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By: Jim Koger

MINUTES OF THE REGULAR MEETING OF THE OVERBROOK CITY COUNCIL, JANUARY 9, 1980

Mayor Frank Boyd called the meeting to order at 7:30 p. m. Council members present were Bruce Cole, Nadine Cordts, Floyd Greenwood, John Irwin and Davinna Jones.

Minutes of the December meeting were read. Cordts asked that her name be deleted from the paragraph regarding the city park as she had not been the person reporting that the surveyor had staked the park's boundaries. The correction was made and Cole moved the corrected minutes be approved. Cordts seconded and the motion carried.

The list of outstanding bills was studied and Cole moved they be paid. Jones seconded and the motion carried.

For the Housing Authority, Cole reported that finish work was being completed and some units should be ready for occupancy by the middle of February.

Cordts reported no progress regarding the request for funds from the Park and Resources Board as the board had not yet met.

After some discussion of finances, Irwin moved that the city treasurer present a summary of the balances in all funds at the end of each monthly meeting. Seconded by Jones, the motion carried.

Irwin announced that he will present at each meeting a report of water department operations for the previous month.

A discussion of snow-removal problems followed Greenwood's report on the streets and sewers.

Bruce Smith, maintenance superintendent, reported that the lift station between Locust and Sunset streets needs masonry work and that Fluid Equipment Co. had been notified of the malfunction in the radio warning system. The council authorized Smith to have the masonry work done and also approved his request to employ Richard Ufford as a helper when needed. Smith also reported on prices of sump pumps. Greenwood moved the city purchase a 2-inch pump; seconded by Cole, motion carried.

Irwin moved to approve the employment of Duane Tiesler as city marshal effective January 1, 1980. Cole seconded. The motion carried three to one with one abstention. Mayor Boyd is to draw up the contract.

The mayor reported that Kathleen Rose had asked the city to join the Library Board in purchasing a copying machine. Discussion disclosed that most members of the council felt the city does not have need of such a machine and no motion was made.

The mayor also announced that the Kansas State Bank has agreed to deed the area immediately west of the city building to the city.

Fire Chief David Beesley reported that the Overbrook Lumber Company had estimated the cost of materials for the proposed addition to the fire station will be \$11,000, including the concrete work. Beesley estimated the total cost at \$20,000.

Beth Sisson asked the council what should be done with approximately \$700 collected by the Jaycee Jaynes for city street markers since the Jaynes have dissolved their organization. She was asked to contact the Community Betterment Committee.

Max Friesen gave a report on the city's finances and the council approved payment of \$100 to George Malchel for the lease of land at the city water wells.

Cole moved for adjournment and Greenwood seconded. The meeting was adjourned at 9:20 p. m.

Carol Carver
City Clerk

MINUTES -- Regular meeting of the Overbrook City Council -- February 13, 1980

MEMBERS PRESENT:

Floyd Greenwood
John Irwin
Davenna Jones
Bruce Cole
Mayor Frank Boyd

OTHERS PRESENT:

Ken Greene
Mildred Greene
Bruce Smith
Mark Daniels
Bruce Sisson

MEMBERS ABSENT:

Nadine Cordts

The regular meeting of the Overbrook City Council was held February 13, 1980. The meeting was called to order at 7:31 P.M. by Mayor Frank Boyd.

Mayor Boyd asked the members to consider the minutes of the January 9, 1980 meeting. Floyd Greenwood made a motion, seconded by Bruce Cole, that the minutes be approved as written. Motion carried.

The Council was then asked to review the outstanding bills for February as presented by the City Clerk. There was some question about the size of the KP&L bill. It was explained that the January billing for the wells had not arrived in time for the January Council meeting and was subsequently added to the current billing. There was also some question as to whether the City should be obligated to pay the bill for half of the survey of the park area from the general fund. Some felt it should be paid out of park funds. One member suggested the City go ahead and pay the bill and get reimbursement from the park fund. Bruce Cole made a motion, seconded by Floyd Greenwood that all bills be paid. Davenna Jones registered a yes vote with the stipulation that the general fund be reimbursed for the survey by the park fund. Motion carried.

Mayor Boyd introduced the City's new patrolman, Mark Daniels. He explained that Mark and Bruce Sisson had been filling in for the marshal so he could attend training school in Pittsburg. He also said they were looking for at least one, maybe two, more part-time patrolmen since Bruce Sisson would no longer be available.

Mayor Boyd then brought up the subject of a new patrol car. He said the present car is virtually inoperable and would cost more to be repaired than it is worth. He asked what the Council thought about purchasing a used car from the highway patrol. He also asked the Council to consider a no-fund warrant not to exceed \$10,000 to cover the cost of the car and a pick-up truck to replace the City truck which is also in bad shape. The Mayor suggested the Council approve the purchase of the car at this time, with a maximum expenditure of \$2,000 from the general fund, to be replaced at a later date from the no-fund warrant after it is approved by the state board of tax appeals. Bruce Cole made a motion, seconded by Floyd Greenwood, to authorize the purchase of a patrol car with a maximum expenditure of \$2,000. Motion carried.

Next on the agenda was Greene Sanitation Service. Ken Greene explained that since the price of gasoline has been going up so rapidly, he felt the waste removal fee should be raised, as stipulated in their contract with the City. He told the Council that all the cities were having the same problem and most of them went above his cost and built a reserve, this way when the cost of living goes up, they don't have to keep raising the customer's rates. After a brief discussion, Floyd Greenwood made a motion, seconded by John Irwin, to raise the solid waste fee 50¢ per month with 30¢ to go to Greene Sanitation Service and

20c to be held in a reserve fund to cover cost of living increases to the point the 50c is used up. Motion carried. The City Clerk was instructed to send a letter to Greene Sanitation Service, confirming the amendment to the present contract.

Mark Daniels appeared before the Council to explain a Police Cadet program for youth 14 to 18 years of age. He said there was a possibility the program could be federally funded. The Police Cadets would be available during crucial times such as the fair, parades, etc., to direct traffic and serve as foot patrol among other things. They would be required to attend regular meetings and work a specified number of hours each month. They would furnish their own uniforms and the City would furnish the uniform patches. There would be no badges. One member wanted to know what the City liability would be. Mayor Boyd said he would get an opinion from the City Attorney and hopefully the program could begin by the end of the school year.

Bruce Cole reported on the progress of the housing project. He said the pre-final inspection would be February 19 with the final inspection February 28. He said hopefully some apartments would be ready for occupancy March 1 and that appointments were being set up now to get the paper work completed.

Mayor Boyd gave a report on the parks in the absence of Nadine Cordts. He said Councilwoman Cordts told him she was working with the park and resource authority. He reported that they were creating a Recreation Commission, composed of five members who would plan and supervise the use of the park and develop recreational programs for various age groups. They would be appointed to three-year staggered terms. Mayor Boyd said he would present some names for the Council consideration next meeting.

Bruce Cole said he had done some investigating into financial relief for the City and possibly the City could draft a charter ordinance that would exempt the City from many of the tax lid areas. Mayor Boyd said he would present a draft of the Charter Ordinance at the March Council meeting.

The subject of the City Clerk's salary was discussed. Bruce Cole moved, seconded by Davenna Jones, to set the City Clerk's salary at \$3.50 per hour. Motion carried.

Mayor Boyd announced that Bill Baldwin had not received any monies for the lease of land for the new wells and the subsequent destruction of a half acre (25 bushel) of wheat. John Irwin made a motion, seconded by Bruce Cole, to pay Bill Baldwin the amount specified in his contract and also reimburse him for wheat damage. Motion carried.

John Irwin gave a report on the water department. He said the members of the Council had been invited to attend the next meeting of the RWD. He said the RWD engineer had come up with some figures and the RWD will want a decision at the March Council meeting. It was suggested that the Council might want to call a special meeting to discuss the matter and then make their decision at the regular meeting. Mayor Boyd, having a prior commitment, asked Bruce Smith to attend the RWD meeting in his place.

Floyd Greenwood reported that the streets were in good shape after the snow.

Bruce Smith reported that the City had acquired a new snow blade and mounting was about half done. He also commented there had been only two small water line breaks and one frozen meter in the last month. He reported the early warning system still had a few bugs but hopefully the problems would be worked out soon.

Mayor Boyd reported that so far there hasn't been much progress in finding the vandal/vandals who destroyed the City Christmas tree. He said the KBI was being brought in and possibly the vandals would be apprehended soon.

The Treasurer's report was given by Max Friesen.

Floyd Greenwood made a motion to adjourn, seconded by John Irwin. Motion carried. The meeting adjourned at 9:45 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved March 12, 1980

REQUEST FOR SPECIAL COUNCIL MEETING

Overbrook, Kansas
Feb. 21, 1980

The Honorable Frank Boyd,
Mayor of Overbrook, Kansas

We, the undersigned, councilmen of the city of Overbrook
Kansas, hereby respectfully request you to call a special meeting of
the council to be held at the city hall, Feb. 21, 1980, at 7:00 P.M.
o'clock P, for the object and purpose of considering an ordinance
authorizing the issuance of no-fund warrants.

Signed:

Nathan Cordt
[Signature]
Deanna Jones

Councilmen

SPECIAL MEETING OF OVERBROOK CITY COUNCIL

February 21, 1980

7:15 P.M.

MEMBERS PRESENT:

Nadine Cordts
Floyd Greenwood
John Irwin
Davenna Jones
Mayor Frank Boyd

MEMBERS ABSENT:

Bruce Cole

OTHERS PRESENT:

Mark Daniels

The meeting was called to order by Mayor Frank Boyd at 7:15 P.M. He announced that the purpose of this meeting was to consider Ordinance 103, authorizing issuance of an emergency no-fund warrant not to exceed \$10,000 to pay for the newly acquired patrol car at a cost of \$1,600 and also the purchase of a replacement vehicle for the maintenance department. He suggested that the Council consider a 4-wheel drive truck inasmuch as most of the water line breaks are in areas which are very inaccessible. He also suggested the truck be equipped with a 2-way radio.

One member suggested that the warrant be placed at one of the local banks on a bid basis. The warrant would be placed with the bank making the lowest bid or in case of a tie, it would be split, placing \$5,000 at each bank. There was also a suggestion that letters be sent to both banks, advising each that the bond is up for bid. Mayor Boyd thought it might be well if he talked to John Cordts of First Security Bank informally since he had already spoken to Max Friesen of Kansas State Bank and had been given a 9% figure.

Davenna Jones made a motion, seconded by Nadine Cordts that Ordinance 103 be adopted. Motion carried.

The meeting was adjourned at 7:45 P.M.

Respectfully submitted,


Mildred J. Cannon
City Clerk

MINUTES -- Regular meeting of the Overbrook City Council -- March 12, 1980

MEMBERS PRESENT:

Davenna Jones
John Irwin
Floyd Greenwood
Mayor Frank Boyd

OTHERS PRESENT:

Ken Greene	Shiela Dale
Mildred Greene	Marvin DeShazer
Dave Beesley	Bruce Smith
Tom Ripley	
Mark Daniels	

MEMBERS ABSENT:

Bruce Cole
Nadine Cordts

The meeting was called to order at 7:31 P.M. by Mayor Frank Boyd. The minutes of the February 13, 1980 meeting were reviewed. Davenna Jones requested the words "by the park fund" be deleted from the third paragraph and they be replaced by "from the proper fund." Floyd Greenwood made a motion, seconded by John Irwin that the minutes be approved as written with the exception of the change in the third paragraph. Motion carried.

The minutes of the special Council meeting held on February 21, 1980 were approved as written.

The outstanding bills for the month of February were reviewed. John Irwin made a motion that all bills be paid. Floyd Greenwood seconded. Motion carried.

Mayor Boyd reported he had met with Darrell Leonard to straighten out the problems connected with the radio base set. He said Mr. Leonard told him the set used at Halloween was his own and the one Bruce Smith picked up later was the one that had been carried in the city truck and was ruined. He said the bill he presented in November was for parts and labor for the hook-up for Halloween. Davenna Jones moved that the bill for \$256 be paid. John Irwin seconded. Motion carried.

Ken and Mildred Greene were on hand representing Greene Sanitation Service. There was some discussion as to how much to charge for collections at the retirement housing project. Mayor Boyd said he would check out the business prices and get back with Mr. Greene. There was also some discussion as to how to handle the refuse at the park this summer. Mr. Greene said he would rather go dumpster. Mayor Boyd said he would discuss it with the fair board since it was not city business.

Marvin DeShazer appeared on behalf of the Athletic Association to request the City pay for the lighting of the baseball diamonds this summer as it had done in the past. John Irwin made a motion, seconded by Floyd Greenwood that the City pay for the lighting of the baseball diamonds this summer. Motion carried.

Next to appear before the Council was Dave Beezley representing the Township Fire Department. He said they needed a radio on the township truck and he had gotten notice of 50/50 federal funding from the State Forestry Department. He said it would be a definite benefit to the City because it would ensure getting the township truck back into the city when necessary. He said the deadline was March 15. Mayor Boyd said he was keeping track of all monies spent out of the \$10,000 no-fund warrant and if there was enough money left, he suggested the Council give some thought to the township request. Davenna Jones made a motion, seconded by John Irwin for the City to pay half with the township for a radio in the township fire truck if there is enough money available from the \$10,000 no-fund warrant after all bills are paid in connection with the patrol car, maintenance

truck and radio system if the 50/50 federal funding is approved. Motion carried.

Mark Daniels appeared to discuss the Police Cadet program. Mayor Boyd said he had checked on the City's liability on this program. He said the City did have coverage. The Mayor also asked Mark Daniels to check on the patches and determine how much the cost would be for 10 or 12 with the wording "police cadet, Overbrook". Patrolman Daniels said there was supposed to be an article in the paper about the program after which he would like to talk to the school counselors etc. He said they also needed a place to meet. It was suggested the group use the Council room if available.

Next on the agenda was reports of standing committees:

Mayor Boyd reported on the housing authority in the absence of Bruce Cole. He said he had toured the Community room and two unoccupied units with the Rotary Club and was favorably impressed.

Mayor Boyd also reported on the parks and recreation in the absence of Nadine Cordts. He said they were in the process of appointing a recreational committee. He said four of the five members would be appointed by the governing body and those four would appoint the fifth member. These would be four year staggered terms. Initially the Council would appoint for 1-2-3-4 year terms. His suggestions were Nadine Cordts - 4 year term; John Ramsey - 3 year term; Mary Settles - 2 year term; and Skip Mann - 1 year term. He said he would present a resolution for the appointments at the April meeting.

Floyd Greenwood reported on the streets and sewers. He said when the weather clears and gets warmer they will start the street repairs. Davenna Jones complemented Bruce Smith on a good job of street repair last year. Councilman Greenwood said he had been getting complaints about the streets in the Hackett addition. Mayor Boyd said they would patch holes but the streets had not been accepted by the City so there would be nothing done by the City other than that. Mayor Boyd reported the city attorney was looking into what could be done about this legally.

Mayor Boyd suggested Bruce Smith and the patrolmen survey the town and list everyone who has downspouts running into the ground to see if they are hooked to the sewers. He said there was an Ordinance against the practice.

It was reported that bids would be taken separately for the old pick-up and the tool box.

It was also reported that a meeting with the radio people would be held March 13 and hopefully the radios could be installed soon.

Mayor Boyd asked if there was any objection to changing the designation of the Marshal to Chief of Police. Floyd Greenwood made a motion that the designation of the City's chief law enforcement officer be changed from Marshal to Chief of Police. John Irwin seconded. Motion carried.

Next on the agenda was the consideration of Charter Ordinance 3. Mayor Boyd explained this was a model ordinance obtained from the League of Kansas Municipalities and would exempt the City from everything possible. John Irwin made a motion to accept Charter Ordinance 3. Davenna Jones seconded. Motion carried.

The subject of the lack of payroll records was discussed. Mayor Boyd said in the future all payroll will be paid through the City Clerk thus ensuring proper records.

Mayor Boyd said he had written to the Community Betterment Committee asking their help in obtaining street signs for the 63 intersections of the City. He said the J.C. Jaynes had raised \$700 but at today's prices it was going to cost around \$2,000 which doesn't include installation. He said the new signs would be in the ground three feet and would extend up seven feet, set in concrete. Installation will be done by the City.

It was reported the County Clerk had requested we set up a permanent voter registration outpost at the City Hall. The City Clerk would see that forms were properly filled out and the County Clerk's office would collect them once a week. After a brief discussion, the Council approved the voter registration outpost by consensus.

It was suggested that since there had been some inquiry about cable TV in the city, Davenna Jones look into it and get back with the Council at a later date.

There was some discussion about the City's contract with Midwest Tank. Mayor Boyd said he had received a letter from Midwest Tank stating they would be in the area soon for an inspection. Mayor Boyd suggested the City check into using an engineering firm such as P.S.Y., Consulting Engineers of Olathe to advise if work is necessary.

Mayor Boyd said he had received an invitation for someone to attend a three day grantsmanship training program seminar. He said it would cost \$345 and he felt it would be beneficial to the City to have someone attend.

Mayor Boyd asked the Council members to check their boxes once a week and a few days before regular meetings so the minutes and bills can be reviewed early, thus saving time during the meeting.

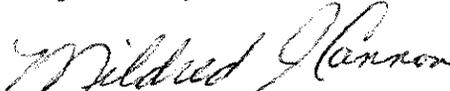
Davenna Jones reported there had been complaints about Vaughn's kennels.

John Irwin requested tabling his presentation on the water situation until all members could be present. He suggested the Council consider calling a special meeting. After some discussion, a tentative date of April 2, 1980 was agreed upon.

The Treasurer reported there had been \$8,740.47 spent from the no-fund warrant leaving a balance of \$1,259.43. He reported the water fund balance is up \$2,000 after taking in \$6,780 and the general fund balance is \$7,284.

Floyd Greenwood made a motion, seconded by John Irwin, that the meeting be adjourned. Motion carried. Meeting adjourned at 10 P.M.

Respectfully submitted,


Mildred J. Cannon
City Clerk

MINUTES - Special Council Meeting - April 2, 1980

MEMBERS PRESENT:

John Irwin	Nadine Cordts
Davenna Jones	Floyd Greenwood
Mayor Frank Boyd	

OTHERS PRESENT:

Bruce Smith

PURPOSE:

To decide whether to join the Rural Water District as a supplemental source of water and discuss possible rate changes.

Mayor Boyd called the meeting to order at 7:30 P.M. After a brief explanation of the purpose of the meeting it was then turned over to John Irwin, Water Commissioner.

Councilman Irwin's presentation included several charts showing the projected future of the water needs, alternatives, current and projected expenses and advantages of supplementing the water system. He explained the summer peak usage was approximately 83 gpm or 120,000 gpd. He said the original 20-year projection was for 24 hour per day pumping and this was not acceptable. He pointed out the water comes from sandstone formations and the water is not readily given up and also, generally, the practice is to work wells no more than 12 hours per day. He said another item that had not been considered on the original projection was wells being down. If one of the wells is shut down, the others, pumping at their present average of 30 gpm, will have to pump 15 or 16 hours a day, which would cause serious problems.

Councilman Irwin told the other members that a decision to develop other sources of water is imperative. He said if the wells play out we will probably have some advance notice and could look for various alternatives at that time but the experts can't agree which will happen first, the water quality becoming poor or the water pumping capacity playing out. The better water available from Clinton Reservoir, when mixed with the well water, will improve the quality of the water and prolong the life of the wells. There is only so much water in the aquifer and it only moves a small number of inches per year.

He said some adjustment on water rates would have to be made at the next regular council meeting. He went on to explain that due to the water crisis last summer, the bond reserve fund had been depleted and in the fall there would be a sizable bond payment due.

The general concensus of the Council was that 40 gpm was needed rather than 25 gpm, which would only take the city to another crisis situation and then would become insufficient. Mayor Boyd commented there wasn't much choice, we either go on RWD or drill more wells.

John Irwin made a motion that the Council authorize Mr. Jack Kramer, Kramer Engineering, to proceed with negotiations for purchasing the 40 gpm capacity of water from the Osage County RWD #5 and report the final cost figures to the Council before any contracts are signed. Seconded by Floyd Greenwood. Motion carried.

John Irwin was commended by the Council for an outstanding presentation.

Sewer maintenance charges were also discussed. The fact that the present sewer charge was for maintenance and not bonds was brought up. Mayor Boyd said the Western Heights area residents were using part of the main sewer system and the lagoons and should be responsible. Also, the City maintains the sewer system in that area. The Mayor said this would be taken care of at the next regular Council meeting. He suggested also it might be well to send each customer in that area a letter of explanation so there would be no question.

Also in connection with the subject of the sewer system, it was suggested the City make application at this time for an EPA 75-85% grant on sewer projects inasmuch as it could possibly take 3 to 4 years to get the grant. If, when the money is available, the City does not need it there would be no obligation to take it, but if there was a major problem the City would not have to wait to seek emergency funding.

At 9:20 P.M., a motion was made by Floyd Greenwood, seconded by Davenna Jones, that the meeting be adjourned. Motion carried.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved April 9, 1980

MINUTES -- Regular Meeting of the Overbrook City Council -- April 9, 1980

MEMBERS PRESENT:

Bruce Cole	John Irwin
Nadine Cordts	Davena Jones
Floyd Greenwood	Mayor Frank Boyd

OTHERS PRESENT:

Kenneth Greene	Sheila Dale
Mildred Greene	Bruce Smith
Lynn Schoonover	Tom Ripley
Dave Beezley	Mark Daniels

The regular meeting of the Overbrook City Council was held April 9, 1980. The meeting was called to order at 7:30 p.m. by Mayor Frank Boyd. The roll was called by the Clerk.

The minutes of both the March 12, 1980 regular meeting and April 2, 1980 special meeting were approved as written.

The outstanding bills for the previous month were considered. One member questioned the excessive charges on the Champlin Oil billing. It was explained that along with regular service station charges, tires had been purchased and also some repair work had been done. Another member questioned the cost listed as 'valve job'. It was explained that this was a complete valve job on the new patrol car. In answer to an inquiry as to a breakdown on the annual payment for the Baldwin easement, the Mayor explained it was for the years '78 and '79 plus cost of living for '79 and reimbursement for wheat damage. The cost of the radio system was also questioned. Mayor Boyd explained the system was being built from scratch and had to be paid for in advance. He said it was a low frequency unit sold only to law enforcement facilities. He added that an antenna had been donated.

The cost of solid waste pick-up at the housing project was discussed. Ken Greene of Greene Sanitation said he felt the project should be charged as individuals because someone has to get into the dumpsters to get things out and sometimes the trash is loose. He said at the present time the dumpsters are inaccessible to the trucks. Bruce Cole said the original budget was set for \$25 per month but this figure was arbitrary. He said he did not feel it was proper to charge individually and people would have no place to store trash between pick-ups. He said it would be discussed at the next Housing Board meeting. It was decided, inasmuch as there was probably excessive waste with most tenants moving in at the same time, the \$66 charge would be paid this time. Future charges would be negotiated.

Nadine Cordts made a motion, seconded by Davena Jones that all bills be approved. Motion carried.

Sheila Dale gave a report on research she had done in connection with Federal grants. Mayor Boyd said possibly he and the fire officials could meet with Mrs. Dale, then decide what are the city's needs, what is available and go from there.

Mark Daniels reported he has an appointment the week of April 14 to talk with the school counselors about the cadet program.

Dave Beezley appeared representing the township fire department. The department wanted to request the Council to authorize the purchase of an exhaust fan, extension cord and matching nozzles for the township fire truck. Mr. Beezley said he felt these items would be beneficial to both the city and the township. He said the department had purchased a generator from money they had raised. After a brief discussion, Bruce Cole made a motion seconded by Nadine Cordts to authorize the purchase of an exhaust fan and extension cord for the township fire truck. Motion carried.

Dave Beezley then requested the Council approve 10¢ per mile reimbursement for drivers when fire personnel attend training seminars. He said the township board had approved 20¢ per mile and he felt, since the training is beneficial to both the city and township, the city might want to pay half the reimbursement. John Irwin moved, seconded by Bruce Cole, that the City pay half the mileage for drivers transporting fire personnel to training sessions that are jointly beneficial to the city and township. Motion carried.

Mr. Beezley announced there was to be a meeting Tuesday April 15 at 7:30 p.m. in the bank basement to discuss the formation of a fire district. He said they would like to extend an invitation to all council members and Mayor Boyd to attend. He said the fire district tentatively would include Marion, Junction, Fairfax and Elk Townships. He said since Melvern and Olivet had just recently formed a fire district, they were to be on hand to give some details which could be beneficial and time saving. Mayor Boyd said he would attend and urged all Council members to attend also. He said the Council would discuss this again at the May meeting.

Bruce Cole reported on the housing development. He said there were six persons receiving assistance and maybe next month there would be more when more money was allocated. He also reported that screen doors were to be installed and since there had been some problems, the recreation room was to be kept locked now and tenants would have their own keys.

Nadine Cordts reported on the parks and recreation. She said she had hired Meg Duncan from Auburn to work at the pool. She said there was \$166.90 in the pool fund now which should be enough to get started. Mrs. Cordts asked the Council to consider raising the rates, specifically the family rates, since the cost of maintenance and payroll has gone up. There was some discussion about having an adults-only night. Mrs. Cordts reminded everyone that the fund was set up for the youth of Overbrook and they have priority always but that this was an item the new Recreation Commission might consider. She said there had been a problem with discipline and asked for the authority, if someone is expelled from the pool twice they would forfeit their right to come back. Mayor Boyd said it had already been agreed that a code of conduct is desirable.

John Irwin reported on the water department. He said a letter was being sent to Kramer Engineering instructing them to go ahead and buy water from the water district and Mr. Kramer is now reviewing the contracts, etc., to protect the city's interests. The raising of water rates was also discussed. It was decided nothing would be done until the city's needs were projected.

The Council discussed the possibility that the homes in the Western Heights addition should be assessed a sewer maintenance charge to conform with the rest of the sewer district. John Irwin made a motion that the 32 homes and businesses in the Western Heights Addition be assessed a sewer maintenance fee to conform with the rest of the sewer district. Bruce Cole seconded. Motion carried.

Mayor Boyd announced the street markers had been ordered and should be delivered soon. He also said most of the street patching has been completed.

Next item considered was Ordinance 104, an amendment to Ordinance 95, deleting "...for a period of 90 days" and adding "This provision shall be construed to apply to mobile homes, which, once removed from a property, may not be replaced by another mobile home in an area not zoned for mobile homes." Bruce Cole moved, seconded by Nadine Cordts, that Ordinance 104 be adopted. Motion carried.

Inasmuch as the Board of Zoning Appeals has been doing an outstanding job and to show the Council supports them 100%, Nadine Cordts made a motion, seconded by Davena Jones that the Board of Zoning Appeals be commended for their outstanding efforts and fair decisions. Motion carried.

Davena Jones reported that it didn't look as if the city of Overbrook would have cable TV anytime in the near future, since none of the companies contacted showed any interest.

Mayor Boyd announced the pick-up truck and tool box had been sold. There was only one bid on each item.

Mayor Boyd said on the matter of Vaughn's kennels, Mr. Vaughn had paid his 1980 license fee but the tags are not in yet. It was decided by consensus that tags purchased between June 1 and December 1 would be assessed a full year, those purchased between ~~January~~ January 1 and June 1 would be assessed for half year.

Mayor Boyd announced the appointments and asked the Council's approval of Liz Cordts to the Library Board replacing Marcia Pool, whose term expired April 1, and Dee Friesen, who has agreed to fill the unexpired term of Dorothy Ramsey. The appointments were approved unanimously.

Zoning ordinance violations were discussed. Mayor Boyd said Skip Mann would be given a deadline to remove junk cars from his premises and Darrell Leonard would be notified of business ordinance violations.

In lieu of research done by Bruce Smith, there were a number of questions raised concerning sewer charges on some businesses and apartments. It was decided Mayor Boyd, John Irwin and Floyd Greenwood would meet and discuss these items and report to the Council at the May meeting.

The Treasurer reported the \$10,000 no-fund warrant has been depleted. He also reported the law enforcement budget was being overspent. He reported the water fund was starting to build now.

It was reported there have been complaints by residents on the streets in the Hackett addition. Bruce Smith was instructed to patch only at this time. Mayor Boyd suggested no more building permits, sewer or water hookups be issued until streets are completed to the City's satisfaction.

Nadine Cordts moved the meeting be adjourned. Bruce Cole seconded. Motion carried.

Meeting adjourned at 10:50 p.m.

Respectfully submitted,



Mildred J. Cannon
Clerk

Approved May 14, 1980

REPORT OF MEETING MAY 1, 1980, TO ADJUST SEWER MAINTENANCE CHARGES

Present: Floyd Greenwood, street and sewer commissioner; John Irwin, water commissioner; Bruce Smith, maintenance superintendent, and Frank Boyd, mayor.

It was the unanimous decision of the above special committee to recommend to the city council the following charges for users who have been paying no sewer fees:

All residents of the Western Heights Addition to pay the regular residential rate of \$2.25 a month with the exception of Brookside Manor, which is to pay the commercial rate of \$3.00 a month.

The Christian Church, a minimum water user, to pay the minimum sewer rate of \$1.50 a month.

The following businesses to pay the commercial rate of \$3.00 a month:

Brenda's Hair Repair
Coffman and Sons
Overbrook Lumber Co.
Post 239, American Legion
Wakarusa Watershed Office
Western Auto Store

Effective date of above charges to be determined by the city council.

Frank Boyd, Acting Secretary

Dorothy Schwanke apartment was added later
also Wakarusa Watershed Office was deleted from list - office had been paying
sewer all along
Coffman and Sons deleted from list - not on sewer - only septic tank

MINUTES -- Regular Meeting of the Overbrook City Council -- May 14, 1980

MEMBERS PRESENT:

Bruce Cole	Floyd Greenwood
Davena Jones	Mayor Frank Boyd
John Irwin	

MEMBERS ABSENT:

Nadine Cordts

OTHERS PRESENT:

Kenneth Greene	Mark Daniels
Mildred Greene	Jack Kramer, P.E., Kramer Engineering
Jerry Nydegger	

The regular meeting of the Overbrook City Council was held May 14, 1980. The meeting was called to order by Mayor Boyd at 7:30 p.m. The roll was called by the Clerk.

The minutes of the April 9, 1980 regular meeting were approved as written.

The outstanding bills of the previous month were considered. Mayor Boyd pointed out that the City was being billed for gas service at Heberling Hall. After a brief discussion it was decided the current bill would be paid by the city but future bills would go directly to the Fair Board for payment. Davena Jones was asked to contact the chairman of the Fair Board.

Also discussed was the placing of dumpsters at the park and swimming pool. Ken Greene of Greene Sanitation Service said the dumpsters would be donated for the ball park and would be put in place after school is out. He said the charge on the dumpster at the pool would be the same as 1979 and it would also be placed after school is out.

Davena Jones said Nadine Cordts had sent word to thank Bruce Smith for the excellent work he had done on the swimming pool.

Bruce Cole reported there is only one unit vacant at the housing project at this time. He said the Housing Authority has agreed to pay the trash pick-up charges suggested by Ken Greene at the last meeting only until the alley is reconstructed making it possible to maneuver the trash trucks into place, at that time the housing authority would negotiate a just and proper fee. The subject of a proper name for the project was brought up. Councilman Cole said it had been named Oak Street Plaza. He also said a plaque is being prepared with the names of all who made contributions.

Mayor Boyd spoke for the Parks and Recreation Commission in the absence of Nadine Cordts. He said Skip Mann had withdrawn from the Commission due to a conflict of time and Jim Gates has agreed to serve in his place.

Mayor Boyd announced he had met with John Irwin, Floyd Greenwood and Bruce Smith on May 1 to study Ordinance 38 relating to sewer charges. It was noted in a copy of the minutes of this meeting that several consumers had not been charged for sewer maintenance and/or trash pick-up, also some were being charged at an incorrect rate. Bruce Cole made a motion that the committee recommendations (see attached) be adopted. Davena Jones seconded. Motion carried.

Mayor Boyd asked the Council what they wanted to do about water and sewer maintenance at the fair grounds inasmuch as the property no longer belongs to the city. After a brief discussion, John Irwin made a motion that the City install one meter at the ball park at no charge, monitor the other valve and bill the fair board for water and sewer only when the park is being used. Floyd Greenwood seconded. Motion carried.

Jack Kramer, P.E., Kramer Engineering, was present to bring the Council up to date on the proposed purchase of water from the Rural Water District. He said everything was at a stand-still until Scranton decides whether they wish to be included in the plan. If Scranton decides against inclusion in the plan, there would possibly be a major change in the dollar amount Overbrook would be assessed.

Mr. Kramer also discussed the procedures for applying for EPA grants.

John Irwin was called upon to discuss the possibility of water rate changes in the future. He said he had not had an opportunity to check his figures with Jack Kramer and asked the Council if they could call a special meeting on May 28 to discuss the pending rate changes. All were in agreement and it was decided to hold a special meeting at 7:30 p.m., May 28 to discuss pending water rate changes.

Bruce Smith reported the banks of the lagoons were being cut up and needed rip-rap on them. He said if they continue eroding and seeping, eventually they will collapse. Mayor Boyd instructed him to prepare an estimate and get back with the Council.

Mayor Boyd announced the street signs had arrived but the posts had not. He said the work would begin as soon as the posts arrive.

Mark Daniels reported the Cadet program was off to a good start with five boys signed up and applications in for two more. He also said the Police Chief had extended an invitation for Council members to ride with the police two or three hours to see what they do, what they are up against and how they operate.

Mayor Boyd announced a tornado alert plan had been worked out with the police and Bruce Smith. When there is a tornado warning, Bruce Smith will take the maintenance truck to an observation point southwest of town and set up a watch -- he will then radio the dispatcher, in turn the police will activate the central siren in town and then cruise the streets using car siren and loud speaker to warn residents, starting on the West side of town.

Under unfinished business, Mayor Boyd said Skip Mann had complied with the orders to remove his junk cars but there was still some problem with Darell Leonard. It was learned Mr. Leonard wished to construct an out-building to house his business. One member noted the interpretation of Ordinance 95, Section 3, paragraph 10 was, a detached garage or out-building could not be construed as a residence. It was also noted Cheryl Snell should be notified since she was in the process of remodeling her detached garage for a flower shop.

Mayor Boyd announced John Jewell and Larry Coffman's terms of appointment to the Zoning Board of Appeals had expired and they did not wish to be reappointed. He asked the Council to approve the appointment of Bob Shepard and Jim Hesseltine. Bruce Cole made a motion, seconded by John Irwin, to approve the appointments of Bob Shepard and Jim Hesseltine to the Zoning Board of Appeals and also Jim Gates for a one-year term to the Recreation Commission. Motion carried.

Mayor Boyd asked the Council if there was any objection to allowing the Methodist Church to use the Council Room for one class for Bible School from June 2 through June 6, 1980. There was no objection.

Mayor Boyd said the Library Board had suggested something be done about the rest room in the city building. He said he and Bruce Smith would prepare an estimate and present it to the Council for consideration.

Mayor Boyd asked the Council what they thought about adding an annual cost of living increase to the City employee's salaries. There was considerable discussion. One member thought that a cost of living clause would not be proper since it would commit future councils and felt it more proper to add that much to the budget and re-evaluate yearly. It was decided by consensus that a cost of living clause would not be added to city employee's contracts.

The Treasurer's report was given. Law enforcement budget is still being overspent and there is still some question as to whether there will be enough funds to pay the October installment on the water bond issue.

Bruce Cole made a motion, seconded by Davena Jones, that the meeting be adjourned. Motion carried.

Meeting adjourned at 10:45 p.m.

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved June 11, 1980 with amendment
see minutes dated
June 11, 1980

MINUTES -- Regular Meeting of the Overbrook City Council -- June 11, 1980

MEMBERS PRESENT:

John Irwin
Nadine Cordts
Davenna Jones

Floyd Greenwood
Mayor Frank Boyd

MEMBERS ABSENT:

Bruce Cole

OTHERS PRESENT:

Tom Ripley
Mark Daniels
Kenneth Greene
Mildred Greene
Sheila Dale
Ed Janssen

Albert Rukes
Dorothy Flory
Mark Criger
Bruce Smith
Lewis Godin
Max Friesen

Representatives from Black Top Construction and Hamm Construction

The regular meeting of the Overbrook City Council was held June 11, 1980. The meeting was called to order at 7:32 p.m. with Mayor Frank Boyd presiding. The roll was called by the clerk.

The minutes of the May 14, 1980 regular meeting were reviewed. It was requested the motion on page 2, para. 1, concerning water meter placement at the ball park be amended to read "The City install one meter at the ball park at City expense. The meter and valve at the park to be used for recording purposes only with no charge for service." John Irwin made a motion the minutes be approved as amended. Davenna Jones seconded. Motion carried.

The outstanding bills of the previous month were considered. There was some question as to whether Greene Sanitation Service had come to an agreement yet with the Housing Authority in regard to pick-up fees at Oak Park Plaza. Kenneth Greene said it was his understanding the pick-up fee was to remain the same until all work had been done to insure that his truck would be able to be maneuvered into proper position to pick up the dumpster. Motion was made by Nadine Cordts, seconded by John Irwin that all bills be approved. Motion carried.

Next on the agenda was the opening of sealed bids for street re-surfacing. Floyd Greenwood opened the bids from Hamm Construction, Black Top Construction, Asphalt Improvement and Lawrence Asphalt. He then asked that the meeting go on for a short period without him while he and Bruce Smith reviewed the bids.

Kenneth Greene was thanked for the timely placing of the dumpsters at the ball park and swimming pool. Mayor Boyd said there had been some inquiry as to bulky pick up. After a short discussion, Mr. Greene agreed, since he was picking up bulky items at regular pick-up time anyway, that the quarterly bulky pick-up would be eliminated. He also said if he could not get all items, he would get them on the Thursday business pick-up. Mayor Boyd suggested this be published in the paper and it could start with the June 24 pick-up. It was also noted the quarterly bulky pick-up had been done free of charge and Mr. Greene's employees also worked that day free of charge.

Lewis Godin was present to request the curfew limit be suspended at the fair grounds to accommodate the Muscular Dystrophy Telethon in September. He said this was now a legal pledge center with Bruce Sisson Telethon chairman and himself Pledge Center chairman. Davenna Jones made a motion to allow the Athletic Association to suspend the curfew limit on the fair grounds to accommodate the Muscular Dystrophy Telethon. Nadine Cordts seconded. Motion carried.

Dorothy Flory was present to speak for the Board of Zoning Appeals. She said they were having some problems and would like to request that no one on the Council, in the City Office, or any one member of the Board of Zoning Appeals make any decisions or give advice one way or another. She said Albert Rukes is the only one authorized to approve a building permit, if he disapproves, it goes before the Board. She also pointed out there was need for permits and applications for various areas of the Zoning Ordinance. Mayor Boyd said there were none available at this time but it would be researched with the League of Municipalities.

The meeting was then turned over to Floyd Greenwood who read the bids as they were submitted. He pointed out that the letter asking for bids had stated the wrong amount of chat and that most of the bids reflected the needed amount. The bids read as follows:

	<u>Base</u>	<u>Alternate 1</u>	<u>Alternate 2</u>
ASPHALT IMPROVEMENT	24,166.	9,904	3,519
with 28 lb chat	25,295	10,407	3,554
HAMM CONSTRUCTION	16,520	6,170	2,650
with 28 lb chat	19,420	7,020	2,710
BLACK TOP CONST.	16,765	7,515	2,515
with 28 lb chat	18,053	8,093	2,550
LAWRENCE ASPHALT	18,000	7,500	3,000
with 28 lb chat	no bid	no bid	no bid

There was lengthy discussion as to whether there was enough money in the Treasury to fund the complete job and what alternate would be done. It was suggested by one member and agreed to by the representatives present that the number of streets in the base bid could be decreased. The Hamm Construction representative said that since Black Top was apparent low bidder, the bid should be let to them even though the number of streets to be done would be less. Mayor Boyd thanked him for his consideration. Floyd Greenwood made a motion that the contract be awarded to Black Top Construction pending further negotiations. Motion carried. Councilman Greenwood thanked the representatives for their time and efforts in presenting their bids.

The meeting went on to the reports of standing committees. In the absence of Bruce Cole there was no report on the Housing Authority. Davenna Jones did announce that the Oak Street Plaza was in need of a wheelchair in order to get people out if an emergency occurred such as tornado, etc. She said this came up during the last storm. Mayor Boyd said that the Tornado Warning Plan had been implemented that night and parts of it were functional and parts weren't and that the police, etc., were reviewing it for areas needing change. He said one thing that was needed was some way to turn the central siren on and have it

go off automatically. It was suggested Bruce Smith research the cost of a fan timer that could be set for a specified number of minutes.

Nadine Cordts reported the adult night at the swimming pool had not been well attended and was probably going to be discontinued. She said season ticket sales had been good and there was good enrollment in the lessons. She said there were several bills that the City previously had paid for the pool but they were now trying to pay themselves. This will continue as long as there are funds available. She also reported she had talked to Irving Niles and Mr. Oberlinger about the park issue and they were personally going to talk to the state, etc., about it and hopefully were looking forward to getting something for us as soon as possible.

Mayor Boyd announced that he and Floyd Greenwood had met to discuss water and street budgets and they felt sewer belongs with water rather than streets. He said the City would, in the future, operate with a Commissioner of Water and Sewers and Commissioner of Streets and Surface Drainage.

Bruce Smith was asked to patch the streets before resurfacing begins.

Mayor Boyd announced the pipe had arrived and the street signs would be installed as soon as possible.

Mayor Boyd presented a bill he had received from Kenneth Finley for work done in moving some asphalt, etc., which had been dumped at the Gruber. Bruce Smith noted this was probably waste from the Housing Project and that Mr. Finley himself was the one doing the work. The bill was discounted.

John Irwin reported on Water and Sewers. He said nothing had developed yet in connection with the RWD. He also had nothing new to report on recommendations for rate changes. He did point out that under Ordinance 98, Section 11, para. F, an audit of the bond fund was required each fiscal year and that the fund was getting large enough that this should be done. It was decided it should be done around January 1.

Mayor Boyd reported that the police department had turned in a total of \$1,175 fines for the month of May. He said there had been some complaint from the highway patrol to Judge Coursen that this was excessive. Mayor Boyd said he felt the highway patrol should not discuss this with the Judge and should contact the governing body instead.

Mayor Boyd announced the police now have a target range at Nat Gruber old quarry. He said in connection with this, Bruce Faust had offered the City 2,000 rounds of reloaded ammunition for \$160 and would refund \$60 when the brass is returned. One member suggested the money could be raised by the selling of the two surplus tubes (around 30 ft. total) the city has, at a cost of \$3.50 per foot which is approximately half the price of new ones. Davenna Jones made a motion that the City sell the two surplus tubes at \$3.50 per foot and use the money to pay for the ammunition from Bruce Faust. John Irwin seconded. Motion carried. John Irwin then made a motion that the City buy the ammunition with this money, to be used for qualification purposes only at the price quoted with a maximum expenditure for the City of \$100 and \$60 refund when the empty shells are returned to Mr. Faust. Also, the firing range be controlled and be used only as a police range by authorized police personnel. Motion seconded by Nadine Cordts

Mayor Boyd announced that Chief Tiesler had received an application from the National Assn. of Chiefs of Police and the cost to the City would be \$25.00 per year. Also included along with the monthly publication would be an \$18.00 pair of handcuffs, to be property of the City, and \$10,000 benefit insurance. After a brief discussion, Floyd Greenwood made a motion that \$25.00 be authorized for the subscription to the NACP publication for one year. Davenna Jones seconded. Motion carried with John Irwin registering a no vote.

One member wanted to impress upon the police force that they be in full uniform when on duty and also all complaints should be signed. It was noted this was not always the case now. It was also noted the police force should be thoroughly acquainted with the criminal code.

Mark Daniels reported the cadets were doing well. There are 6 signed up and approved and 2 more have applied and are on their 30 day probation. He said they meet the first Thursday of each month and provide their own uniforms of Navy Blue Coveralls. Mr. Daniels noted the cadets have decided to implement an outside window and door check when a house is vacant with the approval of the owner. He said there would be an article in next week's paper outlining the program. Councilwoman Cordts thanked him for his time and efforts in working with the youth.

On unfinished business, Mayor Boyd reported Skip Mann had told him that he had removed all his junk cars but there were reports that he still had one. Chief Tiesler was told to check this out and issue a summons.

There were also complaints about the condition of the yards at the Laverle Miller and McCullough property.

The subject of the lights at the park was brought up. It was noted they had been seen on at all hours of the night and this situation should be looked into, also there should be some control over the lights being used by only one or two persons at a time. Some felt the lights at the small house and shelter house should be turned off at the meter when not in use. It was felt that the scouts etc should be approached to find another meeting place before this is done.

The Treasurer's report was given. It was noted with the \$9,205 CD, 3329 street fund, 3300 antic. highway and 3000 revenue sharing, the City cannot go over \$18,834 for resurfacing. After lengthy discussion, John Irwin made a motion that we accept the base bid only. No one seconded. Davenna Jones made an alternate motion that we accept Alternate 2 and base bid less enough blocks in the base bid to not over-spend the \$18,834. Motion seconded by Floyd Greenwood Motion carried with John Irwin registering a no vote.

Mayor Boyd handed out copies of a letter of resignation from himself effective immediately, noting neglect of business among other things as his reason.

Meeting adjourned at 11:05 p.m.

Respectfully submitted,

Approved 7-9-80.

Mildred J. Cannon
City Clerk

City of Overbrook

Phone 665-7328

Overbrook, Kansas 66524

June 11, 1980

Dr. Bruce E. Cole, President
City Council
Overbrook, Kansas

Dear Dr. Cole:

It is with some regret but also with a feeling of great relief that I submit herewith my resignation as mayor of the City of Overbrook, effective today.

This decision has not been made hastily but is the result of 14 months of controversy, criticism and harrassment. I worked 51 years to be able to enjoy the peace and quiet of retirement and to be able to do things for which I never had time before. I find, however, that I have devoted an average of more than 2½ hours a day seven days a week to this city's business without having gained any feeling of accomplishment.

I believe that the community has the best police and fire protection it ever has had, but many apparently do not share my belief. I had hoped to develop for the city a sound financial system by thoughtful budgeting to include such previously neglected items as repair, replacement and improvement of equipment and facilities. I hope that this goal may yet be attained.

During my months in office I have lost more friends than I have gained and neglected my business and other matters that I consider important, including my health.

Therefore, I have decided to step aside in favor of someone with better judgment, who can avoid the controversies I have caused. Perhaps a younger person more in tune with today's society and function more satisfactorily as mayor.

If I can serve the community in occasional short-term assignments in the future, I shall be happy to do so.

Sincerely yours,


Frank D. Boyd

MINUTES - Special Council Meeting - June 16, 1980

MEMBERS PRESENT:

John Irwin
Davenna Jones
Bruce Cole

Nadine Cordts
Floyd Greenwood

OTHERS PRESENT:

Mark Daniels
Shiela Dale
Kenneth Dale

PURPOSE:

To accept or decline letter of resignation of Mayor Frank Boyd dated June 11, 1980.

The meeting was called to order at 7:33 P.M. by Council President Bruce Cole. The roll was called.

After a brief discussion, John Irwin made a motion that Frank Boyd's resignation as Mayor of Overbrook be accepted with regret and that Frank be commended for his hard work and many hours spent in performing the duties of the office. Floyd Greenwood seconded. Motion carried.

There was some question as to what procedure would have to be taken in the event the Council President would decline the office of Mayor. The Clerk was asked to research this with the County Clerk and the League of Municipalities and report back to the Council.

John Irwin moved the Council adjourn to possibly reconvene when more information is available. Davenna Jones seconded. Motion carried.

Meeting adjourned at 8:00 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved 7-9-80

REQUEST FOR SPECIAL COUNCIL MEETING

OVERBROOK, Kansas

June 16, 1980

The Honorable Bruce Cole,
Mayor of Overbrook, Kansas

We, the undersigned, councilmen of the city of OVERBROOK,
Kansas, hereby respectfully request you to call a special meeting
of the council to be held at the city hall, June 16, 1980,
at 7:30 o'clock P.M. for the object and purpose of
accepting resignation of Mayor Frank Boyd, and determining a
successor.

Signed:

Robert J. Davis
Robert J. Davis
Robert J. Davis
Robert J. Davis

Councilmen

MINUTES - Special Meeting - Overbrook City Council -- July 2, 1980

MEMBERS PRESENT

John Irwin
Davenna Jones
Bruce Cole, DDS, Acting Mayor

Nadine Cordts
Floyd Greenwood

OTHERS PRESENT

Bruce Smith

PURPOSE:

To discuss and act on Ordinance 105, amending sections 1, 2, 4, and 5 of Ordinance 97 and repealing Ordinance 99.

The meeting was called to order by Acting Mayor Cole at 6:35 p.m. The meeting was then turned over to Councilman John Irwin who explained the amendments. He also suggested, as a courtesy, the Superintendent of Schools should be notified in writing that the schools would now be metered in lieu of the set figure now charged. He said they would only be charged only the cost of producing the service.

A motion was made by John Irwin that Ordinance 105 be adopted. Nadine Cordts seconded. Motion carried.

Davenna Jones noted Councilman Irwin should be commended for the many hours of work done on this and thanked him for an excellent job. The Council agreed.

Floyd Greenwood moved the meeting be adjourned. John Irwin seconded. Motion carried.

The meeting adjourned at 6:54 p.m.

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved 7-9-80

REQUEST FOR SPECIAL COUNCIL MEETING

OVERBROOK, Kansas

July 2, 1980

The Honorable Bruce Cole, D.D.S.,

Mayor of OVERBROOK, Kansas

We, the undersigned, councilmen of the city of OVERBROOK Kansas, hereby respectfully request you to call a special meeting of the council to be held at the city hall, -- July 2, 1980, at 6:30 O'clock P.M., for the object and purpose of Review and act on Ordinance 105 in reference to water rates.

Signed:

Donna Jones
John Davis
Edith Starnes
C. Nelson Curtis
B. M. Cole

Council members

HARRY T. COFFMAN
STEPHEN JONES
DELTON M. GILLILAND

COFFMAN, JONES & GILLILAND
ATTORNEYS AT LAW
TIFFANY BUILDING
LYNDON, KANSAS 66451

TELEPHONE
AREA CODE 913
828-4431

1 July 1980

Bruce D. Cole, D.D.S.
Acting Mayor
City of Overbrook
Overbrook, Kansas 66524

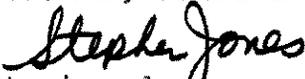
Dear Dr. Cole:

As I mentioned in our telephone conference 25 June 1980, your proposed Ordinance No. 105 looks all right to me.

As I also mentioned, I think the counsel and clerk should be reminded that, in this enlightened age, disconnection requires prior "due process" notice to the customer that, on a particular date, at a particular time and at a particular place, a hearing will be held before the governing body to determine whether the service ought to be disconnected for a specified reason.

Yours truly,

COFFMAN, JONES & GILLILAND


Stephen Jones

SJ/slj

MINUTES - Regular Meeting of the Overbrook City Council -- July 9, 1980

MEMBERS PRESENT:

Floyd Greenwood
Nadine Cordts
John Irwin

Davenna Jones
Mayor Bruce Cole

OTHERS PRESENT:

Bruce Smith
Ross Duffey
Mrs. Ross Duffey
Mildred Greene
Ken Greene

Mark Daniels
Bob Shepard
Dave Beesley

The regular meeting of the Overbrook City Council was held July 9, 1980. The meeting was called to order at 7:36 PM by Mayor Bruce Cole. The minutes of the June 11 regular meeting, June 16 and July 2 special meetings were reviewed. John Irwin made a motion, seconded by Nadine Cordts, that the minutes be approved as written. Motion carried.

The outstanding bills for the previous month were considered. There was some question as to the size of the bill from Overbrook Lumber. It was explained that this was for the posts to hold the street signs and most of the money was donated. Also questioned was the excessive charge by Dave Beesley for mowing the grass at the Laverle Miller property. Dr. Cole noted that the law enforcement payroll and supplies were excessive. After a brief discussion, John Irwin made a motion that the bills be approved with the exception of the one from Dave Beesley which would be discussed later. Motion seconded by Floyd Greenwood. Motion carried.

Bob Shepard was present to submit his resignation from the Zoning Board of Appeals due to the controversy on the last case and lack of support by the city attorney. Mr. Shepard was thanked for coming and also for following the law on the zoning ordinance.

Mayor Cole reported there was nothing yet on the Bloom case, his trailer is in place but the judge had not given his opinion yet.

Next to come before the council was Ross Duffey of Quenemo who submitted an oral application for the position of Chief of Police. Mr. Duffey told the council he had graduated from the police school at Hutchinson and if they did hire him he was presently under contract with the city of Quenemo to spend six months after completion of the school. He said if he accepted employment somewhere else the time (\$1800) would have to be reimbursed by the new employer. He suggested taking a \$100 per month cut in salary from the money offered by the city of Overbrook until the \$1800 was reimbursed to Quenemo. Mr. Duffey was thanked for coming and was asked to submit a written application.

Mayor Cole presented a letter from Greene Sanitation Service asking for an \$.18 raise on residential solid waste pick-up, stating the Shawnee County Land Fill had raised its rate from \$2.50 per ton to \$4.00 effective July 1, 1980. Mr. Greene said he usually hauled 40 tons a month from Overbrook residential pick-up and this would be an increase of \$60 per month. Davenna Jones moved the rate be raised to \$2.68 reflecting the present payment of \$2.50 plus the \$.18, the excess to be taken from the slush fund keeping rates to customers the same starting with the August 1

payment. Floyd Greenwood seconded. Motion carried.

The meeting then moved back to the question of Dave Beesley's bill for mowing Laverle Miller's property. Mr. Beesley said Frank Boyd had told him to go ahead and do it and bill the city. Some members questioned the excessive figure for mowing and noted that the courts probably would not let the city recover that much. Some of the members also questioned if Mr. Miller had been given an opportunity to do the mowing himself. The bill was not approved.

Mr. Beesley then asked to speak for the Fire Department. He said he had acquired a rescue saw and that he would sell it to the city for \$440 which is half price of a new one. One member asked Mr. Beesley how long the offer was good. Mr. Beesley said "tonight". Another member thought it might be wise to wait until we hear more about the fire district. Mayor Cole pointed out that very possibly the City Fire Dept. could use it but the city is in a very tight budget at this time. Mr. Beesley answered "I came in here two months ago and asked for a fire nozzle and you said no -- not for the fact you would not buy a saw from me -- don't think I am walking out of here mad, but I resign -- right now as City Fire Chief, effective right now." Mayor Cole thanked Mr. Beesley for all he had done and told him he was sure he did what he thought was right. He told Mr. Beesley he was sure the fire department had been upgraded a great deal. Mr. Beesley left the meeting at 8:10 p.m.

Mayor Cole said he had nothing to report on the housing authority other than the loan had been completed and everything is running normally.

Bruce Smith reported that the West tower had been inspected and it would need work sometime next year and that the east tower would be inspected at a later date.

Nadine Cordts reported that the swimming pool was doing well and so far was holding its own. She did report they were having some problems with night swimmers but that the sheriff assured her that he would patrol the area until the city hired someone.

Floyd Greenwood reported that he and Bruce Smith had checked with Black Top and they would need a figure to go by. There was some question about the 600 block on Market street. Nadine Cordts read motions in the minutes dating back to 1977 and noted that this work had been authorized but never done. After a lengthy discussion Davenna Jones made a motion that \$11,800 be authorized for street repair plus material for preliminary patch work to be done by city maintenance. Motion seconded by Nadine Cordts. Motion carried. Davenna Jones made a second motion that the 600 block of Market be finished in as much as the work had been agreed to several times in the past but had not been completed. Floyd Greenwood seconded. Motion carried. John Irwin registered a no vote, noting he felt the street needed to be done but he was against doing it this year. He said he felt the timing was bad.

Bruce Smith reported Fluid Equipment Co. had been out and the wells are operating properly. All the repair that was needed was an adjustment. He also noted he had turned off the phone alarm on the water tower because the people were using water faster than the pumps could pump and the alarms would be sounding all the time if they were not shut off. He said there was no problem keeping up but the alarm system would be activated unnecessarily.

Mayor Cole advised the Council of Jerry Coffman's request for information about the farm land south of the sewer lagoon. Bruce Smith was asked to look into it and get back with the Council at a later date.

Mayor Cole presented an application from Dave Woodward for the position of Police Chief. The clerk was instructed to contact Mr. Woodward and set up a personal interview.

Dave Beesley entered the meeting a second time. He told the Council he had been in touch with 14 of the 17 volunteer firemen and all had resigned as city firemen. There was considerable discussion. Money seemed to be the major reason for the problem. It was noted one mill was to have been levied for fire but inadvertently it had been left out of the budget. The Council assured Mr. Beesley that next year there would be a two mill levy for fire. Mr. Beesley said he had not understood and he would reconsider. He said he thought the others would reconsider also.

It was noted there was a need for one more Council member, two members for the Zoning Board of Appeals and one member for the Recreation Commission.

Bruce Smith asked permission to attend a certified school for municipal water and sewer operators at Lawrence, August 4 thru 7. The Council agreed by consensus.

The meeting was then turned over to discussion of the 1981 budget. It was decided there was a need for additional levy of 2 mills for fire, 1 mill for recreation, 2 mills for employee benefits (social security, insurance, etc.,) and 5 mills for street repair.

The Treasurer's report was given. By holding down the street repair figure to approximately \$12,000 the Certificate of Deposit would not have to be cashed. He reported balances in the various funds as follows: Law Enf. and Liab. Ins., \$351 -- Rev. Shar. (fed) \$4,149 -- Spec Highway, \$3,329 -- Water, \$8,509 -- General \$1,342 -- Bond Fund \$4,757.

Floyd Greenwood made a motion to adjourn the meeting, seconded by Nadine Cordts. Motion carried.

Meeting adjourned at 11:12 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved 8-13-80

MINUTES - Regular meeting of the Overbrook City Council -- August 13, 1980

MEMBERS PRESENT:

John Irwin
Floyd Greenwood
Davenma Jones

Nadine Cordts
Mayor Bruce Cole

OTHERS PRESENT:

Bill Rezak
Lynn Schoonover
Fred Marshall
Dave Woodward
Sheila Dale
Bruce Smith
Tom Ripley

Jim White
Charles Starkebaum
Mildred Greene
Kenneth Greene
Twila Athon
Tom Athon

The City Council met at 7:00 P.M. prior to the regular council meeting to discuss plans for a proposed fire district. Lynn Schoonover and Fred Marshall were present to speak for the fire fighters. Also present was Bill Rezak, fire chief, St. Marys, Kansas. He explained several ways a fire district could be set up. He said they had found the most advantageous way would be for the City to own the fire district, this would leave the city in control and district lines could be set wherever necessary. He went on to say everything would be paid for by mill levy. Each area included in the fire district would pay for it by mill levy. Lynn Schoonover noted there would not be any money available from the mill levy until 1982 but work on the present equipment and a new building were needed now. He explained the equipment received from the Forestry Department of the State had to show some improvement or it would be taken back and this cost would be approximately \$3500 to \$4500. In answer to a members question, he said around \$120,000 would be needed before the mill levy money could be realized. He said a firm decision was needed tonight as to whether the city is really interested or not. He said once the city decides, then the next step is to go to the County Commissioners to set up a levy on the area included in the fire district.

* * * * *

The regular meeting of the Overbrook City Council opened in regular session with the first item on the agenda, a motion by John Irwin that the City of Overbrook authorize the Fire Chief of the Overbrook Fire Department to meet and discuss with the Elk Township and other interested parties, the formation of a fire district which would include the City of Overbrook, Elk Township, parts of Fairfax and Junction townships for the purpose of forming a fire district with the Overbrook Fire Department servicing the fire district. Nadine Cordts seconded. Motion carried.

The roll was called by the clerk.

The minutes of the July 9, 1980 regular council meeting were reviewed. John Irwin made a motion that the minutes be approved as written. Davenma Jones seconded the motion. Motion carried.

The outstanding bills of the previous month were considered. There was some question about the bill from Mr. Nat Finlay in the amount of \$105. It was noted this bill had been submitted some time ago and had been refused. It was explained that Mr. Finlay had confirmed this charge was for work done at the Nat Grube place to clean up the area of the old city dump per orders of the State of

Kansas. Nadine Cordts made a motion that all bills be paid. Davenna Jones seconded. Motion carried.

The meeting was then turned over to Jim White who was petitioning on behalf of the Ball Association for the City to assist in the repair of the lights at the ball park. He said he had talked to an electrical firm in Kansas City and they estimated the work would run somewhere between \$15,400 and \$20,000, this would include new cross arms, rewiring and lights. He said only the top ten feet of the poles are bad. Nadine Cordts explained the City was in the process of trying for a grant for the development of Jones Youth Park. She said there was to be a meeting of the State Joint Council on Recreation sometime after October 1. She said, in her opinion, the Council could not make a decision until after this meeting. She said she would notify Mr. White of the meeting date. She went on to explain the whole project was around \$283,000 of which the state would contribute half (approximately \$140,000). ~~When asked if the Council would be interested in sharing the expenses if the grant fell through, the Council agreed they would.~~ *In 1980 - no resolution of 7-10-80 Council meeting.*

Mayor Cole presented two letters from Greene Sanitation Service. One was asking for a \$10 per month raise on the trash pick-up at the grade school (from \$40 to \$50). It was noted trash from the middle school was being hauled free of charge. The Council agreed the raise was reasonable and just.

The second letter was in reference to a dumpster which was burned at the Corn Festival. It was noted the dumpster would now have only a life expectancy of possibly one year in lieu of ten years under normal conditions, its original cost was \$285. He said he was not asking the City to pay for this one but would not place another at the festival unless it was underwritten by the City.

Mr. Greene had a complaint about excessive trash at the Vaughn residence. He presented the Council with evidence that Mr. Vaughn's son had been depositing trash at his father's residence for city pick-up. The Clerk was instructed to send a letter of warning to Mr. Vaughn noting that discriminating evidence had been found, that it was unfair to others, and he would be billed double if the practice continued.

Mayor Cole, noting that the problems at the Oak Street Plaza have been corrected, asked Mr. Greene to negotiate a figure for trash hauling. Mr. Greene said he felt \$20 per dumpster was fair, there being two dumpsters, the price would be \$40 per month in lieu of the \$66 previously charged. Mayor Cole, on behalf of the Housing Authority, agreed.

Sheila Dale asked if there would be dumpsters available for the fair. Davenna Jones made a motion that the school dumpster and one other be moved to the park for the fair. Motion seconded by Floyd Greenwood. Motion carried. Mr. Greene asked permission to leave them in place at the park until Tuesday. It was agreed.

John Irwin reported there had been a record water demand in July and the five wells had been pumping 20 hours a day with no apparent problems. He noted the meter had been placed at the grade school and there was already a meter at the middle school. He said the new rates would go into effect next month for the schools.

Floyd Greenwood reported that Blacktop Construction had completed their work on the streets. He said Marvin DeShazer had asked for something to be done along the parking area south of his store. Bruce Smith was asked to look into it and see what could be done for now.

Nadine Cordts read some excerpts from a letter from the State Park and Recreation Department in reference to the grant. The state's suggestion was it would be helpful if there was financial input from either a school district or maybe the county. The Clerk was instructed to send a letter of inquiry to the Osage County Commissioners from the governing body.

Mrs. Cordts asked Bruce Smith if he could get an estimate of what will be needed on the pool before it opens next year and report back to her.

Mayor Cole reported Dave Woodward had signed a contract of employment with two exceptions, one being the portion on dispatching services, it was agreed that exceptions would be made for the employee's regular days off and/or for medical reasons. The second exception was in regard to fire arms. It was agreed the Chief would furnish his own fire arm. The contract in its new form was agreed to by the Council.

Chief Woodward presented a monthly report to the Council. Among other items was the need for some sort of warning to the owner of the Strawberry Patch. It was noted at least 11 ordinances were being violated. It was agreed the Clerk would send a letter of warning asking the owner's cooperation in holding down these violations.

It was reported reserve officer Tom Ripley had resigned, leaving the city with only one reserve officer at this time.

Mayor Cole reported tires had been purchased for the patrol car. Also included in the bill were alignment, balancing and installation of new ball joints. Bids were obtained from several businesses in Overbrook ranging from \$292 to \$340 for tires only. The work was done in Osage City for a cost of \$310.10 - \$183.24 of this was for tires - the rest for the other work which could not have been done in Overbrook.

Mayor Cole presented a resolution to add a street light at the north end of the alley at Oak Park Plaza. Floyd Greenwood made a motion to approve the resolution to add one street light at the north end of the alley at Oak Park Plaza. John Irwin seconded. Motion carried.

In connection with the complaints about the Leonard property, Chief Woodward was instructed to research the ordinances and go ahead with whatever is necessary to take care of it.

Floyd Greenwood reported there was a possibility of obtaining civil defense sirens through the Osage County Sheriff Department.

The meeting was then turned over to the review of the 1981 budget. Nadine Cordts made a motion to accept the 1981 budget as published. Motion seconded by Davenna Jones. Motion carried.

Mayor Cole told the Council that the work on the alley behind the housing project had been completed. He asked, on behalf of the housing authority, if the city would be in favor of paying part of the cost of \$663.70. Nadine Cordts made a motion that the city pay \$327.70 - the cost of the gravel. Floyd Greenwood seconded. Motion carried.

The Treasurer reported balances as follows:

General Fund	3184.82
Water	9507.40
Spec. Highway	3329.74
Fed.Rev.Sharing	2033.93
Law Enforcement	1559.00

Nadine Cordts made a motion seconded by Davenna Jones to adjourn the meeting. Motion carried.

Meeting adjourned at 11:15 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved 9-10-80

MINUTES -- Regular meeting of the Overbrook City Council -- September 10, 1980

MEMBERS PRESENT:

Floyd Greenwood
Davenna Jones
John Irwin

Nadine Cordts
Mayor Bruce Cole

OTHERS PRESENT:

Sheila Dale
Kenneth Dale
Mildred Greene
Dave Woodward

Kenneth Greene
Bruce Smith
John Gingerich

The regular meeting of the Overbrook City Council was held September 10, 1980. The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. The minutes of the August 13, 1980 meeting were reviewed. It was requested that the last sentence of paragraph 1, page 2 be deleted inasmuch as this did not reflect the feeling of the entire council. Floyd Greenwood made a motion seconded by Nadine Cordts that the minutes be approved as amended. Motion carried.

The outstanding bills of the previous month were considered. The size of the KP&L bill was discussed. Sheila Dale registered a protest against the payment of the charge for the surfacing of Market Street noting there were other streets needing it more, such as Maple. It was explained that the completion of Market St. had been agreed to by motion several times and even though the vote this year was not unanimous, the majority did vote for it. The depth of the problem on Maple Street was explained and the fact that there had been a cost estimate some time ago to bring several blocks of Maple to standard at a cost of \$40,000 per block. Davenna Jones made a motion that all bills be paid. Nadine Cordts seconded. Motion carried.

Mayor Cole reported there were several residents of the housing project now receiving a housing allowance from the government.

Nadine Cordts reported a letter had been sent to the Osage County Commissioners from the governing body, requesting information on available funds if any, to help obtain federal funding for the Overbrook Jones Youth Recreation Park. She said an answer had been received and that there were no funds available.

Councilwoman Cordts then reported on the financial status of the swimming pool. She said there had been a \$350.76 deficit on the checking account plus \$75.07 social security. She said expenses were paid out of pool funds in lieu of city funds this year and up to this point they had held their own. Nadine Cordts made a motion that the City allow \$350.76 to close out the recreation account for 1980. Floyd Greenwood seconded. Motion carried. Mrs. Cordts then asked Bruce Smith to report on the anticipated pool repairs. Bruce said he had been in touch with a pool company in Topeka and hopefully a representative was to come down and check over our operation. He said if major repair or replacement of the chlorinator can be avoided, the cost of getting it into shape should be minimal. He said the paint looked good but he wouldn't know how it was holding up until spring.

In reference to the new Recreation Commission, Councilwoman Cordts asked the Council to set up guidelines so the commission would know what is expected of them and also so they would not overstep authority. It was suggested the commission be called together to establish their wants and needs and get back with the Council.

Next on the agenda was a petition from Horn Deltal Lab. for a private dumpster. Mr. Greene said it had been discussed and the cost would have to be \$20 for a two yard dumpster. After a brief discussion, the Council agreed and the clerk was instructed to notify Horn of the Council decision and report to Mr. Greene.

Next to be discussed was a billing from Heetco. It was noted the city had an option to either take up a permanent lease at \$116 plus \$42 for the years rent or pay a flat \$42 per year. Nadine Cordts made a motion that the city purchase the tank on a permanent lease. John Irwin seconded. After a brief discussion, John Irwin brought up the fact that he didn't think a municipality could enter into a permanent lease. Nadine Cordts withdrew her motion and Bruce Smith was asked to research the cost of a tank and report back.

Floyd Greenwood reported on streets. He said Bruce Smith had been doing patch work on some of the streets including some fill on Maple Street. Bruce Smith said there would be no more patch work done this year unless the City invested \$650 in some more patching material.

Floyd Greenwood gave an update on research he had been conducting concerning the quality of the streets in the Meadows Subdivision. He read excerpts from several communications taken from the city file, one of which was from Steve Jones, City Attorney. The suggestion he made was that if nothing else were available, a benefit tax district could be formed. It was agreed this was something that needed looking into.

Dave Woodward was asked to bring the Council up to date on the Leonard problem. He said he had been in contact with the City Attorney who said we would have to show that Mr. Leonard went into business after March 8, 1978, the date the zoning ordinance was passed. If this was not possible, the case would have to be dismissed. It was suggested by one member that Ordinance 91 Sections 316 and 317 be used. Mayor Cole instructed the clerk to see that this was taken care of.

Dave Woodward then discussed his monthly report. He said the school zone signs had been installed thanks to Bruce Smith and that there were between 2 and 6 citations issued per day. He reported that the owners of the Strawberry Patch were cooperating as best they could to eliminate the problem of unruly crowds on Maple Street but the people were bringing beer, etc., from other areas so a good share of the problem still exists. He also told the Council that Benny Sisson had been hired for part-time patrol and that he was training on his own time.

Chief Woodward presented a special report to the Council. The report was for tentative development of a two man department. He said the report was purely informational. Mayor Cole thanked him for the time it took to prepare and said maybe in time it would be a reality if and when money became available.

The meeting went on to the discussion of whether any trees needed cutting at this time. It was noted that there apparently would not be any this year. Bruce Smith was asked to check on the tree at the Neil residence to verify if it was on city property or not.

Next on the agenda was a complaint about pollen carrying weeds in certain vacant lots in the Meadows Subdivision. Davenna Jones made a motion, seconded by John Irwin, that a phone call be made to the owner of the property notifying him of the problem and if it is not taken care of timely, a registered letter is to be sent giving the ordinance and time limit. Motion carried.

The meeting was then turned over to the discussion of a complaint by Sheila Dale concerning the method of figuring monthly water bills. She stated she felt the bills should be figured to the exact penny instead of using the rounding off procedure as is presently being used. She said it was not the money, it was the principle and that she had gone to the Corporation Commission who had sent her to the Attorney General's office. John Irwin said he would look into the matter as it had probably been a long time since this had been done but if a more efficient way than the present procedure could not be found, he could not support merely adding to the work load of the clerk. He also informed Mrs. Dale that the figuring of the bills to the nearest 100 gallons is far more in the customer's favor than is the general practice in other Kansas communities. Mayor Cole's water bill was used as an example. In comparing the present method to the proposed "exact accounting" idea, the City profited two cents in a 12 month period. It was also noted that the bills had been figured this way since water service began in Overbrook and no one has ever felt a need to bring it to the Council's attention. Mayor Cole also noted that the city now pays bills for parks, etc., that are not City owned, this is merely one of many services the City does for the population.

In the absence of the Treasurer, the clerk gave the Treasurer's report as follows:

Balances after the payment of August outstanding bills,

Law Enforcement	\$ 510.83	Water	\$(5,234.50)
Federal Revenue Sharing	33.93	General	3,634.66
Special Highway Fund	456.83		

It was noted the shortage on the water account would be picked up by transferring funds from the savings account at Kansas State Bank.

Floyd Greenwood asked about checking into the idea of making one East/West street a through street inasmuch as he had been approached by several residents.

A discussion was held on the question of changing the speed limit on Maple to 20 mph from 35 mph, from the business district to 56 highway. The clerk was asked to contact the City Attorney to find out what was the necessary procedure to handle the change.

The subject of three signatures on all checks was brought up. It was felt that although three signatures would be preferable, if one person was not available, two signatures would be sufficient.

Davenna Jones made a motion, seconded by Floyd Greenwood that the meeting adjourn. Motion carried. The meeting adjourned at 10:12 p.m.

Respectfully submitted,


Mildred J. Cannon, City Clerk

Approved 10-8-80

MINUTES -- Regular meeting of the Overbrook City Council -- October 8, 1980

MEMBERS PRESENT:

Davenna Jones
John Irwin
Nadine Cordts

Calvin Ufford
Mayor Bruce Cole

MEMBERS ABSENT:

Floyd Greenwood

OTHERS PRESENT:

Robert Pabst, Cable TV
James W. Emmick
Mary Gates
Mildred Greene
Kenneth Greene

Betty Herron
Don Wilford
Bruce Smith
Max Friesen

The regular meeting of the Overbrook City Council was held October 8 1980. The meeting was called to order at 7:30 p.m. by Mayor Bruce Cole.

The first order of business was the swearing in of Calvin Ufford as council member appointed to fill out the unexpired term of Bruce Cole. Mayor Cole thanked Mr. Ufford for consenting to fill out the unexpired term of office created when Frank Boyd resigned as Mayor and Bruce Cole, as president of the council, assumed the duties of Mayor.

The roll was called by the clerk. The minutes of the September 10 meeting were reviewed. Nadine Cordts made a motion that the minutes be approved as written. Davenna Jones seconded. Motion carried.

The outstanding bills of the previous month were considered. John Irwin made a motion, seconded by Nadine Cordts, that all bills be paid. Motion carried.

Robert Pabst was on hand to discuss the subject of cable tv and home box office being brought into the city. He explained they were prepared to start work sometime within the next two or three months but would need to be assured of at least 200 households being signed up, otherwise it would not be cost feasible. He explained the cable service would carry all Topeka and Kansas City stations along with a local weather station. He said HBO would also be available along with the cable tv. The approximate cost for each would be \$9.50 per month with a one time hook up fee of approximately \$10.00. He said the HBO channel would either be channel 17 out of Atlanta or channel 9 out of Chicago and would carry nine first run movies per month. He said that as soon as the required minimum of 200 signatures were acquired and a franchise agreement could be worked out, the work could start. He said he thought it would take approximately one year to complete.

In answer to a member's question as to whether this service would be available outside the city, Mr. Pabst said no, unless it was for several homes no more than 200 to 500 feet outside the city limits. He explained that for two or three homes it would be cost prohibitive.

Mayor Cole told Mr. Pabst that at this point he had the City's permission to conduct a survey and after he has obtained the 200 or more signatures, then he could present a franchise for the Council's review.

Mr. James W. Emmick was also present to talk about the cable tv. He explained he was the contractor who had built 300 cable tv systems of which Hurst owns 150 and he was also the finance man. He said he would take care of FCC licensing and all other paper work.

Mr. Pabst and Mr. Emmick were thanked for coming and were excused.

Mary Gates was present to speak for the Library Board. She asked if there was any way to fix the cracked window on the south side of the building and if so, could anything be done about the discoloration of the east window also. Mr. Don Wilford, contractor, was asked what he thought about the situation. He said there was no way to fix either one other than to replace the broken window with a new one which would in all probability be cost prohibitive.

Next, Mary asked for the City's help in installing a wheel chair ramp leading into the Library. After a brief discussion, the Council instructed Bruce Smith to check the matter out with the State to find out what rules and regulations were applicable and report back to the Council at a later date.

Mary Gates was thanked for coming and was excused.

Next item on the agenda was Betty Herron in connection with the water line break on her property. Mrs. Herron's contractor, Don Wilford, was also present. Mrs. Herron wanted to know how such a large amount of water could have gone through the lines in a short time (211,460 gal.) She said she felt there was a possibility the meter was defective. Mr. Wilford, after several questions by Council members, agreed it could have happened anytime within a period of 11 days. He also said he had done some perimeter work around the Herron house and then had filled it in with dirt which he saturated with water so it would settle properly. After a few days he returned to find the basement partially flooded. Bruce Smith was instructed to check the meter out and get back with Mrs. Herron and the Council.

It was reported that Albert Maichel had requested a water hook-up in his pasture to water his cattle during dry spells. One member questioned if this might get something started if it was approved. Calvin Ufford said he would not be in favor of this - it would be like draining our source for livestock. He also noted the agreement with Guffey and Baldwin was in consideration for an easement which is different. John Irwin made a motion that the City deny Albert Maichel's request. Calvin Ufford seconded. Motion carried.

Mayor Cole announced the following choices for Boards and Commissions:

Zoning Board of Appeals -- Janie Smith - 3 yr.
Margaret Skaggs - 3 yr.
Ed Lee - to finish out unex.term of
Dot Flory - exp. 1981

Recreation Commission - Dennis McPhail - 2 yr.

Planning Commission - Maurice Fager - 3 yr, Chairman
Ernest Cannon - 3 yr, Vice Chairman
Lois Ruble - 3 yr, Secretary
Glen Norton - 3 yr.
Ernie Rose - 2 yr.
Duane Stout - 2 yr.
Earl Jones - 2 yr.

Davenna Jones made a motion that the Council approve all appointments. Nadine Cordts seconded. Motion carried.

Bruce Smith reported on the status of dead trees around the city. He said the only one he had found was the one at Neil's on Walnut and he didn't feel it was on City property. It was decided a letter, reminding Mr. Neil of the problem, should be sent.

Mayor Cole reported Floyd Greenwood had mowed the weeds on the vacant lot next to the Fenton's thus hopefully alleviating the neighbor children's allergy problems.

Next on the agenda was the report of a request of the Library Board for the City to pay the employer portion of the library employee's social security as promised by Frank Boyd. Nadine Cordts said she felt since Mayor Boyd had committed the Council to pay this, that the Council approve the payment for one year only. Calvin Ufford made a motion that the Council deny the Library request. John Irwin seconded. Motion carried. (vote: 3 yes, 1 abstain, 1 absent) Mayor Cole instructed the clerk to notify the library personnel and if they feel this causes a hardship, let the Council know.

Bruce Smith reported on research he had done in connection with the purchase of a propane tank. He said Gayle Miles had given him a price of \$550 for a 500 gallon tank with a lease of a flat \$40 per year - no time limit. The City would be committed for one year at a time. It was decided to pay one year more at Heetco which would give time to find out about the possibility of using the tank now used by Ridgeway Lodge if the lodge installs natural gas.

Next on the agenda was a request to even out the slope in front of the NAPA store. Bruce Smith said he had checked with Earl Jones and he could get AB3 rock for \$265 per ton. It was decided he should go ahead and take care of it.

It was reported that Fern Woodruff had requested something be done about the drainage problem in front of the Crady Trailer Park. Mayor Cole said he would donate the small tube he had if it was needed. Bruce Smith was instructed to take care of the problem.

Bruce Smith also reported there had been three water breaks and one sewer break in the last month.

Next was a report by Dave Woodward, Chief of Police. In connection with the problem of broken beer bottles on Main street, he said other cities have had good luck with a special ordinance which disallows the sale of bottle beer for carry out and approves only metal or aluminum cans. He reported Ben Sisson had recently been hired as reserve officer. Chief Woodward also outlined his plan for the Halloween patrol. He said he would like permission to use the City maintenance truck in addition to the patrol car. Permission was granted.

Chief Woodward also brought up the subject of capturing stray dogs. He had some information on a dog trap presently being used by the Topeka Police Dept. He said the cost would be \$102.52 plus shipping for a trap large enough to capture larger dogs. After a brief discussion the Council agreed for Chief Woodward to go ahead and order the trap.

Calvin Ufford reported vandalism by children climbing on the building behind the carpet store. It was also noted that the building and its contents proposed a fire hazard. It was recommended the owner be notified of the problem by letter.

Ordinance 106 was presented. It was noted that in checking with State personnel it was pointed out that 30 days was considered too long to give for persons to pay their utility bills. Ordinance 106 would give the customer to the 20th of the month before a penalty of 10% is assessed after which he would be sent a notice that if the bill was not paid by the 27th, service would be disconnected. John Irwin made a motion that Ordinance 106 be adopted. Calvin Ufford seconded. Motion carried.

John Irwin reported, for the record, he had talked with a consulting engineer in connection with the rounding off procedure for figuring water bills and the consultant had recommended the process not be changed. Councilman Irwin also noted he had checked with certain people and had confirmed that most cities round off at 1,000. Davenna Jones made a motion the bills be figured as in the past in light of the official opinion. Nadine Cordts seconded. Motion carried.

Mayor Cole reported the City Attorney was working on an ordinance to drop the speed limit on Maple from 5th Street to 56 Highway to 20 mph.

Mayor Cole told the Council the clerk had requested one week vacation. He suggested the office be closed for the week. The Council agreed and the clerk was instructed to place a notice in the newspaper.

Next on the agenda was an agreement with the state to maintain a certain portion of 56 highway. It was noted the agreement looked wrong and the clerk was instructed to return it to the state for revision. Also discussed was the completing of a new boundary ordinance which by statute should be done by the end of the calendar year in which the boundary of a city is altered.

Complaints by neighboring residents about the Rule house and Bales house being eyesores were discussed. It was suggested the City follow whatever guidelines and ordinances are necessary to get these places cleaned up.

The Treasurer gave his report as follows:

Balances on hand after the October 8, 1980 meeting;

Law Enf/Liab.Ins.	\$ 325.22
Fed Rev.Sharing	1,115.75
Spec.Highway	456.83
Library	-0-
Water	4,728.99
General	326.42
Bond Fund	49.47

Davenna Jones made a motion that the meeting adjourn. John Irwin seconded. Motion carried. Meeting adjourned at 11:00 p.m.

Respectfully submitted,



Mildred J. Cannon
Clerk

approved: 11-12-80

MINUTES -- Regular meeting of the Overbrook City Council -- November 12, 1980

MEMBERS PRESENT:

Davenna Jones
Nadine Cordts

John Irwin
Mayor Bruce Cole

MEMBERS ABSENT:

Floyd Greenwood
Calvin Ufford

OTHERS PRESENT:

Robert Pabst
Betty Herron
Max Friesen

Dave Woodward
Bruce Smith

The regular meeting of the Overbrook City Council was held November 12, 1980. The meeting was called to order at 7:32 p.m. by Mayor Bruce Cole.

The roll was called by the clerk. Mayor Cole asked the members to consider the minutes of the October 8 meeting. Nadine Cordts made a motion that the minutes be approved as written with the exception that the spelling of Gayle Miles name be corrected. Davenna Jones seconded. Motion carried.

The Council was then asked to review the outstanding bills for the previous month. There was some question about the legality of an unemployment claim in the name of Grover Padget, warrant no. 1049. Also questioned was check No. 1032, payable to Midwest Tank for repair of water tower. It was noted the tank was inspected during the summer and apparently was given an ok by the tank company. It was suggested Mayor Cole write the company a letter stating the City was dissatisfied with the service. The clerk was instructed to check the inspection report before Mayor Cole wrote his letter. John Irwin made a motion to approve all warrants with the exception of No. 1049, to be paid only if it proves to be a legal claim. Davenna Jones seconded. Motion carried.

Mr. Robert Pabst presented a franchise agreement for cable tv service which was patterned after their agreement with Pomona. He told the Council the franchise percentage is 3% and contract period is 15 years. He noted the reference to billing on the last page could possibly be deleted. Mr. Pabst said he wasn't sure how many had signed up but there would be another ad in the newspaper and if the number signed up was close to 200, Mr. Emmick might give the go-ahead to start the field work. He said the field work would probably take several months and it would take six months to get the materials on site. Mayor Cole thanked him for coming and said the Council would try to get something done with the franchise at the December meeting. Mayor Cole instructed the clerk to send a copy of the franchise to the city attorney for his opinion.

Nadine Cordts reported on parks and recreation. She said she had nothing other than she had called about the status of the Jones Park grant application and the meeting date had not been set as yet but the state people were still optimistic.

The Herron water bill was discussed. Bruce Smith reported he had checked Mrs. Herron's water meter for accuracy and it was found to come within the 3% figure which is considered to be accurate by city standards. Mayor Cole suggested Mrs. Herron be given the benefit of the doubt on the 3%. Councilman Irwin said he was willing to take off 3% but the rest of the customers should not have to pay for a mistake they did not make and he felt the city could not make an exception.

Councilman Irwin reported on the problem at the lift station located in back of Ron Anderson's property. He said there were three alternatives; 1) a complete study of the sewer system as outlined by Mr. Kramer at a previous meeting which could take around six years. This would identify the problem but would not fix it. 2) Have Kramer study that area around the lift station and see what the problem is, this would cost approximately \$5,000 for the engineering only and still wouldn't solve anything. 3) Assume the lift station is not big enough and doubling it will solve the problem. This would cost approximately \$8,000. He asked the Council's permission to write Mr. Kramer a letter apprising him of the pressure being put upon the city and asking his advice. It was also noted by Bruce Smith that the lagoon system is also getting close to capacity.

Mayor Cole said he would send a letter to Mr. McCool stating the lift station is being checked twice a day and notification would be made if it overflows.

Mayor Cole reported that Chief Woodward had requested the City issue his payroll check prior to the 10th of each month. It was noted this problem had come up in the past and it was not legal. Chief Woodward's contract was reviewed and it was noted in the first section that he would be paid on council meeting night and that he had agreed to the terms at the time of his employment. It was also noted he had been supplied with a copy of the signed contract.

Mayor Cole, after reviewing Chief Woodward's report on Halloween night activities, noted there was evidence of only one fire on Main street this year and he and his men were thanked for holding the line.

Chief Woodward reported that the city attorney's opinion on the Leonard problem was, that it would not be wise to remove anything. It was also noted Mr. Leonard had moved his business to another city.

Chief Woodward reported there appeared to be a cylinder leaking on the patrol car which was going to need attention soon. He also presented a list of traffic signs which need repaired or replaced.

Ordinance 107 changing the speed limit on Maple from 4th north to 56 highway to 20 mph was presented. John Irwin made a motion that Ordinance 107 be adopted. Nadine Cordts seconded. Motion carried.

Betty Herron arrived at 8:25 p.m. Mayor Cole informed her that the water problem at her residence had already been discussed but he would be happy to review it for her. He told her of Bruce Smith's findings on the meter and the Council's decision. Mrs. Herron wanted to know why the city could not allow more. John Irwin explained how much it cost the city to bring water in to the city and treat it. He explained it would not cost the city, it would cost the other people. Mrs. Herron then informed the Council she had been in touch with Mr. Hesseltine and he had given her a figure as to what it should cost and it was quite a bit different from the City's figure. Mayor Cole told her the last time Mr. Hesseltine had a whole lot to do with the city water rates was when the bond issue was passed a couple of years ago and the rates he recommended did not come near covering the cost of producing and treating the water and retiring the bonds, therefore another raise had to be implemented. Mrs. Herron then made the city an offer "My offer to you is -- I will pay the first 1,000 gallon plus the expense of chlorinating plus pumping per Mr. Hesseltine's figure." At that point Mayor Cole asked her if she had made arrangements to get her water elsewhere? Mrs. Herron said "shut it off -- shut it off -- you will be hearing from me." Mayor Cole asked her in what way would the City be hearing from her and she replied "From my attorney, he is waiting right now for my call" at this point she left the council meeting.

The Clerk was instructed to contact the city attorney in regard to this matter.

Next to be discussed was the work that had been requested on the ditch by Crady's Trailer Court. Bruce Smith reported that some work had been done by someone other than the city. It was decided nothing else would be done unless someone requested it.

The Treasurer's report was given as follows:

Balances on hand after the November 12, 1980 meeting;

law Enf/Liab.Ins.	\$ 679.74
Fed.Rev.Sharing	2,166.75
Spec.Highway	2,277.87
Library	-0-
Water	2,840.28
General	2,205.89
Bond fund	597.46

It was reported that Westside Floral was now open for business and the sewer and trash rates should be adjusted. The Council decided by concurrence that inasmuch as this was a business - the sewer rate would be on a business rate of \$3.00 and the trash pick up would also be on a business rate of \$3.00 since there would be no dumpster.

The subject of a copy machine was brought up by the clerk. It was noted the city was spending quite a large sum of money having copies made other places and also the clerk's time involved. It was also noted that too many originals have a way of getting out of the office without a copy and sometime this practice might cost the city a great deal of money. Nadine Cordts made a motion that the city rent a copy machine. Davenna Jones seconded. Motion carried. The clerk also noted she had been approached by 3M company with a copy machine with a rental price of \$50 per month plus paper and toner. All maintenance etc. would be taken care of by the company. This was much more reasonable than any other company contacted.

Mayor Cole reported that Jim Chenoweth had inquired about closing up the window at the end of the hallway at City Hall. It was decided that nothing should be done at this time.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Mildred J. Cannon
Clerk

mjc

Approved 12-10-80

MINUTES -- Regular meeting of the Overbrook City Council -- December 10, 1980

MEMBERS PRESENT:

John Irwin
Floyd Greenwood
Calvin Ufford

Davenna Jones
Nadine Cordts
Mayor Bruce Cole

OTHERS PRESENT:

Richard Roller
Liz Cordts
Kathleen Rose
Jack Kramer
Bruce Smith

Kenneth Greene
Mildred Greene
Dave Woodward
Max Friesen

The regular meeting of the Overbrook City Council was held December 10, 1980. The meeting was called to order at 7:32 p.m. by Mayor Bruce Cole.

The roll was called by the clerk. Mayor Cole asked the members to consider the minutes of the November 12, 1980 meeting. Calvin Ufford complimented the other members of the Council on the way the Herron water problem was handled. Davenna Jones made a motion, seconded by Calvin Ufford, that the minutes be approved as written. Motion carried.

The Council was then asked to review the outstanding bills for the previous month. There was a question as to why we were paying real estate tax on the park area inasmuch as the State Park and Resource Board had assured the city there would be an exemption. It was explained that the State Board of Tax Appeals had, in March 1980, turned down the City's petition for tax relief on the park area, stating their reason as, the grounds had to actually be in use as a park before tax relief could be granted. There was also a question about warrant 1096 in the amount of \$200 payable to the Chamber of Commerce. It was explained that this was the reimbursement paid through the District Court for vandalism to the Christmas tree. John Irwin made a motion, seconded by Nadine Cordts to approve all warrants. Motion carried.

Mr. Richard Roller, Municipal Accounting Section, Division of Accounts and Reports, State of Kansas, was present to explain the clerk's new bookkeeping system. He also went over the bank reconciliation and budget summary which will be done by the clerk each month. Mr. Roller also went over a 'One Write System' for the utility billings. He said it was a much more accurate system than the one presently being used and the cost at this time for the equipment and approximately one year's supply of billing supplies could be obtained for around \$1,000. He said between the cost of forms the City would have to purchase anyway and the clerk's time, the new system would pay off.

Mr. Roller was thanked for coming and was also thanked for the time he and his department had taken to help the city.

Jack Kramer, Kramer Engineering was present to discuss the sewage problems such as the lift station behind the Gary Anderson residence. He said if there were a choice between reworking the present station or building a new one, it would be cheaper to build a new one, but to do this without a study would not be

advisable. If a lift station too big is built, it would possibly overload another lift station and you would still have a problem. He advised applying for an EPA Grant although there is no way of knowing how long the 75% participation funds will be available. He said his company would charge \$350 to do a preliminary study which is not grant eligible, the actual grant study would be \$15,200 of which Overbrook's part would be \$4,150.

John Irwin told the Council he had authorized Mr. Kramer's company to review the RWD contract for the purchase of water from the RWD for distribution by the City to it's customers. There were several items the Council members were not in agreement with. Councilman Irwin said he would check the contract out with Steve Jones and report back to the Council at the next regular meeting.

Kathleen Rose and Liz Cordts, members of the Library Board were present to discuss the guidelines on use of the copy machine and to petition the city to help them by paying the employer portion of the librarian's social security. In reference to the copy machine, it was decided the machine would be used for library and city business only, if an individual wishes to have a copy of a page of a book, the librarian is authorized to perform this service and to charge 15¢ per copy, this amount to be reimbursed to the City. In reference to the social security, a motion was made by John Irwin that the City pay the employer portion of the librarian's social security only until such time as the tax levy can be raised to cover same. Nadine Cordts seconded. Motion carried. The library personnel was instructed to check whatever sources necessary to add to the social security fund.

Nadine Cordts reported for the Recreation Commission. She said the Goff memorial had bequested a memorial of \$844 to the commission. She said she was now working to see if these funds could be matched by the Jones Fund. She said she was also hoping this would have some influence on the committee reviewing the City's grant application. She reported there had not been a date set as yet for the meeting to review the applications with the state.

Mayor Cole presented Dave Woodward's resignation for action by the Council. Davenna Jones made a motion that the resignation be accepted. Calvin Ufford seconded. Motion carried.

Mayor Cole then discussed the resignation of all the part-time patrolmen. He said their main problem seemed they felt they were not appreciated. He said they told him there was a hands off policy for certain persons. Several members of the Council noted Dave Woodward had been told at his interview there was not a hands off policy on anyone. Mayor Cole said the men would not name anyone, but they all felt the same way. Nadine Cordts said maybe there should be a paragraph in the contract referring to this.

Bruce Smith reported there had been a couple of sewer lines plugged up with roots and there had also been another problem with the Anderson lift station but things seemed to be allright now. One member asked him what he had found out about the problem at Crady's Trailer Court. Bruce said he thought it had been taken care of by the owner. It was noted the work that had been done actually had made it worse and Bruce Smith was instructed to check it out. He also reported no water breaks for about six weeks.

Next, the Council reviewed the Cable TV franchise contract left by Mr. Pabst at the November meeting. It was noted there were several questions that would need answering before the Council could make a decision. The Clerk was instructed to ask Mr. Pabst to be present at the January meeting so these items could be clarified.

Next item to be discussed was a communication from Steve Jones in connection with proposed Fire District #4. Mr. Jones enclosed a notice of hearing on the advisability of the City of Overbrook to be included within the fire district along with a resolution petitioning the Osage County Commissioners for the City of Overbrook to be included in the Fire District. After a brief discussion, Calvin Ufford made a motion that the notice of public hearing be published on the 18th of December with the public hearing to be held at 7p.m. January 7, 1981 to discuss the formation of Fire District #4. Nadine Cordts seconded. Motion carried.

The subject of the judge withholding his decision on the Bloom case was discussed. The clerk was instructed to contact the Attorney General's office to see if the process could be speeded up.

The Treasurer's report was given. He commented on the thoroughness of the new bookkeeping system and suggested that he no longer be paid. The Council felt, inasmuch as the State laws dictate that the Treasurer should keep books on fund balances and also maintain an audit procedure on the Clerk's books, that things would be left as is for the time being.

Bruce Smith requested the Council transfer the money used to pay his Blue Cross/Blue Shield Insurance to his monthly payroll. He said he had another policy which payed better and it wasn't economical to have two. He said if at some time in the future he needed the insurance again, the money could be transferred back to the insurance. After a brief discussion, a motion was made by Nadine Cordts that the money be transferred to Bruce Smith's monthly payroll. Motion carried. Calvin Ufford abstained.

Meeting adjourned at 10:30 p.m.

Respectfully submitted,



Mildred J. Cannon
Clerk

Approved _____