

**REGULAR COUNCIL MEETING
CITY OF OVERBROOK**


MINUTES – July 14, 2010

<p>CALL TO ORDER, ROLL CALL: (A.)</p>	<p>Mayor Don Schultz called the July 14, 2010, regular council meeting to order at 7.03 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas.</p> <p>Roll call was taken and it was determined that a quorum was present. Mayor Don Schultz and Council Members Jim Gates, Carol Baughman, Dorthy Chikly, Tadd Goodyear and Jon Brady were present. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Don Bryant, Vic Robbins and Sheila Dale. Members of the public were also present at the meeting.</p>
<p>ADDITIONS/CHANGES TO AGENDA: (A.1)</p>	<p>Mayor Schultz requested approval to make the following change to the Agenda:</p> <ul style="list-style-type: none"> • Move Item F.1 Proclamation honoring the 90th Anniversary of American Legion Post #239 to the August 2010 Meeting Agenda.
<p>MOTION, APPROVE AMENDED AGENDA: (A.1)</p>	<p>Dorthy Chikly (Carol Baughman) moved to approve the amended Agenda. Motion passed 5-0.</p>
<p>MOTION, APPROVE CONSENT AGENDA: (B.1a, B.1b, B.1c, B.1d, B2)</p>	<p>Following discussion, Jim Gates (Tadd Goodyear) moved to approve the consent agenda with the following caveat:</p> <p>The engineering fees for the street and water system improvement projects will be held and paid later with Bond monies.</p> <p>Motion passed, 5-0.</p>
<p>TREASURER REPORT: (C.1)</p>	<p>Patty Hylton presented her written report. Patty is working on a debt service review. Patty is to follow-up with Jim Long and hopefully be able to set a budget meeting up with him on July 26th or 27th.</p>
<p>CITY CLERK REPORT: (C.2)</p>	<p>Jim Koger presented his report. Following discussion, consensus was for the clerk to order some stationary with the City Logo. The Clerk is also to follow-up on the Birrell variance.</p>
<p>MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)</p>	<p>We inadvertently skipped this item. The report was given later in the meeting.</p>
<p>LAW REPORT: (C.4)</p>	<p>Officer Quigley gave his report. There was discussion about the upcoming National Night Out, Tuesday August 3rd, in Carbondale. The consensus was that we would participate.</p>
<p>POOL REPORT: (C.5)</p>	<p>Following discussion, consensus was that Anthony Capra could scrape and paint the pool house floor (following the end of the pool season) at the same rate he was receiving as a lifeguard. Don Bryant is getting bids on painting the pool. Discussion next centered on the apparent leak on the east side of the pool. This is to be an item on the next meeting agenda, with a thumb-nail plan to investigate the issue.</p>
<p>CITY BOARD REPORTS: PLANNING & ZONING:</p>	<p>Planning and Zoning Chair Sheila Dale discussed items with the Council. The Clerk is to pull existing city ordinances related to nuisances and forward them to</p>

(D.1)	the Council and P&Z for input for the August Council Meeting. The Clerk is also to request that Michael Coffman attend the August Council Meeting to help review the documents.
CITY BOARD REPORTS: PARK & REC. (D.2)	The packet included a written report from Park and Rec VP Noel Edwards. There was discussion about the need for budget input from the Park and Rec Board. Consensus was for the Clerk to place a box ad in the Herald-Chronicle once the season was over.
CITY BOARD REPORTS: LIBRARY: (D.3)	On Thursday, July 22 nd , the Glen Norton Estate will be making a donation to the Library. The Clerk is to follow-up on the Library Maintenance needs.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The Mayor gave an update on the new roof installation. The installation does not include new gutters- they'll need to be cleaned and worked on in the near future. Board President Cliff Fischer and the rest of the Housing Authority face a challenge- meeting the maintenance needs of a 30+ year old structure without raising rates substantially. More regular Board meetings might be in order.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	<p>Don Bryant presented his report. They will work on potholes this next week and work on installing the T's on the 4 inch water line coming to town from the wells shortly thereafter. There was discussion about the storm sewer along Maple St. The consensus was for Don Bryant to get bids for the one block of storm sewer with drop inlets and connections to the downstream storm sewer. We will discuss this further at the August Council Meeting.</p> <p>There was a written Animal Control report from Karl Umscheid in the packet. No action was taken.</p>
SPECIAL REPORTS: (E.1)	None.
BREAK:	Council took a break at 8:42 p.m. and reconvened at 8:50 p.m.
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins discussed the status of Phase 2 with the Council. There are still unresolved submittal requests for both Insituform and King's Construction. Vic will call both for follow-up. If Vic does not get a good answer, it may be time for the City to contact regarding the submittals. Vic detailed some recent additional inspection that was done while the camera crew was here. There will be a change order for a spot repair near Cedar Street north of 1 st west of Ash St. The project deadline is October 20 th .
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS/STREET (F.2a, F.2b)	<p>There was discussion about the Street project. The bid opening is at 2PM on July 30th. Any additions on Sunset Lane could possibly be a change order.</p> <p>Vic Robbins led the discussion regarding the bid tabulations for the Water System Improvements Project. The bond for the apparent low bidder (Heartland Midwest) reviewed okay. Vic had placed phone calls to references but was not able to reach all of them. Results have been good so far but Vic wanted to talk to a couple more before finalizing his decision. Jim Gates (Dorthy Chikly) moved to approve the bid from Heartland Midwest pending the final approval of Vic Robbins and Mayor Don Schultz. Motion carried 5-0. There was discussion about the possibility of a</p>

	change order in regards to the asphalt on Maple being coordinated with the street project asphalt contractor. No action was taken.
CITIZEN CONCERN: MARK, LISA AND OWEN TOMLINSON: (SPECIAL ADDITION TO THE AGENDA)	The Tomlinson's addressed the Council in regards to an incident that had just occurred in the parking lot at the City Swimming Pool. Their son had tripped near one of the parking blocks and had been poked in the face by a piece of rebar that was used to keep the parking block in place. Their son had escaped serious injury, but since many of the parking blocks had rebar that extended above the block surface, the Tomlinson's requested that someone take a look to see if anything could be done before anyone else got hurt. The Mayor asked Don Bryant to address the issue first thing Thursday morning. The Mayor and Council thanked the Tomlinson's for attending and wished Owen a speedy recovery. If they needed anything further, the Mayor suggested that they bring a written report to the Clerk and we could proceed from there.
UNFINISHED BUSINESS: 323 MAPLE: (H.1)	Scott Averill was unable to attend the meeting. The Mayor detailed the phone conversation he had with Mr. Averill prior to the meeting. The previously discussed grant was not approved. This is a priority and we should see physical work to begin within 30-45 days. No action was taken.
UNFINISHED BUSINESS: STATUS OF PURCHASE AGREEMENT FOR RIDGWAY LODGE #62: (H.2)	Following discussion, Dorthy Chikly (Tadd Goodyear) moved to approve the lease agreement and submit it to the Lodge for their review. Motion carried 4-0 with Jim Gates abstaining.
UNFINISHED BUSINESS: SIGN RETRO REFLECTIVITY FOLLOW-UP: (H.3)	Don Bryant presented a report indicating the number of street signs that we would need to update. Consensus was that we would pursue grant opportunities.
UNFINISHED BUSINESS: DISCUSSION OF POLICY FOR DISTRIBUTION OF PUBLIC FUNDS TO SPECIAL INTEREST GROUPS: (H.4)	No further information. Item was tabled.
UNFINISHED BUSINESS: STATUS OF PROPOSED NUISANCE ORDINANCE FOR THE CITY: (H.5)	This item was discussed earlier in the meeting during the Planning and Zoning report.
UNFINISHED BUSINESS: DISCUSSION OF SCHEDULE FOR EMPTYING RECYCLE TRAILER: (H.6)	Tuesday is now the regular pick-up day, major holidays may set it back a day.
OTHER UNFINISHED BUSINESS: (H.7)	Vic Robbins asked if anything further needed to be done on the Coursen sewer claim. The clerk is to follow-up with our insurance company. There were no further Unfinished Business items.
NEW BUSINESS:	Following discussion, Dorthy Chikly (Carol Baughman) moved to accept and

<p>REVIEW FOR APPROVAL A RESOLUTION ESTABLISHING A DRUG- FREE WORKPLACE: (I.1)</p>	<p>approve Resolution 2010-05, establishing a drug-free workplace. Motion carried 5-0.</p>
<p>NEW BUSINESS: 2011 BUDGET PREPARATION DISCUSSION: (I.2)</p>	<p>Following discussion, the consensus was for Patty Hylton to work with Jim Long, CPA, to prepare the budget for review. They were to pay particular attention to how we could address the additional debt service needed for the water system improvement project. We'd need to have this for a work session planned for either July 26th or 27th. Any Department budget information as well as the debt service information for the new bonds should be forwarded to Jim Long in time for the work session. The Budget Hearing will be on August 16th at 7PM at City Hall. The Clerk is to forward the proposed budget to the paper for publication on August 5th.</p>
<p>NEW BUSINESS: REVIEW COUNCIL PAY PROCEDURE: (I.3)</p>	<p>Following discussion, Dorthy Chikly (Jim Gates) moved to change section 1 of Ordinance #286 to reflect that theirs was a volunteer service with no compensation. A roll call vote was requested by the Mayor. Votes were cast as follows:</p> <p>Tadd Goodyear: Aye Jon Brady: Aye Jim Gates: Aye Carol Baughman: Aye Dorthy Chikly: Aye</p> <p>Motion carried 5-0.</p> <p>There was further discussion about whether this would be retroactive to January, 2010. The consensus was yes.</p> <p>The clerk is to discuss with Michael Coffman and have the updated Ordinance for the August Council Meeting.</p>
<p>NEW BUSINESS: NEW PARK AND REC MEMBER TO REPLACE BRIAN KUERMAIER: (I.4)</p>	<p>No candidates were available yet for approval so the Council and the Park and Rec Board will need to continue to work on this item.</p>
<p>NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.5)</p>	<p>Following discussion, no action was taken. Representatives from both Galaxy and Zito should be at the next Council Meeting to discuss further.</p>
<p>NEW BUSINESS: REVIEW ENFORCEMENT OF NON-SMOKING LAW: (I.6)</p>	<p>Mayor Schultz discussed the conversation he had with Sandy Jacquot at LKM regarding enforcement of the new non-smoking law. We'll need an ordinance to address. Following discussion, consensus was that we would need one for the new seat belt law as well. The clerk is to look for a template. We will know more when the new STO is released. No further action was taken. Council Member Tadd Goodyear left the meeting during this discussion as he was working nights this week.</p>
<p>NEW BUSINESS: OTHER NEW BUSINESS: (I.7)</p>	<p>Mayor Schultz indicated that he had recently received an email from a concerned resident about smoking at the ball park. The Council discussed the matter but no further action was taken at this time.</p>

<p>PUBLIC COMMENTS: (J.)</p>	<p>Suzie Whalen, reporter for the Osage County Herald-Chronicle, thanked the Mayor and Council. This was first Council Meeting she had covered.</p>
<p>COUNCIL MEMBER COMMENTS: (K.)</p>	<p>Jim Gates, Carol Baughman, Dorothy Chikly, and Jon Brady: None.</p>
<p>MAYOR'S REPORT: (L.)</p>	<p>The Mayor reminded the Council that they were welcome to help at the National Night Out, August 3rd, in Carbondale.</p>
<p>ADJOURNMENT: (M.)</p>	<p>Jim Gates (Dorothy Chikly) moved to adjourn the meeting at 10:47 p.m. Motion passed, 4-0.</p>
<p>Respectfully submitted,  Jim Koger City Clerk APPROVED: August 11, 2010</p>	