

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 Meerian 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

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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 concensus 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 concensus 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 concensus 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 stipes 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 stipes 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