asked if the city could help with this. The area in question is 120' by 120' close to the sand volleyball pit. Max Friesen said that since the city just has a backhoe, they should talk to the township board about the blading and hauling the gravel. The council asked the committee to come back after they have more information about getting lights at the courts as there has been interest in putting lights at the shelter house.

MISC: Sue Johnson and Gail Allen were present to complain about

8-10-94

the difference in the reading periods for the water bills, and wondered if the meters could be read consistently to avoid having a big water bill one month, and then a small one the next time. Bob Sisson said that they try to read meters in each section of town at about the same time of the month, but if problems with water breaks, sewers or other miscellaneous things come up, the meters might not be read on schedule. Sue Johnson also said that the bill doesn't give the dates of the reading period. The clerk explained that the meter-reading date is on the bill, and the reading period can be determined by keeping the bills. The ladies said that it's hard to budget when the bills vary, and also know if there is a leak. The council agreed with them, and assured them that more effort would be made towards consistent readings.

NEW LAGOON POSSIBILITIES: Max Friesen and Cliff Fischer came before the council to discuss future development on the north and east of Overbrook. Friesen explained that he had property in these areas, and Fischer said that Kramer Engineering had platted the property he's involved with on the north. Fischer explained that his plans are for single dwellings at this time, but multi-family dwellings, etc may be developed later. Friesen and Fischer both said that their plans are contingent on how the sewer drainage is addressed. Dale Fox said that adding a lagoon system on the north side of town would extend the lifespan of the present system, as well as encouraging growth. Mayor Hamit asked if what Friesen and Fischer wanted was for the city to have a feasibility study done? They said yes, with the understanding that they would petition for annexation as the property was developed. Cliff Fischer said that expanding north and/or east was about the only way left, and while he doesn't want to see tremendous growth, space should be available for steady growth. Mayor Hamit agreed as did the council. There was discussion as to the best location for the lagoons. Dale Fox made a motion, seconded by Bruce Anderson, to hire Kramer Engineering to do a feasibility study for sewer lagoons north of the city in light of the presentation of the plat and letter of cooperation of the property owners. Motion carried.

MISC: Max Friesen told the council that he had had an engineer draw up several sets of plans for his property east of Ash Street because of the need for more building lots at the present time. He wanted to confirm the procedure for annexing that land into the city, and wanted to know the council's feeling about annexing. There was discussion as to who owns the road to the cemetery. Friesen said the county engineer told him it's a county road. Bob Sisson brought up the limited access to the south end of Ash Street. The clerk said that when Shepard's property was annexed, the city was under the impression that the cemetery road was privately owned. Friesen said that the county planning board said that the city could annex the road which would make it possible to open Ash at the south end, but he did mention that the road is pretty narrow.

MISC: Max Friesen also told the council that due to having a large elm tree removed from his property, there would be some barricades by his house later that week.

MISC: Bruce Sisson brought the "Wizard of Oz", a magician who will be performing during the fair at the merchants' booth. The booth will be promoting businesses all during the fair, and also sponsoring a car give-away.

CITY-WIDE 20 MPH LIMIT: Mayor Hamit explained that the possibility of a 20 mph speed limit for the whole city was brought up at the last meeting after discussion of problems in the Meadows addition. Chief Dean said that a survey showing no interference with traffic flow would have to be done, but that the city could set any speed limit desired by ordinance with the exception of Highway 56. Bruce Anderson said he was opposed to the idea, and that he knows of people that avoid Maple because of the present 20 mph limit. Mark Criger stated that he supported changing the speed limit in the area with the problem, but not the whole city. After further discussion, the council agreed by consensus to draft an ordinance to change the 30 mph limit to 20 mph for Surrey Lane and Devon and W. Second between Devon and Surrey Lane.

LIGHTS AT JONES PARK SHELTER: Discussion concerning installing lights at the shelter house was tabled until after the Tennis Association presents their findings.

CARPET REPLACEMENT: The clerk reported that she had contacted two businesses to get bids on carpet for the City Hall steps, and had received a bid from just one. Mark Criger made a motion, seconded by Dale Fox, to accept the bid of \$160 from Nolan McIver for carpet and installation. Motion carried.

DELINQUENT WATER BILL POLICY: Mayor Hamit presented the council with a rough draft of a policy he has been working on dealing with how the city should handle unpaid utility bills. The matter was tabled until the council could study the policy.

MISC: The clerk said she was checking into the cost of keeping the phone services at the pool and ballpark on a "vacation rate" to ensure keeping the same numbers from year to year. This would enable the numbers to be published in the phone book.

The clerk also mentioned that several people had asked about the city changing our ordinance for the sale of cereal malt beverages during polling hours of elections. Chief Dean said that the attorney for the Alcoholic Beverage Control said that the cities would retain the right to make their own laws in this regard. The council agreed by consensus to re-do the ordinance to exclude the ban on the sale of cereal malt beverages on election day.

POLICE REPORT: Chief Dean said that he was getting bids from Northbrook and Overbrook Lumber to build a cabinet for evidence storage that could be secured.

He also said several people had complained about bicycles and skateboards on the sidewalks in the business district and is checking with the league.

Chief Dean said he has received complaints about the bingo sign

being put in the intersection of Maple and Santa Fe Trail being a traffic hazard. He said he was going to ask if the sign could be put in front of the pharmacy.

Mayor Hamit asked if the city could put a "No Parking" sign in front of Casey's. Dean said we couldn't, but he would petition the state to do this.

When asked about the number of new part-time officers, Chief Dean said it was to train them for when he was at military camp, and also for the fair. He said that he can no longer use county officers because of their shortage. The mayor said that he was concerned that the council does not know anything before the officers have been hired. After discussion, the council agreed by consensus to give the police chief authority to hire with council approval. This would help the council to be more informed as to who is working for the city, and how many people are being used. Dennis Graves said that Jeff Merkel is working for no pay part of the time for his own benefit.

MAINTENANCE REPORT: Bob Sisson reported that the cost to get the weed-eater fixed would be over \$100.00. He has been using a new one from Co-op that they would charge 10% over cost. Mark Criger made a motion, seconded by Carolyn Meerian, to purchase the weed-eater for \$74.00. Motion carried.

Sisson also said he had checked into prices to have stripes painted on the new asphalt. One price was \$1400 for 3 blocks and the other was \$1100 for 3 blocks. He also checked on buying a small unit so we could do our own painting. The price quoted was \$49.95 and \$69.95 per case for the paint. Sisson said two gallons would probably do what we needed. Painting parking space lines was discussed. Mayor Hamit asked Chief Dean if a left turn could be made into a parking lot across a double yellow line. Dean said yes because it is not a completed turn. He also said he would be in favor of having the lines painted. Mark Criger made a motion, seconded by Carolyn Meerian, to paint double stripes on Maple from Santa Fe Trail to the railroad tracks. Motion carried 4-1 with Bruce Anderson voting no. Dale Fox made a motion, seconded by Dennis Graves, to buy the Fox Valley striper for \$49.95 and two gallons of paint. Motion carried 4-0 with Bruce Anderson abstaining.

Sisson also said the light on the outside of the maintenance needs to be repaired or replaced.

Bruce Anderson asked if the hole by the pool could be patched before the fair. Sisson said he had a couple of places to fix.

Mayor Hamit asked if the well houses are now being kept locked. Sisson said they are locked.

The mayor also asked if Sisson could make an effort to be more consistent with the time-frame for meter reading. Sisson said he would try.

Dennis Graves asked if the levelling has been done at the sewer goons. Sisson said Musick's have knocked the dirt pile down, and people would need to approach the council for anymore dirt.

COUNCILMEMBER REPORTS: Dennis Graves said there is another "junk" vehicle parked on the property at Hwy 56 and Maple.

Dale Fox made a motion, seconded by Mark Criger, to adjourn the meeting at 10:45 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED 9-14-94

SPECIAL MEETING OF THE COUNCIL

JULY 18, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Mark Criger, Dennis Graves, Bruce Anderson, Mayor Richard Hamit.

OTHERS PRESENT: Bob Sisson, Cheryl Brown

The special meeting was called to order at 7:00 P.M. by Mayor Hamit. The reason for the meeting was to discuss asphalt work on a section of Maple Street.

A representative from Bettis Construction presented a proposal to do the required work at a cost of \$28.50 per ton (approximately 837 tons). Killough Construction bid the job at \$27.50 per ton.

After discussion of the area to be done along with visual inspection, Dale Fox made a motion, seconded by Bruce Anderson, to have Killough do the project from Kansas State Bank to the railroad tracks at \$27.50 per ton, not to exceed 1000 tons. Killough also agrees to be paid for half when the work is completed and the balance when all tax monies have been received. Motion carried.

Dale Fox made a motion, seconded by Mark Criger, to adjourn at 9:20 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown, Clerk

APPROVED

8-10-94

MINUTES REGULAR MEETING OF THE COUNCIL JULY 13, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves,
Mayor Richard Hamit, Mark Criger and Bruce
Anderson absent.

OTHERS PRESENT: David Mabon, Steve Travis, Mr. & Mrs. Randy
Knight, Peggy Waldman, Chris Young, Bruce
Sisson, Don Keim, Lila Hamit, Cheryl Brown.

The meeting was called to order at 7:30 P.M. by Mayor Hamit.
The clerk called the roll; there was a quorum present.

MINUTES/WARRANTS: After discussion regarding some of the wording,
Dale Fox made a motion, seconded by Carolyn Meerian, to approve the
minutes of the regular June meeting as written. Motion carried.
Following discussion of the bill from Musick's, Carolyn Meerian made
a motion, seconded by Dennis Graves, to approve payment of all
warrants presented. Motion carried. The mayor told the clerk to
make a note to ask Bob Sisson for more details regarding the bill in
discussion.

DISCUSSION: Steve Travis, 204 Oak Court, came before the council to
discuss solid waste removal and tar on his driveway. Travis reported
that trash on Oak Court and 10th Street had not been picked up the
week of July 4th, but had been picked up the following week. The
council stated that the reason was most likely due to Midway being a
new hauler in town. Travis reported to the council that Hi-Plains
had not taken care of the tar on his driveway last summer. He was
dissatisfied with the response from Hi-Plains on how to remove the
tar. He said that the tar is slowly wearing off, but wanted the
council to be aware of the situation before awarding any more bids
for street re-sealing. The council said that Hi-Plains had done work
in the city for several years without any complaints. The mayor
stated that he had talked to the foreman and was told that an
agreement couldn't be reached between the company and Mr. Travis.
Mr. Travis said that his main complaint was that the company didn't
want to take more responsibility. He thanked the council for
listening and left at 7:50 P.M.

ALCOHOLIC BEVERAGE LICENSE: Bruce Sisson told the council that he
is getting the paper work done to get a license from the state, and
wants to know what the city requires. Mayor Hamit said that they
could follow the same procedure as when the Palladium opened. The
procedure is that the council acts on the request when the state
license has been granted. Sisson asked about possible problems.
The council didn't foresee any problems, but stated that there could
be citizens against licensing. Sisson asked about the possibility of
the council doing a telephone vote should the state grant the license
right after the next regular meeting. The mayor stated that a
special meeting could be a possibility. Sisson explained that it
takes 30-45 days for the state to process the license which means

hat it might not be done until right after the August meeting. The council agreed that having a special meeting would not be a problem. Sisson also asked about getting a refund on his Cereal Malt Beverage license issued by the city January 1st. The mayor said we would look into the legality of a refund. Sisson said the beer license was not that much money, but the game licenses were quite abit.

SURREY LANE TRAFFIC: David Mabon, 302 Surrey Lane, came before the council to ask about getting a speed limit sign or "Children Playing" sign on Surrey Lane due to number of small children living on that street. The mayor explained that the speed limit is governed by the state law of 30mph in residential areas, and that it would probably take an ordinance to change. Dale Fox said that he has been in favor of making the speed limit 20mph in all of Overbrook for some time. The clerk stated that legislation had been introduced in the state to change residential limits to 20mph, but wasn't sure how the bill had fared. Mabon made a request that the council investigate the possibility of making the speed limit 20mph throughout the whole town. Mabon also asked about the possibility of widening Surrey Lane in the future. He said that Surrey Lane is not as wide as 3/4 of the other streets in town, including Devon. The council agreed by concensus to look into the matter.

ANNEXATION: Randy Knight came before the council to petition for annexation the property on Highway 56 just west of Casey's. The clerk said that Steve Jones suggested that the planning commission's recommendation for the zoning be acted upon before annexing. This hearing cannot be held before August 9th.

ISC: Mayor Hamit recognized Chris Young and Peggy Waldman who were observing the meeting.

ISC: The clerk said she had received a request from a citizen to paint the edge of the old sidewalk on the west side of Maple close to Santa Fe Trail. The council agreed by concensus to have Bob Sisson paint it either yellow or white.

The replacement of the carpet on the City Hall steps was discussed. The clerk was told to get some estimates on replacing the arpet.

The clerk told the council that Don Keim had talked to her about doing some work at the ballpark and also keeping some spare parts on hand. The council felt that they should talk to Keim in person to know exactly what the problem is. Keim was called and said he would come to the meeting.

The clerk reported that she has had a number of complaints from resident regarding trash, etc. in yards. The citizen was told that unless the condition is a health or safety hazard nothing can be done with the present ordinance. She said she had asked Steve Jones about what other cities do regarding this matter.

ASPHALT WORK ON MAPLE: The council agreed by concensus to ask the contractors to come in person so that the proposed work and methods of payment can be discussed in person. The clerk was told to set up a meeting for the following week if at all possible. Monday, July

3th was the date chosen.

JONES PARK LIGHTS: The matter of putting lights at the picnic area in Jones Park was tabled until a later meeting.

COUNCILMEMBER REPORTS: Dale Fox asked if the money from the 4th of July fund had been brought to the city. The clerk said that she had received a check for \$800 so the total cost to the city was \$195.

Fox also brought up doing something to control large truck traffic and parking. He also mentioned how semi's parked parallel to Hwy 56 in front of Casey's is dangerous as far as vision is concerned.

Dale Fox stated that the equipment used to shoot the fireworks wasn't picked up right away, and some of it ended up in the pond at Jones Park.

Fox also questioned why the city truck was seen leaving Carbondale one afternoon last week. He was told that Ron Dean, Jr. had gone to Topeka to get soda ash for the pool, and may have stopped by his house.

The contract with Midwest Tank was discussed as to whether or not they would furnish the tanks with automatic controls on the 10,000 gallon tower.

ALLPARK LIGHTS: Don Keim reported that he had been called to the park twice to fix one of the breakers. He said that the breaker is worn out, and he didn't feel that temporary repairs were the best way to go. He felt this could be done for around \$500. Dale Fox made motion, seconded by Carolyn Meerian, to replace the 60 amp breaker and keep a 60 amp and a 100 amp breaker on hand. Motion carried.

DISC: Carolyn Meerian reported that the sirens couldn't be heard in her neighborhood during the last storm. There was discussion about the procedures by the emergency personnel during that storm.

Carolyn Meerian also asked about the solid waste situation at Overbrook Lumber. The clerk reported that the city attorney advised that the business cannot opt out of the contract, so he would be charged the "business without container" rate. Revising the water rates was also mentioned.

Meerian also said there is a problem with ragweed and sunflowers growing in excess of the allowable height at a residence, but they are part of a garden. There was discussion as to whether or not these plants are covered by the present ordinance.

Carolyn Meerian mentioned that there have been some problems at Jones Park in regards to the trash being picked up, supplies for the concession stand being bought out of town, and the diamonds being maintained. The clerk reported that in previous years, one of the dumpsters from the middle school was put at the park, but because the school now has a bigger dumpster that is not possible. The city has requested a container for the maintenance building which the ball association can also use. After discussion in regards to the purchase of supplies for the concession stand, the council agreed that asking Bob VonStein and someone from the ball association to the September meeting would be a good idea especially since the city does not have access to the financial records of the ball association.

he council felt that maintaining the diamonds and other buildings at
he park were the concern of the ball association.

Carolyn Meerian voiced her concern about annexing land for the
urpose of storage units. She was encouraged to voice those concerns
t the planning commission hearing.

Meerian brought up trimming treebranches in the alleys. The
ayor said that the matter would have to be studied. A citizen had
rimmed some branches on someone else's property. The clerk said
hat Chief of Police Dean advised that this is a civil matter rather
han a criminal matter.

MAYOR'S REPORT: The mayor said he had a rough draft of a
olicy for payment of water bills. Charging a deposit for each new
ervice was discussed as well as the current ordinance which names
he property owner responsible for outstanding bills. The matter was
abled until the next meeting.

Carolyn Meerian made a motion, seconded by Dennis Graves, to go
nto executive session until 9:50 P.M. to discuss matters concerning
on-elected personnel. Motion carried

The meeting was re-opened at 9:50 P.M. No action was taken as a
esult of the executive session.

Carolyn Meerian made a motion, seconded by Dale Fox to adjourn
he meeting at 9:52 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown, Clerk

APPROVED

8-10-94

MINUTES

REGULAR COUNCIL MEETING

JUNE 8, 1994

MEMBERS PRESENT: Carolyn Meerian, Mark Criger, Dale Fox,
Dennis Graves, Mayor Richard Hamit. Bruce
Anderson absent.

OTHERS PRESENT: JoEllen Criger, Scott Averill, Ron Hunt, Ed
Harmison, Max Friesen, Bob Sisson, Lila Hamit,
Cheryl Brown.

The meeting was called to order at 7:30 P.M. by Mayor Hamit.
The clerk called the roll; there was a quorum present.

MINUTES/WARRANTS: Carolyn Meerian made a motion, seconded by
Dennis Graves, to approve the minutes of the May regular meeting as
written. Motion carried. Mark Criger made a motion, seconded by
Carolyn Meerian, to approve payments of warrants #9325 to #9396.
Motion carried.

POOL REPORT: JoEllen Criger came before the council to report on
receipts from the pool and what progress the lifeguards have made on
their various certificates. She also said that Ken Krause's daughter
has offered to paint a scene on the bathhouse. A special time has
been set aside for people 60 years old and older to swim. This is on
Wednesday's from 5:00 to 6:00 P.M. She is also planning on having
several night-swims, and wondered if more lighting could be added
around the middle of the pool. Dennis Graves made a motion, seconded
by Carolyn Meerian, to authorize the installation of additional
lights at the pool providing the cost is reasonable. Motion carried.
JoEllen also asked if a table with an umbrella and chairs could be
purchased so adults could have a place to sit while watching young
children. After some discussion, Carolyn Meerian made a motion,
seconded by Dennis Graves, to buy a table, umbrella, and four chairs.

EMPLOYEE REAPPOINTMENTS: Carolyn Meerian made a motion, seconded by
Mark Criger, to reappoint the following employees for 1994:

Robert Sisson-----Maintenance Supervisor
Ronald Dean, Sr.-----Chief of Police
Cheryl Brown-----City Clerk
Lila Hamit-----Assistant City Clerk
Max Friesen-----City Treasurer
Larry Coursen-----Municipal Judge
Ed Harmison-----Deputy Law Officer
Billy Warrington-----Deputy Law Officer

Motion carried.

OVERBROOK TENNIS ASSOCIATION: Scott Averill and Ron Hunt came
before the council to talk about having the ground at Jones park
prepared so that the asphalt could be laid at the same time the city

has any work done. Mayor Hamit told them that nothing has been definitely decided at this point about what the city is going to do. The council told them that when a decision has been made, the city would notify the association so things could be coordinated.

CONNECTING LINKS: The clerk said that the city has received a proposal from the county to reimburse the city for the maintenance of .83 miles of Maple Street in the amount of \$332.00. Dale Fox made a motion, seconded by Carolyn Meerian, to approve the agreement between the city and the county. Motion carried.

1995 BUDGET PREP: The clerk reported she had been contacted by Scot Loyd of Swindoll, Janzen, Hawk & Loyd regarding next year's budget. Loyd said they would do the budget preparation for no more than \$500, and that the council should begin thinking about any changes they might want to make.

MISC: The clerk also said that the library is working on the details of Marilyn Anderson's joining the KPERs retirement program, including who would pay the employee's share back to the time of her becoming eligible. Since no one was present from the library board, the matter was tabled until a later meeting.

MAINTENANCE REPORT: Bob Sisson reported that he had received a bid for the curbing along Maple between Santa Fe Trail and Market. It would come to a little over \$3800. There was discussion about the method of payment for the overlay work on Maple. The council discussed how many other streets would need to be re-sealed. Sisson said that one of the companies had bid Maple from Highway 56 to the railroad tracks. The council agreed by consensus to get a firm bid for an exact amount of work, and discuss it at the July meeting. The mayor brought up the fact that the council had never officially accepted Ash Street in the Shepard addition even though it has been sealed. The council agreed by consensus to wait until all the construction has been done, and the road has been prepared as to the original agreement before re-sealing. There was more discussion as to how the overlay work on Maple should be bid. The council agreed that each of the companies must submit a firm bid so that the city knows how much it'll cost before the job is started. Sisson said that both companies had said that they would do asphalt work for anybody needing it. Dale Fox wanted it noted that the reason that our streets are in good shape is because we have had them resealed on a regular basis, but feels that this might be the time to do less on the other streets, and do more on Maple. Dale Fox made a motion, seconded by Mark Criger, to accept the bid of \$3,815 from Leo Lang to do the sidewalk and guttering on Maple between Santa Fe Trail and Market. Motion carried.

TRAFFIC REPORT: Ed Harmison was present to report to the council. The mayor told Harmison that he has had several complaints about the Bingo sign in the intersection of Maple and Santa Fe Trail. People are not sure whether to turn in front or in back of it. The council agreed by consensus that moving the sign to the north out of the intersection might solve the problem, and Mark Criger was asked to

approach the American Legion regarding the matter.

Mark Criger told Harmison that when some of the flags put out on Maple for Memorial Day were stolen, the response from the police department was not too receptive. Harmison said he would check into the incident.

Harmison said he had not heard any more from Kansas State Bank in regards to a city park by that business.

He also reported that the CIC is planning Santa Fe Trail Days on September 17 which would include a city-wide garage sale.

Bob Sisson asked about the possibility of putting lights at the picnic area at Jones Park. The council told him that they had checked into the matter several years ago and the cost was pretty expensive. Several possibilities were discussed.

Ed Harmison told the council that he had started raising funds for the fireworks, and would bring whatever funds raised to the July meeting.

WATER RATES: Mayor Hamit reminded the council that with the new Rural Water tank being built, a possible raise in water rates should be considered. Two bonds that we are now paying will mature later in the year, one in August and one in October. The matter was tabled until a later meeting.

EMPLOYEE SALARY REVIEW: Carolyn Meerian made a motion, seconded by Dale Fox, to go into executive session until 9:40 p.m. for the purpose of discussing raises for non-elected personnel. Motion carried.

Mayor Hamit called the meeting back to order at 9:40 p.m. Mark Criger made a motion, seconded by Carolyn Meerian to approve a 3 1/2 % raise across the board. Motion carried.

COUNCILMEMBER REPORTS: Dennis Graves reported that in response to a previous complaint, two cars have been removed from the property at the corner of Hwy 56 and Maple.

Mark Criger said that Ken Krause had complained about paying a double charge for his dumpster. Criger told him that under the new contract he would be charged the same rate for twice-a-week pickup as he was for once-a-week pick-up.

Dale Fox reported that Overbrook Lumber, who has had a 1 1/2 yd dumpster, did not want to pay for a 2 yd dumpster. Richard Davenport told us that he does not use anything smaller than a 2 yd for safety purposes. The owner of Overbrook Lumber then said that he would just take his solid waste to his home which is out of town. Mr. Davenport said he would do whatever the city wants. After some discussion, the mayor said we should check with the city attorney.

Mark Criger made a motion, seconded by Carolyn Meerian, to adjourn the meeting at 9:50 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown

Approved_____

MINUTES

REGULAR MEETING OF THE COUNCIL

MAY 11, 1994

MEMBERS PRESENT: Carolyn Meerian, Dale Fox, Dennis Graves,
Mark Criger, Bruce Anderson, Mayor Richard
Hamit

OTHERS PRESENT: Jack Kramer, Moses Smith-Dennis, Pat Smith,
Jim Feagan, Lynn Jornak, Emily Cross, Shelley
Seeburger, Dina Marsh, Steve Jones, Ed Harmison,
Max Friesen, Bob Sisson, Ron Dean, Lila Hamit,
Cheryl Brown, Ira Allen

The meeting was called to order by Mayor Hamit at 7:30 P.M. The clerk called the roll; there was a quorum present.

MINUTES/WARRANTS: Carolyn Meerian made a motion, seconded by Bruce Anderson, to approve the minutes of the regular April meeting as written. Motion carried. Carolyn Meerian made a motion, seconded by Dennis Graves, to approve payment of warrants 9260 through 9325. Motion carried.

MISC: The mayor welcomed the government students.

NORTH LAGOON STUDY: Jack Kramer of Kramer Engineering came before the council to report on a possible feasibility study for a new lagoon north of the city. Kramer said that the person at the State to whom he spoke indicated that the present staff would have more of an open mind at this time. Kramer proposed that the study should determine present flows and waste loads that are being treated now by the existing system to determine future capacity, determine future flows and waste loads for the existing service area and possible future development, study the alternate of either pumping over to the present lagoon, or building a new lagoon, and prepare preliminary designs and layouts for the two alternates. This study will also include cost-effectiveness for all plans. Kramer told the council that the cost for this study would be \$4600 with the report to be completed in ninety days. The cost for soil testing for lagoons is approximately \$3800. Kramer's report would include some of this testing. The mayor stated that he was concerned about spending this amount of money on a study for development of land that is not in the city at the present time. Kramer told the council that the price quoted would be good for ninety days. After considerable discussion, Dennis Graves made a motion, seconded by Carolyn Meerian, to table the matter of a feasibility study for ninety days to see if there is more interest from the developers. Motion carried.

TELEPHONE SERVICE UPDATE: Moses Smith-Dennis from United Telephone Systems introduced Pat Smith, Director of Operations for Kansas. They stated they were here in response to a letter from the council stating various concerns and requests. Smith stated that United wanted to make sure the customers in Overbrook were receiving the best possible service. She introduced Jim Feagan to report on

some of the things United has done such as replacing cables, etc. He told the council that he can give better information in 30 days. Councilmember Anderson asked why we can't be upgraded to digital since the fiberoptic cable is so close. Feagan stated that the fiber has nothing to do with upgrading to digital switching, but enables United to connect with other long-distance companies. Feagan stated that their upgrading has to do with cost-effectiveness, and that Overbrook is not at the end of the line, but could not at this time tell the council that we would be moved up in the schedule. At this time, the mayor explained that this discussion would have to be postponed until after solid waste bids were taken and discussed.

8:00 P.M.--SOLID WASTE BID SELECTION: Mayor Hamit opened bids from the following companies:

- Deffenbaugh
- Reliable Refuse Service
- Topeka Waste Systems
- Osage Waste, Inc.
- Midway USA Trash

Mayor Hamit checked each of the bid packages for the required bid bonds and insurance certificates. After a lot of discussion of the various bids for the residences and containers for the businesses, Dale Fox made a motion, seconded by Carolyn Meerian, to go into executive session until 8:55 P.M. to confer with the city attorney. Motion carried. Mayor Hamit called the meeting back to order at 8:55 P.M. Dennis Graves made a motion, seconded by Bruce Anderson, to accept the bid from Midway USA, Lawrence for solid waste removal from June 6, 1994 to June 5, 1995. Motion carried 4-1 with Dale Fox voting no. Complete rate schedules are available for inspection at City Hall during regular business hours.

TELEPHONE DISCUSSION: Mayor Hamit asked Pat Smith about the results of the survey United took. Smith-Dennis said there were some complaints about party lines, some regarding using a computer, but basically the complaints were sporadic. He also said that follow-up had been done on most of the problems. Pat Smith said there are about 90 offices in Kansas that need updating. She reported that they are re-examining the schedule at this time. Smith also told the council what factors are used in determining the schedule, such as rate of growth and space in the office. At this time, Overbrook is scheduled to be upgraded for 1997, but could be moved up if there is a significant amount of growth in population or industry. She also said that extended-area service is mandated by the Kansas Corporation Commission, and does not relate to the equipment. Smith-Dennis told the council that he would keep us informed on any changes made in the next few weeks.

SOLID WASTE PICK-UP: Richard Davenport, owner of Midway USA Trash asked about the possibility of changing pick-up days from Tuesday and Friday to Monday and Thursday. He offered to pay for any expenses incurred because of the change. The council agreed by consensus to approve the change of pick-up days with sufficient notice. Davenport offered to wait until July 1st to start service, but Steve Jones advised against that as the matter is under contract.

The council agreed to the change of days starting in July. Davenport stated that if a holiday falls on a Monday, trash would be picked up on the previous Saturday, and if it falls on a Thursday, trash would be picked up on Wednesday unless otherwise notified.

INSURANCE POLICY: Ira Allen came before the council to report that the 1994-95 coverage now includes all windows for \$168 more annually. He explained that the property is quoted on a broad form, but he has a quote on a special form and the difference is \$234 per year. He suggested that we go with the special form, because that puts the burden of proof of loss on the insuring company rather than on the insured. The concensus of the council was to leave it quoted on the broad form at the present time.

CEREAL MALT BEVERAGE ORDINANCE: After discussing the fact that no business was wanting to sell beer on Sunday's at the present time, the council agreed by concensus to table the proposed ordinance and rely on existing ordinances until changes are necessary.

POLICE REPORT: Chief Dean reported that his department is currently working on several cases. He also reported that the new crosswalk seems to be effective. Chief Dean reported all the repairs that have been made on the 89 Ford and the 92 Taurus. The 89 needed ake rebuilt. The mayor asked Chief Dean to remind his officers not to let unauthorized passengers ride in the patrol cars.

MAINTENANCE REPORT: Bob Sisson presented three bids regarding extra street work on parts of Maple. If the work is done from the railroad tracks north to Highway 56, it'll cost around \$50,000. From the Kansas State Bank to the tracks would be around \$30,000. The overlay would be approximately 2-3" with an 8 year guarantee. This can be done to taper into new sidewalk between Santa Fe Trail to Market on the west side. This price also includes an asphalt patch just off Highway 56 where traffic turns to come south on Maple. The council discussed how this would eliminate having it chipped and sealed every year as we're doing now. There was discussion as to how much could be done on the other streets if this special work is done. The clerk mentioned that the city doesn't have all the special highway money that is budgeted, so the company would have to be willing to be paid in installments. The treasurer told the council that money could be held over until next year. After more discussion, Dale Fox suggested that the streets be inspected to see how much work is needed all over town, and discuss the project at the next meeting.

Sisson also said that he had been using Jason Brown to help when Ronnie Dean couldn't. Mayor Hamit told the council that he had authorized using Brown at \$5.00 per hour until Sisson could talk to the council. Sisson said he could use Dean and Brown for another week or so to get the pool ready, and keep up with the mowing. The matter of keeping busy was discussed, and also offering the job to city kids was mentioned. After discussion, the council agreed by concensus to hire Jason Brown at \$5.00/hr as needed for the next two weeks, and find out what Ronnie Dean's plans are for the summer.

Mayor Hamit asked if the work had been done at the lagoons.

Sisson said that Musick said he was about ready to start levelling so people won't be able to get dirt from the pile after he gets done.

Sisson also asked if kids could be allowed to use the extra space at the lagoons to ride 4-wheelers if the city attorney says a release form will hold up in court. Mayor Hamit said that riding should be discouraged until we have more information, and the "No Trespassing" signs need to be replaced.

POOL PAINT: Mark Criger said that JoEllen Criger wants to buy some paint. He was told to tell her to buy it at one of the lumberyards.

JULY 4th FIREWORKS: Dale Fox said the committee was trying to raise money again for a fireworks display. The council agreed by consensus to help the same as last year.

MISC: Carolyn Meerian commented that the trees and flowers planted along Maple look really nice.

Bruce Anderson said he had had complaints about abandoned vehicles at the corner of Maple and Highway 56. Dennis Graves said he would talk to Chief Dean about this and other vehicles around town.

The mayor asked for a recap of overtime and compensation time as has been done in previous years.

Max Friesen said that some ladies had brought up having a city park. Ed Harmison said he had talked to Kansas State Bank about using part of their new parking area for a small park. He was told that some of their board members were not in favor of this. He asked if the city could enforce using the easement for a park. He also reported that a petition is to be taken to the bank's board. Harmison's thinking was that visitors could use the park for picnics, etc. and it would be closer to the businesses. City liability was discussed. Max Friesen said he was going to bring the matter before the bank's board at the next meeting. Ed Harmison also mentioned having a marker made to advertise special events. The council agreed that drawing more people into town was a good idea, and using the city easement will probably not be a problem.

MISC: Max Friesen said that he would talk to Cliff Fischer again about plans for future development and the need for another lagoon system. The mayor stated again that he was hesitant to spend the money without more of a commitment.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting. Motion carried; meeting was adjourned at 10:45 P.M.

Respectfully submitted,

Cheryl L. Brown,
Clerk

APPROVED:

6-8-94

CITY OF OVERBROOK
MINUTES

REGULAR COUNCIL MEETING

APRIL 13, 1994

MEMBERS PRESENT: Carolyn Meerian, Dale Fox, Dennis Graves,
Mark Criger, Bruce Anderson, Mayor Richard
Hamit.

OTHERS PRESENT: Glyn Day, Jim Duncan, Ed Harmison, Mark Daniels,
Shirley Karr, Kathleen Rose, JoEllen Criger, Cindy
Keefover, Justin Florance, Jason Anderson, Max
Friesen, Bob Sisson, Lila Hamit, Heide Waldman,
Cheryl Brown.

The mayor called the meeting to order at 7:30 p.m. The clerk
called the roll; there was a quorum.

MINUTES: Bruce Anderson made a motion, seconded by Carolyn Meerian,
to approve the minutes of the regular March meeting as written.
Motion carried. Dale Fox made a motion, seconded by Dennis Graves,
to approve the minutes of the March 23rd special meeting as written.
Motion carried. Carolyn Meerian made a motion, seconded by Bruce
Anderson, to approve the minutes of the March 28th special meeting as
written. Motion carried.

WARRANTS: Dale Fox made a motion, seconded by Carolyn Meerian, to
approve payment of all warrants presented. Motion carried.

BALL EQUIPMENT: Glyn Day and Jim Duncan of the Ball Association
came to ask the council for \$500 for the purchase of new bases,
balls, and catching gear. Dale Fox made a motion, seconded by
Carolyn Meerian, to give the Overbrook Ball Association \$500.00 for
the safety equipment to be used by both boys and girls teams. Motion
carried.

MOWING: Kathleen Rose told the council that the Betterment
Committee had been paying to have the grass mowed at the pool, but
now needs the city to do the mowing, or pay someone to do it. After
some discussion, the council agreed that the city would take care of
the mowing themselves, or see that it is done.

TREE PLANTING: Shirley Karr came before the council to report that
the Betterment Committee would like to plant trees along Maple
Street, and that they have the property owners permission, but need
to know where the water lines are, etc. The council suggested they
put flags where the trees are to be planted, and check with Bob
Sisson on the locations.

CLEAN-UP CAMPAIGN: JoEllen Criger came before the council as a
Community Improvement Committee member to ask that the week of April
24th to April 30th be proclaimed as "City Wide Clean Up Week". The
council agreed by concensus. Taking tree limbs to behind Jones Park
was authorized, and also the city furnishing trash bags for the

volunteer trash collectors. The council also said that residential trash in bags should be picked up by the hauler under our contract. Bob Sisson said he could pick up gravel from along the curbs with the backhoe if left in piles.

CURBING AT POOL: Kathleen Rose asked if curbing could be put along the street on the south side of the bathhouse at the pool. After some discussion, the council agreed by concensus for Bob Sisson to check with Leo Lang to see if it could be done before the pool opens, and authorized having the work done if the cost is within reason. Making that area a "NO PARKING" area was also discussed.

PRIDE PROGRAM: Max Friesen, president of CIC, asked the council to sanction the forming of an Overbrook PRIDE program. Joyce Dillon is Chairperson, Cindy Keefover is Vice Chairperson, and Liz Cordts is Secretary-Treasurer. Dennis Graves made a motion, seconded by Dale Fox, to approve the forming of the Overbrook PRIDE program. Motion carried.

POOL REPORT: JoEllen Criger told the council that she had been asked by Holly Gaylord to use the pool to train for a triathalon. She said there would be more than one person present at all times. Mrs. Gaylord, who is a qualified lifeguard has volunteered to work parttime when needed. The council agreed by concensus as long as all the insurance requirements are met.

NORTHSIDE LAGOON: Max Friesen came before the council to discuss the possibility of building a lagoon north of Highway 56. Friesen said that the city has run out of building sites, and he had bought the Piper property and would be willing to donate land for a lagoon so that there could be development to the north. After considerable discussion, Mark Criger made a motion, seconded by Bruce Anderson, to ask Kramer Engineering for a cost estimate to do a feasibility study regarding the lagoon. Motion carried.

EMERGENCY SERVICES: Mark Daniels reported to the council that May 15th to May 21st is National Emergency Services Week, and would like the city to make a proclamation to that effect. He showed the council a sample proclamation, and would provide the form. Daniels said that they are still getting quite a few medical calls because of not having a doctor yet. The council agreed by concensus to proclaim May 15-21 National Emergency Services Week. Ed Harmison handed out pamphlets about severe weather.

MISC: The new cereal malt beverage ordinance was brought up for discussion. Since the council had questions about repealing other ordinances, the percentages of food sales, and who would be doing the auditing, Dale Fox made a motion, seconded by Carolyn Meerian, to table the matter until Chief Dean could be present, and more research regarding these matters can be done. The possibility of letting the citizens vote on the matter of Sunday beer sales was also discussed.

The clerk stated that the League of Municipalities was going to send some material regarding building codes but hasn't as yet.

The matter was tabled until later.

MISC: The clerk stated that a representative from United Telephone Co. will be at the May meeting.

She also presented a sample resolution from the League that states support for anti-crime legislation. After discussion, Dennis Graves made a motion to pass the resolution. The motion died for a lack of a second. The council felt that the citizens agreed to the principles in the resolution without formalizing it.

GAME MACHINE LICENSE: Mark Criger made a motion, seconded by Bruce Anderson, to approve the game machine license for the Palladium. Motion carried.

MAINTENANCE REPORT: Bob Sisson reported that he hadn't talked to anyone about doing the overlay work on Maple Street as yet. The mayor brought up putting in a sidewalk in front of some of the existing curbing on the west side of Maple where the sidewalk is really high. Sisson said he would check with Leo Lang about doing a one-block area between Market and Santa Fe Trail. He said that most of the other streets in town looked good at this time.

Sisson asked about the possibility of trying to buy a small dumptruck in the future. The council agreed by consensus to pursue the matter, especially through the State Surplus.

Bruce Anderson asked if a post could be put at the north end of the walkway by Casey's to prevent vehicles from driving in from the north end. This would allow bicycles to go through, but not cars.

POLICE REPORT: Ed Harmison reported that things seem to be okay at this time. He showed the council a military knife they had taken from a 15 year old. He also reported that the sirens are now working.

COUNCIL REPORT: Mark Criger said Ken Krause had asked if he could put a bench by the post office. Ed Harmison said the bench is fine, but people can't sit on it while drinking alcoholic beverages. The council agreed by consensus to allow the bench to be put on the sidewalk by the postoffice

MAYOR'S REPORT: Mayor Hamit recommended that John Irwin be appointed to the library board to take B.E. O'Bryhim's place. Carolyn Meerian made a motion, seconded by Mark Criger, to appoint John Irwin to the library board for the remainder of O'Bryhim's term. Motion carried.

The mayor read a letter from one of the Boy Scouts who had attended the last council meeting regarding setting bins around town to be used for grass clippings, etc.

The mayor recognized the following people:

Carolyn Meerian for the upcoming opening of the Overbrook Quilt Connection.

Dennis Graves for the completion of Senior NCO school.

Mark Criger for a promotion to Sergeant E-9.

Bob Sisson for being named Small Business Man of the Year
by the FBLA.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn
the meeting at 9:40 p.m. Motion carried. Meeting adjourned.

Respectfully submitted,

Cheryl L. Brown, Clerk

APPROVED 5-11-94

SPECIAL MEETING OF THE COUNCIL

MARCH 28, 1994

MEMBERS PRESENT: Dale Fox, Dennis Graves, Carolyn Meerian, Bruce Anderson, Mark Criger, Mayor Richard Hamit.

OTHERS PRESENT: Steve Jones, Kenny and Joe Greene, Lori Smith, Cliff Fischer, Cliff O'Bryhim, Ira Allen, Bruce Sisson, Ruth Raab, Lila Hamit, Cheryl Brown.

The special meeting of the council was called to order at 7:00 P.M. by the mayor. The clerk called the roll; there was a quorum present.

Mayor Hamit stated the purpose of the meeting was to discuss the proposed solid waste rate increase. The mayor explained to those who had not been to the previous meeting that Osage Waste was asking for a rate increase due to the rates at the county landfill being raised from \$7.50 per ton to \$34.50 per ton.

Kenny Greene gave the council his proposal which was a 45% increase across the board to residences and businesses. Greene stated again that the increase he is asking for is to cover the county rate.

Mayor Hamit stated that the businesses could possibly contract on their own instead of being included with the residences in the next contract year. Several business owners present voiced the concern that that would drive the residential rates upward.

When questioned as to the legality of the city paying part of the increase, Steve Jones reported that this could be done out of the general fund, or any other special fund, according to state statute. The clerk reported that the auditor recommended the payment be taken from the Water/Sewer fund which has a line for Solid Waste rather than the General Fund, but either option was acceptable.

The fact that the county is not going to install a scale to weigh waste being hauled to the county landfill for a year was discussed. Kenny Greene said that because of this, he will be charged by the truckload rather than by the actual weight as the landfill does not accept weight tickets from other scales at this time.

The city paying part of the increase was again brought up for discussion. Mark Criger said he was concerned about using city money from the general fund to pay for any of this increase. The clerk stated that the money could be taken from the Water/Sewer fund which is a revenue fund rather than the General fund. Jim Long, the city auditor, is aware of the fund balances, and does not see a problem with the city paying a percentage of the increase. Bruce Anderson made the point that using the water/sewer fund is actually using the city's funds since the money comes from the sale of water to the

residents.

Dennis Graves made a motion, seconded by Dale Fox, to increase the solid waste rate by 45%, with the customer paying 25% of the increase and the city paying 20% of the increase for the duration of the present contract. Motion carried 4--1, with Mark Criger voting no. The council agreed by concensus to take bids at the May meeting. Dale Fox suggested that anybody wishing to bid be given a list of the businesses and encouraged to visit with the businesses before the bids are taken.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 8:05 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown, Clerk

APPROVED 4-13-94

SPECIAL MEETING OF THE COUNCIL

MARCH 23, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Dennis Graves,
Mark Criger, Bruce Anderson, Mayor Richard Hamit.

OTHERS PRESENT: Kenny and Joe Greene, Lori Smith, Eldon
Christesen, Bruce Sisson, Lila Hamit, Cheryl Brown

The mayor called the special meeting to order at 7:30 p.m.; the clerk called the roll. There was a quorum present.

Mayor Hamit stated the purpose of the special meeting was to discuss solid waste rate increases, and also the renewal of the Blue Cross Blue Shield contract.

Kenny Greene presented their proposal for the rate increase. He again stated that the percentage of increase is higher for residential rates because they haul more from the residences than from the businesses.

County Commissioner Christesen stated that the county has contracted with Hamm's to haul from Osage County to Hamm's landfill for \$21.00 per ton. He also explained that certain requirements have to be met by the hauler. Other charges were as follows:

- 1.50 per ton to the State
- .50 per ton to a county compact for recycling
- 11.50 per ton for county landfill/transfer costs

Christesen also stated that they had an estimate for the transfer station of \$315,000.00, but they do not have all the final costs at this time.

Kenny Greene stated that for Osage Waste to haul directly to the landfill in Jefferson County they would have to have special boxes on their trucks, and also permits from each county they travel in.

Mayor Hamit stated that he has a problem with the residences being raised 80% while the businesses are being raised less than 50%. He said he thought the raise should be equal across the board.

Bruce Anderson asked Commissioner Christesen when did the county find out about all these increases. Christesen said they have known for some time there would be an increase, but just found out 2 weeks ago exactly how much it was going to be.

Kenny Greene stated that there is no way they can haul at the increased rates for the rest of the contract period.

Mayor Hamit asked Commissioner Christesen if there was any chance the county could absorb the increase to the haulers, and was told there was very little possibility of that happening.

Councilmember Fox questioned the legality of increasing the rates since the city has a contract. After more discussion, the

council agreed by concensus to have another special meeting with the city attorney present. The possibility of the city paying part of the increase until the contract expires in June was discussed. Monday, March 28 was set as the tentative meeting time.

The clerk stated that written notice at least 60 days in advance of the contract date must be given in order that the present contract is NOT automatically renewed. Bruce Anderson made a motion, seconded by Carolyn Meerian, to write a letter to Osage Waste, Inc. informing them that the City of Overbrook did NOT wish to renew the contract of June, 1993. Motion carried.

The clerk informed the council that she had received a letter from Blue Cross Blue Shield with new rates to go into effect with the May 1, 1994 billing. Full family coverage rates went from \$437.58 to \$366.91. The council agreed by concensus to renew the contract with Blue Cross Blue Shield for another year.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 8:55 p.m. Motion carried.

Respectfully submitted,
Cheryl L. Brown, Clerk

APPROVED 4-13-94

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Bruce Anderson, Mayor Richard Hamit. Mark Criger and Dennis Graves absent.

OTHERS PRESENT: Kenny Greene, Joe Greene, JoEllen Criger, J.A. Cordts, Cliff O'Bryhim, Terry Burnett, Asher Burnett, Jesse Tornaden, Tyler Tornaden, Max Friesen, Ron Dean, Bob Sisson, Lila Hamit, Cheryl Brown, Karlen Jones..

The meeting was called to order by Mayor Hamit at 7:30 p.m. The clerk called the roll; there was a quorum present. The mayor welcomed the Boy Scouts and their leader who were observing the meeting.

MINUTES/WARRANTS: Dale Fox made a motion, seconded by Carolyn Meerian, to approve the minutes of the February meeting as written. Motion carried. Carolyn Meerian made a motion, seconded by Bruce Anderson, to approve warrants #9056 through # 9169. Motion carried.

SOLID WASTE CONTRACT RENEWAL: Kenny and Joe Greene were present to tell the council that the county landfill will be closing as a regular dumpsite as of April 8. It will be used as a transfer site for hauling, and there will be a big increase in the cost of dumping. Greene said that he had visited with the county commissioners Tuesday night, and was told the rate was going from \$7.50 per ton to \$34.50 per ton. Breakdown of that charge is as follows:

Hamm's (contracted by the county)	-----21.00
State surcharge	----- 1.50
Regional fee	----- .50
County landfill costs	-----11.50

Kenny Greene explained that Osage Waste, Inc. cannot haul solid waste from Overbrook at the present contract rates when this charge goes into effect, and gave the council a list of proposed new rates for consideration. Mayor Hamit asked why the rate increase was a higher percentage for the residents than for the businesses. He was told that it was because the bulk of the trash hauled from Overbrook came from the residences. Joe Greene explained that the county isn't planning to install scales until next year, and that they'll be charged for 8 tons per load even if the truck isn't completely full. The possibility of Greene's hauling directly to Topeka, or someplace else was discussed. The council was told that other counties can refuse our solid waste, and also hauling to other counties requires additional licensing and routing which is more expensive. Hamm's will be hauling to their own landfill by Perry. Mayor Hamit said he did not feel that an informed decision could be reached at this time, and suggested a special meeting to give people time to gather more facts. The mayor also stated that he had a problem with the residences being raised at a higher rate than the businesses. The Greene's said they would do some more figuring, and that the reason

they had come as soon as they did was because of the rate increase and also they want the contract which is up June 6, 1994 to be renewed. The possibility of changing back to one day a week instead of two days a week was discussed. Joe Greene explained that Overbrook has so many businesses (food licensed) that have to be picked up twice a week that it was better to split the town into two days. Mayor Hamit again stated that he didn't feel that any decision can be made until the county commission actually passes a transfer station fee, and other possibilities are studied. March 23rd was set as a tentative date for the special meeting. The clerk was told to check with other haulers for price comparisons, and also with the city attorney for the legal aspects of this matter.

REPLACEMENT FOR DR. RUBLE: Cliff O'Bryhim and J.A. Cordts came before the council to give an update on the progress of finding a doctor for Overbrook. J.A. Cordts introduced Karlen Jones of Ottawa Family Physicians. She explained that her group has negotiated a contract with a husband and wife team from Paola to join their group in August with the understanding that the husband would be in Overbrook if wanted. The group is still interviewing for a Physician's Assistant to come right away. This will help qualify the office as a Rural Health Clinic which is necessary in order to receive federal funds. There was further discussion as to what this group has to offer in addition to a doctor in Overbrook, especially where insurance is concerned. Jones also reported on the building requirements but was optimistic that all the conditions can be met with some work. Jones stated that all this is unofficial until all the details of all the contracts are signed, but feels that things look very promising at this time. The council thanked the group for their report.

SWIMMING POOL REPORT: JoEllen Criger who has been hired to manage the pool came before the council to give an update. She told the council that the ones employed at the pool last year were being given the chance to come back, and she is now checking on their certification with the Red Cross. There was discussion as to how much income is generated from lessons, and how many Water Safety Instructors were needed. The council agreed by concensus that adult and infant CRP training should be required for the guards with the city paying for any expense. Mark Daniels has stated that he would be willing to do the certifying. She also said that everyone needs to take a refresher course in first aid. The council agreed by concensus to pay for any first aid courses needed. Inservices for Bloodborne Pathogens was discussed. Chief Dean stated he is qualified to do the training for this, and the city has the course that is required by OSHA. Salaries were discussed. Bruce Anderson made a motion, seconded by Dale Fox, to pay the following: W.S.I.---\$5.00/hr; Lifeguard---\$4.75/hr; Manager---\$4.25/hr. Motion carried. Carolyn Meerian made a motion, seconded by Bruce Anderson, to pay half the WSI training cost the first year of employment and the second half the second year of employment for any employee interested. This reimbursement would be made with the last paycheck of the season. Motion carried. Bob Sisson said that the diving board will probably need to be replaced. He was told to get

some prices and report back.

BUILDING VENTILATION: Bob Sisson reported that he had purchased a fan for \$30 that he can install in the window above the courtroom door that he feels will be adequate. The council agreed by concensus for him to install the fan.

CANINE DRUG PROGRAM: Police Chief Dean said that this is still on hold, and that the sheriff is checking into grant money available.

CEREAL MALT BEVERAGE SALES: Chief Dean said that after talking with Steve Jones and other police chiefs, he felt that the percentage of food sales should be left at 30% which is the amount required by the state. The section dealing with minors on the premises was discussed. Bruce Anderson said he had some parents voice a concern that if their kids cannot be in these places, they might be going to Topeka to play pool and video games. The matter of the businesses verifying 30% food sales in order to serve beer on Sunday's was discussed. Mayor Hamit stated that the business will have to have a way to show the break-down of food sales compared to beer sales. The council agreed by concensus to have Steve Jones draft the ordinance for consideration at the next meeting.

MOTION: Carolyn Meerian made a motion, seconded by Dale Fox, to give Bob Sisson \$20.00 per day for three days for meal expenses for his attending the Kansas Rural Water Assn. conference in Wichita with his bringing back receipts for any amount over the \$20. Motion carried.

ALCOHOLIC BEVERAGE LICENSE RENEWAL: Bruce Anderson made a motion, seconded by Carolyn Meerian, to approve the application from the Palladium to sell alcoholic beverages by the drink according to ordinance from March 10, 1994 to March 10, 1995. Motion carried.

MISC: The clerk read a thank-you note from a resident thanking Bob Sisson for his responding to a water-related problem at 5 a.m. on a very cold morning. She also stated she had been notified that Hi Plains Sand was no longer asking the city to pay a late charge that they had gotten from one of their vendors. The clerk reported that she had received a letter from the County Clerk stating that all of Osage County has been designated as an Enterprise Zone and there may be tax advantages for new businesses. Also Blue Cross Blue Shield has notified us that the rates for the May 1 contract will be lower than the 1993 rates.

LEAGUE OF MUNICIPALITIES VOTE: Carolyn Meerian and Bruce Anderson were named as delegates to vote regarding the league's buying property for their headquarters. They voted against the purchase.

MAINTENANCE: Bob Sisson reported that he had done some checking at the pool. He said he didn't think we were going to need any major repairs at this time.

POLICE REPORT: Chief Dean told the council that the equipment for the new school crossing at 7th & Maple is in, and we're waiting for

KPL to coordinate with us. He also reported that neither of the new sirens worked, but that a company representative is coming and will work with Don Keim.

BOARD APPOINTMENTS: Bruce Anderson made a motion, seconded by Dale Fox, to appoint Joyce Dillon and Jack Young to the Board of Zoning Appeals. Motion carried. Carolyn Meerian made a motion, seconded by Bruce Anderson, to reappoint Brooke Coffman and Maridee Graham to the Library Board. Motion carried. Dale Fox made a motion, seconded by Carolyn Meerian, to reappoint Don Hylton and Bruce Cole to the Housing Commission. Motion carried.

COUNCILMEMBER REPORTS: Carolyn Meerian brought up the matter of building codes for Overbrook. The clerk stated that Don Mohler of the League of Municipalities recommended third class cities use the standard state codes and hire a consultant from a larger city when necessary. The matter of building permits being valid for one year was also discussed. The council agreed by concensus to check with Steve Jones regarding enforcing the one-year time limit.

Bruce Anderson recommended the city purchase gasoline from Jack's when the price was favorable.

MAYOR'S REPORT: Mayor Hamit read a letter from the AfterProm committee asking for a donation. Dale Fox made a motion, seconded by Bruce Anderson, to donate \$100.00. Motion carried.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 10:10 p.m. Motion carried.

Respectfully submitted,
Cheryl L. Brown, Clerk

APPROVED 4-13-94 -

MINUTES

REGULAR MEETING OF THE COUNCIL

FEBRUARY 9, 1994

MEMBERS PRESENT: Dale Fox, Carolyn Meerian, Mark Criger, Bruce Anderson, Mayor Richard Hamit. Dennis Graves absent.

OTHERS PRESENT: Mark Daniels, Ed Harmison, Terry Hollingsworth, Glyn Day, Max Friesen, Bob Sisson, Lila Hamit, Ira Allen, Scott Thompson, Cheryl Brown.

The meeting was called to order at 7:30 P.M. by Mayor Hamit. The clerk called the roll; there was a quorum.

MINUTES/WARRANTS: After some revision of the mayor's report on non-smoking laws, Carolyn Meerian made a motion, seconded by Bruce Anderson to approve the minutes as amended. Motion carried.

Bruce Anderson made a motion, seconded by Carolyn Meerian, to pay warrants #8997 through # 9055. Motion carried.

FIRE DISTRICT REPORT: Mark Daniels came before the council to give a report on 1993 activity for the fire department. They ran 185 responses out of the station---113 medical calls, 5 vehicle fires, 11 structure fires, 11 grass fires, and other miscellaneous calls. Daniels said they are anticipating more calls in 1994 as Dr. Ruble has retired. They have already had some calls from people who would have normally called the doctor. Daniels also read a letter commending Chief Ron Dean for his assistance to the fire department, and also commending the council for their allowing Chief Dean to help when needed.

INSURANCE UPDATE: Ira Allen told the council that he would be handling the city's insurance through Citizen's Insurance with Scott Thompson rather than through Waverly. He had not been aware that Citizen's would be willing to do this, and felt that since they had done alot of the preliminary work this arrangement would be more fair. Dale Fox made a motion, seconded by Bruce Anderson, to recognize Ira Allen and Scott Thompson of Citizens Insurance Services, Osage City, as the city's agent of record to represent the city with Employers Mutual Casualty Company effective April 1, 1994. Motion carried.

PHONE SERVICE: Bruce Anderson presented a letter to the council that he had written to United Telephone System in regard to current and future services. He asked that the council read the letter and make additions if necessary. Anderson said the letter needs to be sent as soon as possible.

SMOKING/NON-SMOKING POLICY: The area now being used for smoking is not ventilated, and because of the new laws something needs to be done. Bob Sisson said that he thought that he could

any smoke from coming into the city office itself. Mark Criger said that he thought that with the possibility of even stricter laws, it would be wrong to go to alot of work. Bruce Anderson felt that if we have the material on hand it would be okay, but we shouldn't buy any special system. The council agreed by concensus to table the matter until a plan can be presented to provide ventilation, or make the building smoke-free.

STORMWATCHERS: Ed Harmison presented Terry Hollingsworth who is taking Mark Daniels place as Community Emergency Preparedness Coordinator. Dale Fox made a motion, seconded by Mark Criger, to appoint Terry Hollingsworth as the Emergency Preparedness Coordinator for Overbrook. Motion carried. The clerk is write a letter to this effect.

JONES PARK REPORT: Glyn Day, representing the Ball Association, reported to the council that he had some soil samples from the ball diamonds tested. After getting the results, he feels that adding about an inch of river sand and working it in with what is already there should be satisfactory. Day said that they may come back to the council later, but thinks that the ball association will have the funds and labor to do the job for now. The council thanked him for his work, and told him to come back when he had more information about other projects.

POLICE REPORT: Ed Harmison reported to the council that the county canine drug program is on hold until Sheriff Cain contacts more cities. Training time for the handler and insurance liability were some of the concerns of the council. The matter was tabled until more information is available.

CMB SUNDAY SALES: The city attorney's recommendations were discussed. Parts of the proposed ordinance regarding minors being in an establishment which serves less than 30% food were discussed. It was the council's understanding that this is now State law, and can be enforced with or without the city passing this particular ordinance. The council agreed by concensus to table the matter until Chief Dean can be present.

MISC: The clerk reported that the city had received another invoice from Hi-Plains Sand for a late charge they had been billed for in the summer of 1993. An employee from Hi Plains had told the clerk last fall that they were billing the city for this late-charge from one of their vendors because of our paying for the street sealing in two payments rather than one. The council felt that since Hi Plains Sand had agreed verbally to two payments, the city should not necessarily pay any late charges. Dale Fox made a motion, seconded by Bruce Anderson, to write a letter explaining the city's position to Hi Plains before any payment is to be made. Motion carried.

The clerk also explained that the League of Municipalities is asking their membership to vote on how they should expand their headquarters. This will be done by ballot sometime in March.

Sisson's expenses for the Kansas Rural Water Assn. convention in Wichita the end of March. Providing funds at the time of the trip and being reimbursed after the trip were discussed. The council agreed that he can have an estimate at the March meeting or keep all his receipts for reimbursement later.

MAINTENANCE: Bob Sisson told the council that when the decision is made on street resealing, he felt that something extra should be considered on Maple from Santa Fe Trail on south. The mayor mentioned the possibility of cutting it down and overlaying it with asphalt and putting a sidewalk at curb level.

Bruce Anderson asked if the "no-parking" signs were installed across from Marshall's Automotive. Bob Sisson said they had been ordered and would be put up soon.

Sisson was also told that the "no-parking" sign at 207 W. 10th needs to be replaced.

MISC: Mark Criger told the council that he works with a man who's trying to go to medical school, and was asking about some kind of city assistance. After discussing the doctor situation, the council agreed to ask Cliff O'Bryhim and/or J.A. Cordts to come to the next meeting with an update on the progress of replacing Dr. Ruble.

POOL PERSONNEL: Mark Criger reported that Coleen Babbitt was contacted about managing the pool again this summer, but she is not interested. He said that JoEllen Criger is willing to be manager. Carolyn Meerian made a motion, seconded by Dale Fox, to hire JoEllen Criger to manage the pool in 1994. Motion carried, with Mark Criger abstaining. Pool salaries will be discussed at the March meeting.

CROSSWALK: Bob Sisson told the council that the light for the school crosswalk is ready whenever KPL gets the pole set for us.

Dale Fox made a motion, seconded by Mark Criger, to adjourn the meeting at 8:50 P.M. Motion carried, meeting adjourned.

Respectfully submitted,

Cheryl L. Brown,
Clerk

APPROVED: 3-9-94

MINUTES

REGULAR MEETING OF THE COUNCIL

JANUARY 12, 1994

MEMBERS PRESENT: Carolyn Meerian, Dale Fox, Bruce Anderson, Dennis Graves, Mark Criger, Mayor Richard Hamit.

OTHERS PRESENT: Max Friesen, Bob Sisson, Glyn Day, Jim Duncan, Lila Hamit, Rick Keefover, Ron Dean, David Cain, arrived at 7:40 P.M.

The meeting was called to order at 7:30 P.M. by Mayor Hamit. The roll was called by the assistant clerk in the clerk's absence. There was a quorum present.

MINUTES/WARRANTS: Carolyn Meerian made a motion, seconded by Bruce Anderson, to approve the minutes from the December meeting with some changes in the wording. Motion carried.

After some discussion about the city buying more gas at Jack's when the price is lower, Mark Criger made a motion, seconded by Dennis Graves to approve payment of all warrants. Motion carried.

CHECK SIGNERS: Bruce Anderson made a motion, seconded by Mark Criger, to approve Richard Hamit, Max Friesen, Cheryl Brown, and Carolyn Meerian as authorized check signers for the city. Motion carried.

DEPOSITORIES: Carolyn Meerian made a motion, seconded by Dale Fox, to name Kansas State Bank and First Security Bank as authorized depositories for the city of Overbrook for 1994. Motion carried.

DRUG/CANINE PROGRAM: Police Chief Dean introduced Sheriff David Cain to discuss the possibility of the county starting a canine program for narcotics and tracking similar to the Highway Patrol program. The intention is to build up a trust fund with monies from search warrants and forfeitures from car stops. This money can be used to buy equipment and other special projects. Sheriff Cain explained that these forfeitures can take from two weeks to two years, and also how the procedure works in Osage county through the County Attorney's office. The sheriff has presented the program to all the department heads in the county, but has not heard from all the communities as to how much support they can give. The council agreed that the program would be worthwhile, but asked for more information as to the cost before making any final decisions. Sheriff Cain was thanked for coming.

JONES PARK/BALL DIAMONDS: Jim Duncan and Glyn Day came before the council to discuss problems with the ball diamond drainage. Glyn Day explained that the north diamond doesn't drain the way it should. The Ball Association would like to put a new surface of a mix of sandy clay and mortar sand on the diamond. Day had learned that

results. Day had checked with some of the quarries to see where we can get this mix. The council was in favor of making the improvements, but tabled any decision until they have more information. Bob Sisson mentioned that the city had had extra trouble keeping the park mowed last summer because of the wet conditions.

ZONING CHANGE: Rick Keefover came before the council to ask for passage of an ordinance to change the zoning from residential to commercial at 401 Walnut. The Planning Commission had recommended the zoning change after the hearing on December 29, 1993. After discussion, Bruce Anderson made a motion, seconded by Dale Fox, to adopt Ordinance 185 to change the zoning at 401 Walnut from Residential (Multiple Dwelling) to Commercial. Motion carried. Keefover told the council that they were hoping to open the business, From The Heart, by March 1.

POLICE CHAPLAIN: Mayor Hamit told the council that he had learned from Ira Allen that the extra cost for workman's comp would be based on minimum wage rates, probably not to exceed \$100 per year. After some discussion, the council agreed by concensus to pursue the matter of Pastor Perry serving as volunteer Police Chaplain depending on the actual cost of additional insurance.

AGENT OF RECORD: Mayor Hamit presented a letter to Employer's Mutual Insurance Co. naming Ira Allen as the city's agent of record. This is required by the company as they only allow one agent to get quotes for premiums at a time, and at this time Scott Thompson with Citizen's Insurance of Osage City is the city's agent. After some discussion, Dennis Graves made a motion, seconded by Carolyn Meerian, to name Ira Allen as agent of record to get quotes from Employer's Mutual Insurance. Motion carried.

SCHOOL CROSSING: Chief Dean reported that he had gotten an estimate from Don Keim of \$980.00 to mount lights at the crosswalk at 7th & Maple. Chief Dean thinks that lights for both southbound and northbound traffic can be mounted on one pole. This estimate is with KPL setting the pole. Councilmember Fox brought up the possibility of mounting the lights over the intersection. Dean said this would be alot more expensive. He also recommended using a 12" light; the ones on the highway crosswalk are 6" lights. Mark Criger made a motion, seconded by Dennis Graves, that a pole with 2 12" lights be installed at the crosswalk at 7th & Maple. Motion carried.

SUNDAY CMB SALES: Chief Dean gave the council a copy of the changes and recommendations for the sample ordinance to be considered to regulate Sunday CMB sales. He is recommending that the food sales be 60% of total sales. He also pointed out that this ordinance prohibits minors from being in a business that is licensed to sell cereal malt beverages for on-premises consumption unless they are employed there or in the company of a parent or guardian, or if the licensed establishment derives not more than 30% of its gross receipts in each calendar year from the sale of cereal malt beverages

responsible for determining the percentages of food and CMB sales. The matter was tabled until possible changes could be discussed with Steve Jones.

MISC: The mayor reported that he had had a conversation with a state Department of Health representative regarding the new non-smoking laws. He was told that if a public office services 10 or more customers a day, they are required to provide a smoke-free environment. If a smoking area is designated, it must be separate from the smoke-free area and properly ventilated. Also, government offices are not required to provide a smoking area. The matter was tabled until more information can be obtained.

LIBRARY COMMITTEE: Cindy O'Bryhim contacted the mayor about a "think-tank" committee to help with improvements of the library, and would like to have a councilmember on the committee. After some discussion, Ron Dean and Dale Fox expressed interest in being on this committee.

POOL CONCERNS: Mark Criger mentioned that it's time to start thinking about the swimming pool. Bob Sisson said the diving board will need to be replaced this season. Estimates are to be obtained for further consideration. Councilmember Criger is to start the procedures for hiring a manager.

Dale Fox made a motion, seconded by Bruce Anderson, to adjourn the meeting at 10:00 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,
Clerk

APPROVED: _____

2-9-94