

**REGULAR COUNCIL MEETING
CITY OF OVERBROOK**

MINUTES – August 11, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the August 11, 2010, regular council meeting to order at 7.00 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. 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, Patty Hylton, Michael Coffman, Bill Jacobs, Chelsea Luther and Sheila Dale. Members of the public were also present at the meeting.
MOTION, APPROVE AGENDA: (A.1)	Dorthy Chikly (Jim Gates) moved to approve the Agenda. Motion passed 5-0.
MOTION, APPROVE CONSENT AGENDA: (B.1a, B.1b,B.1c,B.1d, B2)	Following discussion, Jim Gates (Carol Baughman) moved to approve the consent agenda. Motion passed, 5-0.
TREASURER REPORT: (C.1)	Patty Hylton presented her written report. The Council would like to see a pool summary at the next Council Meeting. If any of the department liaisons need anything for the budget hearing, please contact Patty for further budget detail.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. The Clerk is to order flowers for Steve Simmon's family. Garrett Nordstrom will be available by phone during the Heartland Midwest pre-construction conference on Friday, August 13th. There was also discussion about the number of signatures needed for the petition that was circulating in regards to putting to vote the possibility of opening a liquor store within our city limits. Next the Council discussed the possibility of pursuing legal action on some of oldest past due accounts. Dorthy Chikly (Carol Baughman) moved to establish a policy where we first send the past due accounts to the Credit Agency, the Kansas Set-Off Program, and, if applicable, special assessment. If, after a sufficient period of time has passed and the debts remain, we will pursue legal options. Motion carried 5-0.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant was absent. Jim Koger discussed the iron issue in regards to the 4 inch line coming to town. As this will be the first time we pig the line, we need to be sure to stay in contact with the rural customers to resolve issues that may arise as a result of the pigging.
LAW REPORT: (C.4)	Officer Harmison gave his report. The new state seat belt law and the new non-smoking law can now be enforced once our ordinance is published. We are approaching case #100 for the year.
POOL REPORT: (C.5)	Chelsea Luther is not yet at the meeting. We will discuss the Pool Report after she arrives.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	Planning and Zoning Chair Sheila Dale discussed items with the Council. Following discussion regarding the RV at 403 W Market, the Clerk was instructed to write the property owner a letter indicating that the property is zoned residential. If they plan on bringing in anything other than a single-family residence, they will need to apply through Planning and Zoning for a zoning change or a conditional

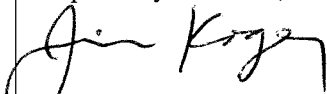
	use permit.
POOL REPORT: (C.5)	<p>Chelsea Luther discussed pool items with the Council. She will send her written report via email. Chelsea will also ask Tammy to send a pool concession stand report. Chelsea suggested the following be addressed before the next pool season:</p> <p>The leak amounts to about 3 inches of water lost off the entire pool each day. Need exists for a third lifeguard chair (more permanent than what currently using). The doors need to be winterized. The pool needs to be winterized. Both diving boards need fixed/replaced.</p> <p>The last day for the pool to be open is August 29th. The consensus was that it would be a free swim day.</p>
CITY BOARD REPORTS: PARK & REC. (D.2)	No report.
CITY BOARD REPORTS: LIBRARY: (D.3)	Mayor Schultz discussed the substantial gift to the Library from the Glen Norton Estate. The Library Board is working on plans for utilizing the gift.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The roof work is done. A Board Meeting is planned soon.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
SPECIAL REPORTS: (E.1)	None.
SPECIAL RECOGNITION: AMERICAN LEGION POST #239: (F.1)	Mayor Schultz read a special proclamation extending a Certificate of Recognition to the Anderson-Raible American Legion Post #239 as they celebrated their 90 th Anniversary.
SPECIAL RECOGNITION: DALE FOX: (F.2)	Mayor Schultz read a special proclamation extending a Certificate of Recognition to Dale Fox for his many years of service to Overbrook and the surrounding communities.
PROJECTS IN PROCESS: SEWER-PHASE 2: (G.1)	Bill Jacobs addressed the Council. King's Construction began about 2 weeks ago and has already placed approx. 1500 feet of pipe. Next week they will finish the piping at the lagoons and begin sloping. King Engineering has inspectors on site. The Clerk is to follow-up on whether Insituform has met the required submittals.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS: (G.2a)	This item will be discussed following the Street Project discussion.
PROJECTS IN PROCESS: STREET: (G.2b)	Bill Jacobs gave his report. Joanne Allen, 608 Sunset Lane, was in attendance to discuss the possibility of Sunset Lane being included in our Street Project. Following discussion, based on the amounts of our bids, Bill Jacobs recommended that the Council consider adding Sunset Lane and Sycamore to our overlay project

	<p>and to chip-and-seal the streets at the Meadowbrook 2 subdivision.</p> <p>Bill Jacobs indicated that he had completed his review of street project bids. References had been checked. He recommended that the Council accept the bid from the apparent low bidder, Little Joe's Asphalt. Little Joe's would haul the asphalt from Lawrence and we would keep the millings. Little Joe's has submitted their list of subcontractors. Jim Gates (Dorothy Chikly) moved to accept Little Joe's low bid for the street project in the amount of \$464,809.09. Motion carried 4-0. The approximate start date is September 13th. We will use KDOT specs for temperature for the Chip and Seal process. King Engineering will flag out drainage and patching areas. It will be typical for Little Joe's to hang door hangers before they do a street. They would like to pave lots of the streets at full width. They will put up a sign.</p> <p>Jon Brady led the discussion regarding drainage on Maple Street south of Santa Fe Trail Drive. Bill Jacobs will bring a drawing to our next meeting. Don Schultz asked that Donna Crawford (or Garrett Nordstrom) be at our next meeting to discuss the best way to handle this.</p>
BREAK:	<p>At 8:25 PM Dorothy Chikly (Carol Baughman) moved to take a 5 minute break; Motion carried 5-0. At this time Mayor Schultz excused Council Member Tadd Goodyear for the remainder of the meeting so Tadd could attend to his Fair Board duties on the first night of the fair. The Fair Board could use help on Saturday afternoon at the food stand. The Council returned from break at 8:35PM.</p>
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS: (G.2a)	<p>The pre-construction conference with Heartland Midwest is scheduled for Friday, August 13th. There has been a slight delay regarding the rock used for bedding material. There was discussion about the bedding on Maple.</p>
NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.4)	<p>Mayor Schultz requested an Agenda Change. Art Sheltron, Lead Technician for Galaxy Cable, was in attendance to discuss the sale of Galaxy to Zito Midwest. Following discussion, the consensus was to review Ordinance #109, along with our updated Franchise Agreements, to make sure that the new agreement doesn't conflict with our existing ones. No further action was taken.</p>
UNFINISHED BUSINESS: REVIEW ENFORCEMENT OF NEW STATE NON-SMOKING, SEATBELT LAWS: (H.1)	<p>Following discussion, consensus was that this item will be addressed with the publication of Ordinances #350 and #351 approved earlier in the meeting. No further action was taken.</p>
UNFINISHED BUSINESS: STATUS OF PURCHASE AGREEMENT FOR RIDGEWAY LODGE #62: (H.2)	<p>Following discussion, the Clerk is to get the agreement to Jim Gates. We will discuss further at the next Council Meeting.</p>
UNFINISHED BUSINESS: STATUS OF PROPOSED NUISANCE ORDINANCE FOR THE CITY: (H.3)	<p>Following discussion, the consensus was for Michael Coffman to give a Draft Nuisance Ordinance to Sheila Dale for review. Jon Brady and Jim Gates will work with Planning and Zoning and then bring the document back to the Council to review.</p>
OTHER UNFINISHED BUSINESS: (H.4)	<p>Dorothy Chikly asked if we had an update on the National Night Out Event. Consensus was for Officer Quigley to follow-up next meeting.</p>

<p>NEW BUSINESS: REVIEW PLAN FOR LEAK AT POOL: (I.1)</p>	<p>Following discussion, this item requires further investigation. We will discuss further at the next Council Meeting.</p>
<p>NEW BUSINESS: DISCUSS POOL PAINTING PLANS: (I.2)</p>	<p>Following discussion, the hope is to paint the pool before it opens in 2011. We will discuss this further at an upcoming Council Meeting.</p>
<p>NEW BUSINESS: NEW PARK AND REC MEMBER TO REPLACE SCOTT WARREN: (I.3)</p>	<p>This item was addressed earlier in the meeting. The Board will continue to look for candidates.</p>
<p>NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.4)</p>	<p>This item was addressed earlier in the meeting.</p>
<p>NEW BUSINESS: REVIEW OF REQUEST FROM CITY OF ST. MARYS TO ADOPT RESOLUTION REGARDING AD VALOREM TAX: (I.5)</p>	<p>Following discussion, the consensus was for us to send a letter of support to the City of St. Marys. The Mayor will work on this with the Clerk.</p>
<p>NEW BUSINESS: END OF PROBATION PERIOD AND SALARY ADJUSTMENT FOR MAINTENANCE DEPARTMENT SUPERVISOR: (I.6)</p>	<p>Following discussion, Jim Gates (Dorothy Chikly) moved to increase Don Bryant's salary the equivalent of \$1/hr for a 40 hour week. There was further discussion about whether we have had a review. Mayor Schultz conducted one about half way through the probation period but will schedule a second one soon. Jim Gates (Dorothy Chikly) amended his motion to include a second review and to make the increase retroactive to 6 months. Motion carried 4-0.</p>
<p>NEW BUSINESS: OTHER NEW BUSINESS: (I.7)</p>	<p>There was discussion about the possibility of adding stop signs on Santa Fe Trail Drive (both east and west of Maple) based on traffic counts. Consensus was to make a request for additional input from Officer Harmison and then discuss this topic at a future meeting.</p> <p>There was also discussion about our shut-off policy and the amount required to reconnect service. The Clerk is to bring our Ordinances (plus the LKM Model Ordinance) to the next Council Meeting.</p> <p>The Mayor discussed a recent request by a resident to have a miniature horse in town. Following discussion, consensus was to have Planning and Zoning look at this request. The Clerk is to bring our Ordinances along with the input from Planning and Zoning to our next Council Meeting. The Clerk is also to let the requestor know that we will discuss the item further at our next meeting.</p>

PUBLIC COMMENTS: (J.)	None.
COUNCIL MEMBER COMMENTS: (K.)	Carol Baughman, Dorthy Chikly, and Jon Brady: None. Jim Gates: The Ridgeway Lodge Golf Tournament is August 28 th . They need teams. It's a full tournament with 18 holes with cart and lunch. They are raising money for band camp for SFT students.
MAYOR'S REPORT: (L.)	The Mayor reminded the Council that he will not be at the September Council Meeting. He will be out of town for his son's wedding. Don recommended that at some point we consider purchasing a conference phone. Monday night 8/16/10 is the budget hearing.
ADJOURNMENT: (M.)	Dorthy Chikly (Jim Gates) moved to adjourn the meeting at 10:47 p.m. Motion passed, 4-0.

Respectfully submitted,



Jim Koger
City Clerk

Approved:
October 13, 2010