

**REGULAR COUNCIL MEETING
CITY OF OVERBROOK**

MINUTES – October 13, 2010

<p>CALL TO ORDER, ROLL CALL: (A.)</p>	<p>Mayor Don Schultz called the October 13, 2010, regular council meeting to order at 7.02 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. Council Members Tadd Goodyear, Carol Baughman, Dorothy Chikly, and Jon Brady were present. Council Member Jim Gates was absent. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Don Bryant, Patty Hylton, Sheila Dale, Vic Robbins and Bill Jacobs. Members of the public were also present at the meeting.</p>
<p>MOTION, APPROVE AMENDED AGENDA: (A.1)</p>	<p>Tadd Goodyear (Dorothy Chikly) moved to approve the Agenda with the following changes:</p> <p>Item E.4 Brad Remington, the new franchise owner from Wheat State Pizza, is here to discuss items with the Council.</p> <p>Item H.5 Request to place Veteran’s Memorial at City Park.</p> <p>Motion to amend agenda carried 4-0.</p>
<p>MOTION, APPROVE CONSENT AGENDA: (B.1 through B.5)</p>	<p>Following discussion, Dorothy Chikly (Tadd Goodyear) moved to approve the consent agenda. Motion passed, 4-0. Consent Agenda Items were as follows:</p> <p>B.1. Approve August 11, 2010 Regular Council Meeting Minutes B.2. Approve September 8, 2010 Regular Council Meeting Minutes B.3. Approve September 27, 2010 Special Council Meeting Minutes B.4. Approve Warrants B.5. Appoint John Jewell to replace Gregg Childress as Library Board Member</p>
<p>TREASURER REPORT: (C.1)</p>	<p>Patty Hylton gave her report. Following discussion, Patty will be working on the Phase 2 loan request as well as the project cost spreadsheets. Patty will discuss the project costs with Vic Robbins. Jon Brady, Jim Koger and Patty will work on the debt payment review for our next Council meeting.</p>
<p>CITY CLERK REPORT: (C.2)</p>	<p>Jim Koger presented his report. Following discussion, Dorothy Chikly (Tadd Goodyear) moved to purchase 3 sets of no littering signs for the park. Motion carried 4-0. There is an article on special event cmb licenses in our newest issue of LKM Magazine. Consensus was to discuss this item at our November Council meeting. Jim will be attending a KPERS training course on Thursday, October 21st. The office will be closed until lunch that day. Jim will also be in Wichita the week of October 25th for Year 2 of the CCMFOA Clerk Academy. Jim was a scholarship recipient.</p>
<p>MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)</p>	<p>Don Bryant presented his report. A chlorine pump was recently repaired. There was discussion about the water pressure from the wells coming to town. Don B. will continue to monitor this item. The pool leak, along with the pool winterizing, will be addressed next week. The brush hog needs to be replaced. The gear box can’t be repaired. Following discussion, Tadd Goodyear (Dorothy Chikly) moved to approve up to \$2,000.00 to replace our brush hog mower. Motion carried 4-0. Tadd suggested looking at Rhino. The mayor commended Don B. on his good work.</p>

LAW REPORT: (C.4)	Officer Harmison gave his report. The Kansas Highway Patrol is not increasing the \$5 fine amount on the Seat Belt Law. Following discussion, consensus was that we would not change our \$5 fine amount at this time.
POOL REPORT: (C.5)	A written report from Chelsea Luther was in the packet for the Council to review. Included in the report were some items that need to be addressed before the next pool season. We will discuss these items in more detail next month.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	Sheila Dale brought the Council some homework in regards to the Comprehensive Plan that Planning and Zoning is working on. Sheila would like for the Council to work on a Mission Statement (including goals) for next meeting. Sheila also indicated that they were continuing to work on the Nuisance Ordinance.
CITY BOARD REPORTS: PARK & REC. (D.2)	The Council reviewed a written report from Jim Koger. No action was taken. The Soccer Field Dedication is Saturday, October 16 th , at approximately 10:30AM.
CITY BOARD REPORTS: LIBRARY: (D.3)	No report given.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	No report given. Jim Koger indicated that energy consumption forms were being filled out to see if Oak Plaza could qualify for an energy grant. The Mayor reminded everyone that Saturday, October 23 rd , was fall clean-up day at Oak Plaza. Everyone is invited to help out. The clean-up will begin around 8:30AM.
CITY BOARD REPORTS: CEMETERY BOARD: (D.5)	Dorothy Chikly indicated that the Cemetery would be interested in some of the millings from the Street Improvement Project. Following discussion, the Clerk will ask Cliff O'Bryhim to stake out an area for any extra millings to be dumped.
CITY BOARD REPORTS: OTHER: (D.6)	No other reports were provided.
SPECIAL REPORTS: DISCUSS CITY ISSUES DUANE SHUCK: (E.1)	Duane and Lois Shuck were present to discuss a list of concerns. Lois presented the Council with a list and proceeded to review the items. No particular action was taken. However, the Council will review the items and address them as they deem appropriate. The Mayor thanked the Shuck's for attending.
SPECIAL REPORTS: DISCUSSION OF INCREASED COSTS AT OSAGE COUNTY WASTE JOE GREENE: (E.2)	Joe Greene from Osage Waste asked the Council to increase his contract price 4% across the board due to an increase in his cost at the County Transfer Station. Following discussion, Tadd Goodyear (Carol Baughman) moved to approve the 4% increase effective on our November bill. Motion carried 3-1 (Dorothy Chikly). Our contract with Osage Waste is up for renewal in May of 2011.
SPECIAL REPORTS: DISCUSS NORTON GIFT FOR LIBRARY HURST COFFMAN: (E.3)	Hurst Coffman, trustee for the Glen and Claudine Norton estate, was present to discuss the gift the Norton's had left for the library. The Norton's, lifetime Overbrook residents and owner's of the former Northbrook Lumber Co., established a trust in 1989 to benefit our library upon their deaths. This is a tremendous gift (close to a million dollars)- a true blessing for our community.
SPECIAL REPORTS: NEW OWNERSHIP WHEAT STATE PIZZA	Brad Remington was present to introduce himself to the Council. He is the new owner of our Wheat State Pizza franchise. They will plan on re-opening later this month. Mr. Remington requested that the Council issue a CMB for bottled beer

FRANCHISE BRAD REMINGTON: (E.4)	only, on premise only, for their upstairs, basement and patio. Paul Billings will be their Manager. Dorthy Chikly (Tadd Goodyear) moved to approve the CMB based upon receipt of State Approval from Mr. Remington. Motion carried 4-0. Jim Koger is to work on the CMB. Don Schultz will get information regarding the new ownership for our newsletter.
BREAK:	Council took a break at 8:43 p.m. and reconvened at 8:48 p.m (Chikly, Baughman 4-0).
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins gave his report. There was discussion about what would be done with the sludge that was removed from the lagoons. No action was taken. Insituform has about a week left with the lining portion of the project. Once they are done, Mayer can work on the manholes. Vic and Patty Hylton are working on King's Pay Application #2. Yet to be completed Change Order #3 will include the additional cost to spread sludge and the additional cost for miscellaneous items (i.e. the sealing of services by Insituform). The Council next discussed Clean Water connections with Vic. We will need to further address this in the future. Best guess is that there might be as many as 75 homes with lateral drains still connected to the sewer.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS (F.2a)	Vic Robbins discussed the status of the Water System Improvement Project. We've had one change order so far. As we had discussed previously, there will be least 2 additional ones. The paperwork for those should be completed soon. Vic next addressed his concern over the improper placement of waste materials north west of the new soccer field. Vic believes that the work done represents a serious pollution threat to the Overbrook City Lake. Vic, Mayor Schultz, and Jon Brady had met earlier today at the site. Vic also discussed the issue with Brian from Heartland Midwest. This will need to be resolved. We will discuss again at the next Council Meeting. Heartland will also be working on the asphalt pile near the soccer field as well as the curb at 5 th and Maple.
PROJECTS IN PROCESS: STREET (F.2b)	Bill Jacobs gave his report. Following discussion, Bill indicated that they were waiting for additional drainage costs from Little Joe's. Jon Brady requested that Bill let the Council know when he got the prices from Little Joe's so they could decide whether a special meeting would need to be called as a result. Ditch work on the east side of Walnut was discussed next. Bill Jacobs and Don Bryant will continue to work on that issue. The consensus was for the Mayor to sign Little Joe's payment request. Council Member Tadd Goodyear was excused from the rest of the meeting due to his work responsibilities at Westar.
ANIMAL CONTROL REPORT:	Mayor Schultz acknowledged that we had inadvertently skipped the Animal Control Report earlier in the meeting. Karl Umscheid gave his report regarding the number of animals taken to the Carbondale Vet this past month. No action was taken as a result of the report.
UNFINISHED BUSINESS: DISCUSS PROPOSED FEES FOR SEAT BELT LAW: (G.1)	Following discussion earlier in the meeting, the consensus was that the fee would stay at \$5.00.
UNFINISHED BUSINESS: NEW PARKS AND REC MEMBER: (G.2)	Following discussion, Jon Brady (Dorthy Chikly) moved to appoint Rodney Caldwell to the Parks and Recreation Commission. Motion carried 3-0. Mayor Schultz will let Rodney know.
UNFINISHED BUSINESS:	Following lengthy discussion, consensus was for Jim Koger and Don Schultz to

ESTABLISH POLICY ON CITY DONATIONS: (G.3)	work on this some more before the next meeting. We will discuss it again at the November Council Meeting.
UNFINISHED BUSINESS: PROPOSED SALE OF GALAXY CABLE INC TO ZITO MIDWEST LLC: (G.4)	Following discussion, Jon Brady (Dorothy Chikly) moved to approve Ordinance #348 which allowed the transfer of franchise rights from Galaxy Cable to Zito Midwest. Motion carried 3-0.
UNFINISHED BUSINESS: LODGE PURCHASE: (G.5)	We will re-address this issue next month.
UNFINISHED BUSINESS: 323 MAPLE: (G.6)	Following discussion, Dorothy Chikly (Carol Baughman) moved to hold a public hearing regarding 323 Maple. Further discussion centered on the publication requirements necessary. Motion carried 3-0. Jim Koger is to contact Michael Coffman about proceeding with the hearing.
UNFINISHED BUSINESS: NUISANCE ORDINANCE : (G.7)	No action taken as items are still being reviewed by Michael Coffman and Planning and Zoning.
UNFINISHED BUSINESS: DISCUSS PURCHASE OF SKID STEER: (G.8)	Following discussion, consensus was to address this further next month. Don Bryant is to get additional pricing including differences in outright purchase versus lease purchase.
UNFINISHED BUSINESS: REVIEW OF CURRENT UTILITY BILL ORDINANCE #106: (G.9)	Following discussion, particularly in regards to a sewer connection (limited services fee) and the amount necessary to re-establish service, this item will be discussed further next month. Mayor Schultz will work on this item with Jim Koger.
UNFINISHED BUSINESS: REVIEW OF POSSIBLE CREDIT ADJUSTMENT FOR FLUSHING OF WATER LINES IN SEPTEMBER : (G.10)	Following discussion, Jon Brady (Dorothy Chikly) moved to approve a one-time credit of \$12.96 on the water portion of the utility bill for the 35 customers on the 4 inch line that comes to town from the wells east of Overbrook. The credit is to be applied to the November bill. Motion carried 3-0.
OTHER UNFINISHED BUSINESS: (G.11)	There was discussion about two outstanding bills for work done at the ballfields. Consensus was to submit both bills to the Parks and Recreation Commission. There was no other unfinished business.
NEW BUSINESS: DISCUSS SFT AFTER PROM REQUEST FOR DONATION: (H.1)	This item was tabled until Item G.3 (Policy on City Donations) was finalized.
NEW BUSINESS: DISCUSS PROPOSAL TO SPONSOR/COMMERCIAL	Following discussion, consensus was to politely decline the sponsorship at this time.

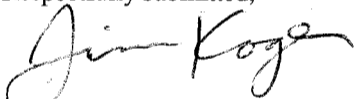
FOR SFT GAMES: (H.2)	
NEW BUSINESS: DISCUSS POSSIBLE REPAIR OF WELL #1: (H.3)	Following discussion, Jon Brady moved to investigate the repair of Well #1. No second was received. Consensus of the Council was to get a bid for the repair from Patchen's. Don Bryant is to contact Royce (at Patchen's) in regards to Well #1 and report back next meeting. No further action was taken.
NEW BUSINESS: DISCUSS CITY HALL FURNACE/AC INSTALLATION IN LODGE KITCHEN: (H.4)	Consensus was to follow-up on this item with Walt Martin. The Clerk will contact Walt.
NEW BUSINESS: REQUEST TO PLACE VETERAN'S MEMORIAL AT CITY PARK: (H.5)	A local group would like to place a Veteran's Memorial at our City Park. No action was required now as plans are in the beginning stages but the group wanted to make the Council aware of the project.
NEW BUSINESS: OTHER NEW BUSINESS: (H.6)	Following discussion, the Council would like to work on establishing a Truck Route in Overbrook. This will be an agenda item for the November Council Meeting.
NEW BUSINESS: OTHER NEW BUSINESS: (H.7)	Mayor Schultz shared information about the opportunity to purchase off-lease mowers from a contact he made at the LKM Conference. Following discussion, we will review this before next spring.
NEW BUSINESS: OTHER NEW BUSINESS: (H.8)	Mayor Schultz spoke with the Council in regards to a hand-held meter reading device that he saw at the recent LKM Conference. The unit itself was around \$5,000.00. Following discussion, Jim Koger is to send requests for more information from similar manufacturers. We will follow-up on this item at a future meeting.
NEW BUSINESS: OTHER NEW BUSINESS: (H.9)	There was no other new business.
PUBLIC COMMENTS: (I.)	Susie Whalen, reporter from the Osage County Herald-Chronicle, verified the spelling of Lois Shuck's name. Susie also inquired as to why we only have one Council Meeting per month!
COUNCIL MEMBER COMMENTS: (J.)	Carol Baughman, Dorothy Chikly, and Jon Brady: None.
MAYOR'S REPORT: (K.)	Mayor Don Schultz asked if anyone was interested in going to the LKM Regional Supper next month in Leavenworth. Please let Don know and he will get you registered.

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ADJOURNMENT:
(L.)

Jon Brady (Dorothy Chikly) moved to adjourn the meeting at 11:47 p.m.
Motion passed, 3-0.

Respectfully submitted,



Jim Koger
City Clerk

Approved:
November 10, 2010.