

MEMBERS PRESENT: Carolyn Meerian, Bruce Anderson, Dale Fox, Mayor Richard Hamit.  
MEMBERS ABSENT: Dennis Graves, Mark Criger.  
OTHERS PRESENT: Ron Dean, Bob Sisson, Max Friesen, Lila Hamit, Loren Rohloff, Bruce Sisson, Rusty Simmons, 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 November regular meeting minutes as written. Motion carried.

Warrants 8897 through 8943 were presented for payment. Dale Fox made a motion, seconded by Bruce Anderson to pay all warrants presented. Motion carried.

SCHOOL PLAYGROUND. Loren Rohloff came before the council with a deed that the school attorney and Steve Jones had prepared to handle the sale of property from the City of Overbrook to USD 434, this property being Lots 2,4,6,8, and 10 in Block 1, in Fairchild's Addition. A portion of this property will be dedicated to a permanent grade school playground embodying a "Santa Fe Trail" theme. After reviewing the contract, Dale Fox made a motion, seconded by Carolyn Meerian, to approve the deed for the sale of the property. Motion carried.

SCHOOL CROSSWALK/SAFETY: The matter of improving the crosswalk at 7th and Maple was again brought up for discussion. Police Chief Dean was in favor of installing a timed blinker that would require traffic to stop. The possibility of adding more signs was also considered. The matter was tabled until the availability of electricity and the cost could be studied.

ANIMAL CONTROL COSTS: The raise in fees proposed by Carbondale Pet Clinic only is to apply to dogs, and not cats. The clerk stated that she had been told that the owner is charged when they pick up the animal. After further discussion, the council agreed by consensus to continue using Carbondale Pet Clinic for animal control purposes.

NO PARKING: Chief Dean stated that he had been watching the parking across from Marshall's Garage, and would order the no-parking signs.

SUNDAY CMB SALES: Bruce Sisson came before the council to ask if the city has any stipulations regarding Sunday beer sales. The

state law allows for Sunday beer sales if 30% of the sales are food. At this time, Reunion Pizza is not open on Sunday's, but would be interested in selling beer if they did open on Sunday's. Chief Dean stated that the city has an ordinance against Sunday CMB sales, but at the time the ordinance was adopted, it was also against state law. Mayor Hamit told Sisson that he had talked to Steve Jones about the matter, and wouldn't be able to give definite answers until further study. Sisson was told that it would probably be the February meeting before a new ordinance could be adopted. He stated that he wasn't in a hurry, but wanted to see what needed to be done. Chief Dean told the council that he had been doing some checking to see what percentages other cities used; he personally was in favor of 50% food sales.

**WATER LEAK/LARGE BILL:** Rusty Simmons came before the council to ask if his water bills could be paid on some kind of a schedule as he had had a water leak which resulted in his owing a considerable amount of money.0. After some discussion, the council approved a payment in addition to his regular bill after the new line is installed. Simmons would be charged for the meter being moved, but not for a new meter.

**PHONE COMPANY MEETING:** Bruce Anderson reported that he had been in contact with United Phone Co. regarding phone complaints. Anderson said he had been being charged for long-distance calls that are not completed. Moses Smith-Dennis, representative for United, suggested that Overbrook have a town hall type meeting. The council felt that a meeting should be scheduled. January 15th, at Kansas State Bank was tentatively chosen for the meeting. It was decided that an ad should be put in the paper, and also a notice put on the January water bills.

**CMB/GAME MACHINE LICENSES:** Dale Fox made a motion, seconded by Bruce Anderson, to approve the 1994 CMB licenses for Casey's, the Patch, O'Bryhim's Thriftway, and Reunion Pizza. Motion carried.

Dale Fox made a motion, seconded by Bruce Anderson, to approve the 1994 game machine/juke box licenses for the Patch, Reunion Pizza, and Shirley's Cafe. Motion carried.

**ZONING CHANGE:** The clerk reported that Cindy Keefover, the new owner of 401 Walnut had filed for a hearing to change the zoning from residential to commercial. The hearing has been scheduled for December 29th at 1:00 P.M. here at City Hall.

The clerk reported that she had been asked by the library treasurer to verify the amount of money received from the county up to this point.

**GIFT CERTIFICATE:** Chief Dean asked if the city was going to present full and part-time employees with gift certificates again this year. Dale Fox made a motion, seconded by Carolyn Meerian, to order \$20 certificates from O'Bryhim's. Motion carried.

**WATER REPORT:** Bob Sisson reported that things seem to be going okay with the water and sewer systems. The new service for

Wally Thomas has been installed. The mayor raised the question about who is responsible for installing tubes. Dale Fox stated that at one time the city did the installing, but there really isn't any set policy. The council agreed that they didn't have a problem with our setting the tube as long as the occupant pays for the tube.

Sisson also reported that the pole we had installed at the grade school flashing light may have to be notched or drilled to meet Dept of Transportation specs.

POLICE CHAPLAIN: Paul Perry, pastor of Overbrook Bible Church, came before the council to say he had volunteered to be the police chaplain with Ron Dean's approval. The clerk said she was waiting to hear from Ira Allen about whether or not the city's workman's comp would cover Pastor Perry. Dale Fox made a motion, seconded by Bruce Anderson to appoint Paul Perry as volunteer police chaplain contingent upon the availability of workman's comp coverage. Motion carried.

BUILDING PERMITS: Carolyn Meerian raised the question about how the year limit on building permits can be enforced. Mayor Hamit said he would talk to Steve Jones about what procedures we should follow. Building codes for the city was discussed. The clerk was instructed to check with the League of Municipalities about requirements for 3rd class cities regarding building codes.

FILL DIRT: Carolyn Meerian asked if she could have some dirt from the sewer lagoons to use on the lot where their business is being built at 5th and Maple. The council agreed by concensus..

MISC: The mayor told the council that someone had talked to him about using a street for parking purposes--the street is not being used a street at the present time. The area in question is the south end of Locust. Mayor Hamit had talked to Steve Jones about the matter, and he advised against letting them park there as the city could be held liable unless the street is vacated. Mayor Hamit said he thought the interested persons should come before the council to state their case.

Dale Fox made a motion, seconded by Carolyn Meerian, to adjourn the meeting at 9:15 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown, Clerk

Approved \_\_\_\_\_

1-12-94