

Date: 9/19/13

Description: Cancel Minutes from 1/14/1981, 1/21/81, 2/11/81,
3/11/81, 4/8/81, 5/13/81, 6/10/81, 7/8/81, 7/13/81,
8/12/81, 9/9/81, 10/14/81, 11/10/81, 11/28/81, 12/9/81

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By: Jim Foye City Clerk

MEMBERS PRESENT:

Floyd Greenwood
John Irwin
Davenna Jones

Nadine Cordts
Calvin Ufford
Mayor Bruce Cole

OTHERS PRESENT:

Albert Smith
Lynn Schoonover
Fred Marshall
Rick Johnson
Bruce Smith

Kenneth Greene
Mildred Greene
Calvin Williams
John Gingerich
Max Friesen

The regular meeting of the Overbrook City Council was held January 14, 1981. The meeting was called to order at 7:30 p.m. by Mayor Bruce Cole.

The roll was called by the clerk. Mayor Cole asked the members to consider the minutes of the December 10, 1980 meeting. Nadine Cordts made a motion that the minutes be approved as written with the exception of the change in the name of Gary Anderson to Ron Anderson in the last paragraph page 1. Davenna Jones seconded. Motion carried.

The outstanding bills of the previous month were considered. Calvin Ufford made a motion seconded by John Irwin to approve all warrants. Motion carried.

Mr. Robert Pabst - Cable TV was present to review the cable tv franchise with the council for possible changes. Mayor Cole explained that the city attorney had expressed concern that the franchise should include all persons residing in the city of Overbrook. Mr. Pabst said there was no problem with covering the entire town if he could start in the next few months. He said they planned to run 1/4 mile outside city limit if there were several homes requesting service.

After considerable discussion, it was decided the franchise changes would be the deletion of line 1, section 32, page 18 in reference to the city clerk duties; addition of the word 'grantee' section 16, paragraph B, page 7; and the addition of installation charges of \$10.50 during and one month after the construction phase and 15.00 thereafter and monthly charges as follows: cable \$9.00, HBO \$9.00, additional set \$1.50, FM only \$1.00 and the deletion of the line referring to FM and Cable. The matter was tabled to a later adjourned meeting so changes could be made.

Kenneth Greene and Calvin Williams, his legal representative, were present to advise the council that the trash collection rates were going to have to be increased and that they would present the needed figures at the next meeting.

Rick Johnson appeared to protest the property owners being billed for tenants past due utility bills after the tenant has vacated the property. Mayor Cole explained the ordinance and the reason it was enacted. Mr Johnson said he felt the city should charge a deposit so this could be averted in the future. It was explained that if the city did in fact charge a deposit, interest would have to be paid and the city did not have the personnel or the money to handle it. Mr. Johnson was thanked for coming and was excused.

Next on the agenda was the presentation of a resolution petitioning the county commissioners to include the City of Overbrook in the proposed Fire District #4. There was a general discussion. Lynn Schoonover and Fred Marshall were present to answer any question the council might have. Certain members of the council felt the wording on Section I should include reference to the boundary lines of the fire district. This matter was also tabled to be taken up at the adjourned meeting after changes have been made.

Mayor Cole read a letter to the council from the State of Kansas concerning the use of the city books to work out a new computer system. Calvin Ufford made a motion to accept the services offered per the letter for the three months mentioned. John Irwin seconded. Motion carried.

Mayor Cole read a portion of a second letter from the State of Kansas in reference to the City Treasurer. It was noted that the Treasurer had to stay on as a consultant to review the books for internal control.

John Irwin presented the Rural Water District contract to the council. He explained it needed to be taken care of right away and explained they wanted to bring the project together within the next ten days. In lieu of several questions it was decided the matter would also be tabled to be taken up at the adjourned meeting.

Floyd Greenwood reported he had been in contact with the League of Municipalities in connection with the streets in the Hackett addition and the league felt the City was probably going to have to go ahead and do something rather than wait for the developer to act. They suggested a hearing with residents in the area and after getting their input, make a decision. He said a benefit district might be the answer. He noted that out of 44 lots, 26 were listed as being owned by developers or corporations. Councilman Greenwood said there had to be an agreement of at least 51% of the owners and then a bond issue could be obtained. The possibility of laying rock for a base was discussed but nothing was decided upon.

Nadine Cordts reported that there still hasn't been a date set for the meeting on the park but that Oberlinger had gone to the December meeting and the grant monies have been received but no allocations have been made yet.

In reference to law enforcement, Councilwoman Cordts reported she had been in contact with all the law enforcement schools and had put an add in the League publication but had not received any answers as yet.

Mayor Cole reported the City had been in contact with the judicial dept. of the State of Kansas and they in turn had instructed Judge White to make a decision on the Bloom case. They had an assurance that a decision would be forthcoming within a week.

A letter from Betty Herron's attorney was read. It was the recommendation of the Council as a whole to recommend the matter stand as originally dispositioned.

The Treasurer's report was given.

The meeting was adjourned at 11:30 P.M. to reconvene at 7:30 P.M. January 21, 1981.

MEMBERS PRESENT:

Davenna Jones
Nadine Cordts
Floyd Greenwood

Calvin Ufford
John Irwin
Mayor Bruce Cole

OTHERS PRESENT:

Lynn Schoonover

The adjourned council meeting of January 14, 1981 was reconvened on January 21, 1981 at 7:30 P.M.

The first item to be discussed was the Rural Water District #5 contract and its changes.

John Irwin presented an ordinance which would authorize the execution of said contract with the Rural Water District. He went over the changes point by point. After a brief discussion, John Irwin made a motion that based on apparent acceptance of the RWD Contract, Ordinance No. 108 authorizing the Mayor and City Clerk to approve the RWD Contract on behalf of the city be passed. Floyd Greenwood seconded. Motion carried.

The Council then went to the subject of the Ordinance requesting the City of Overbrook be included in Fire District #4. Lynn Schoonover reported he had checked with the County Clerk and it was her advice to go straight to the County Commissioners. Nadine Cordts made a motion seconded by Calvin Ufford to approve Resolution #11. Motion carried. There was little discussion in lieu of the decisions made at the January 14 portion of this meeting.

The Cable TV Franchise was presented with its changes. After a brief discussion, the clerk was instructed to add the standard publication paragraph at the end of the contract. Nadine Cordts made a motion that the contract be accepted with the one addition. Floyd Greenwood seconded. Motion carried.

There was some discussion about the Telephone Company franchise. It was noted there didn't appear to be any record of payments to the city. It was decided to further research the matter and bring it up again at the February regular meeting.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted



Mildred J. Cannon
City Clerk

MEMBERS PRESENT:

Nadine Cordts
Calvin Ufford
John Irwin

Floyd Greenwood
Mayor Bruce Cole

MEMBERS ABSENT:

Davenna Jones

OTHERS PRESENT:

Calvin Williams
Mildred Greene
Kenneth Greene

Mark Daniels
Max Friesen
Bruce Smith

The regular meeting of the Overbrook City Council was held February 11, 1981. The meeting was called to order at 7:30 p.m. The roll was called by the clerk.

The minutes of the January 14 regular meeting and January 21 adjourned meeting were considered. Nadine Cordts made a motion, seconded by Calvin Ufford that the minutes be approved as written. Motion carried.

The Council was then asked to consider the outstanding bills for the previous month. There was some discussion about the unemployment insurance being charged by the State of Kansas for several previous employees -- one part time. It was explained that in the past the City had chosen to be reimbursing employer thus not being required to pay a monthly percentage but when a person submits a claim for unemployment, the reimbursing employer is required then to pay. Calvin Ufford made a motion to honor all bills. John Irwin seconded. Motion carried.

Fred Marshall was present to request authority to purchase various items of fire equipment. He said neither he nor Lynn Schoonover felt they should order anything without permission. He was given permission and was instructed, in the future, they should check with the clerk to find out where they stood in the budget and the clerk would then contact the Mayor and/or Council for authority.

Calvin Williams, Attorney, was present representing Greene Sanitation Service. He presented a proposal for the Council's consideration. Included in this proposal was a rate increase for residents to a total of \$4.25 per month. Also included was a new coded rate schedule for business designed to bring rates to a more equal basis. Calvin Ufford reported he had met previously with Williams and Greene and some parts of the proposal were worked out at that time. Mayor Cole questioned the rate for the retirement project. He said he felt that since two dumpsters were used and no door to door pickup, the project should not be charged as individuals. He said the whole purpose of building the project was it would be a place for someone who is older to live with minimum expense. It was agreed the charge for the retirement project would be based on Code E(2 yd. dumpsters @ \$20 each.) Mr. Williams explained the major reasons for the raise were; the cost of gas and labor, also dump sites had increased their rates. He said "...we think this has got enough -- we can make it for a year no matter what happens

to the cost of items. We are talking about a year from now. I think there is enough leeway on the gas unless something completely unforeseen happens."

The Council brought up certain questions such as; why did business district require two pickups, was there a possibility of picking up half residential on Tuesday and the other half on Thursday and also would there be a possibility of dumping in Osage City dump thus keeping monies in Osage County. Mr. Greene explained that state and federal laws required at least two pickups for business's handling food. He also explained when he comes to Overbrook in the morning, he goes to Shawnee County to dump and then in the afternoon he collects other areas and if he changed the routine he wouldn't be honoring other contracts. He said it wouldn't be economically feasible for him to drive the other direction to dump in Osage City and then double back to Shawnee County to work.

After lengthy discussion, Calvin Ufford made a motion that the City accept the Greene Sanitation Service proposal of \$4.25 per resident and the equalization of business based on the 12 month span beginning with the April billing. John Irwin seconded. Motion carried. The Clerk was instructed to write a letter of confirmation.

Also discussed was the upcoming contract for trash collection. It was noted the contract would expire the last of June and Mr. Greene would have to have a letter from the city in confirmation of the renewal at least 60 days prior to the renewal date so the proper paper work could be done for bonding.

Mayor Cole explained that DeShazer Carpet had refused to pay one month's trash hauling fee because he felt he did not get proper service. Mr. Greene said he could not pick up long rolls but he had picked up carpet, rubber and office trash and he felt it was a just debt. The clerk was instructed to contact Mr. DeShazer apprising him of the rules such as bundling etc.

Mr. Greene also said he would like to commend Bruce Smith on the job of snow removal he had done on the streets.

Mark Daniels was present to discuss the law enforcement problem. He said he felt we should try to get someone before warm weather arrives. He discussed the Friday 13 problem and also noted Tom Ripley was again available for part-time duty. Mr. Daniels announced he had taken schooling and was now a licensed Emergency Medical Technician and that he was working with the Sheriff and Crable Ambulance service on an on-call basis. He said there might be times he would not be available for patrol or if he was on patrol and an emergency call came in, he would be obligated to leave his post and answer the emergency call.

Mayor Cole announced that Dale Bloom had made his intentions known that he planned to attend tonight's meeting to ask for a zoning change. Mayor Cole noted this was not a Council matter, it was a Zoning Commission item. Mr. Bloom was not present.

Mayor Cole reported that a decision had been given by Judge White and that the ruling had been in favor of Mr. Bloom although the Judge disagreed with Mr. Bloom on several items.

John Irwin had nothing to report on water other than the contract had been signed for the City inclusion in the RWD#5 connection to Clinton and we were waiting for the billing of \$7,000. He also said the waste water grant funds looked like they were out of the picture now.

Nadine Cordts felt the Council should look into making an amendment or order creating a Park and Recreation Commission in lieu of Recreation Commission. Calvin Ufford reported he had been in contact with a member of Lake Regional Resource and Management Conservation Service and that Overbrook looked like they were in a good spot. He also said the service would be glad to act as conservationists after the park gets under way.

Mayor Cole reported he had been in contact with Mr. Montague of the Phone Company and there was discussion but nothing had been settled. He said Montague said the City should reprint the ordinance. Mayor Cole said he did not agree, he felt the City had done their part and now it was up to the phone company to make restitution.

Remodeling of the back room of the City Hall was discussed. One member felt that inasmuch as the building was donated to the City, it was up to the City to make improvements.

The hiring of a Police Chief was discussed. It was suggested someone call the League of Mun. and see what our rights are pertinent to training. It was reported there had been one favorable interview but there may be two more applications coming in and the Council should wait a few days before making a decision.

The Treasurer's report was given. Max Friesen said he felt an account should be opened for sinking fund to pay bond and interest for water construction. It was also thought water maintenance should have a special account of around \$4,500.

Calvin Ufford suggested checking into whether Dr. Maichel would sponsor a clinic to have pets inoculated for rabies.

Nadine Cordts made a motion, seconded by John Irwin that the meeting be adjourned. Meeting adjourned at 10:15 p.m.

Approved 3-11-81

MINUTES -- Regular meeting of the Overbrook City Council -- March 11, 1981

MEMBERS PRESENT:

Floyd Greenwood
Nadine Cordts
John Irwin

Davenna Jones
Mayor Bruce Cole

MEMBERS ABSENT:

Calvin Ufford

OTHERS PRESENT:

Mark Daniels
Tony Hazen
John Gingerich
Mildred Greene
Kenneth Greene

Shiela Dale
Bruce Smith
Max Friesen

The regular meeting of the Overbrook City Council was held March 11, 1981. The meeting was called to order at 7:30 p.m. by Mayor Bruce Cole.

The roll was called by the clerk. Mayor Cole asked the members to consider the minutes of the February 11, 1981 meeting. Floyd Greenwood made a motion, seconded by John Irwin to approve the minutes as written. Motion carried.

The outstanding bills of the previous month were considered. Nadine Cordts made a motion, seconded by Davenna Jones that all warrants be approved. Motion carried.

Tony Hazen, Police Chief, reported he had obtained an estimate to overhaul the motor of the patrol car. He said Marshall's Automotive had given an estimate of \$800 to \$1,000 depending on the extent of the work to be done. He said the car was using an excess of oil and the plugs had to be changed approximately every 1,000 miles. Mayor Cole suggested he check into the replacement of the present carburetor with a smaller one. The Council agreed by consensus that the repair work should be done as soon as possible.

Mark Daniels was present to request a pay raise for reserve police officers. Mayor Cole suggested Mark Daniels receive a higher hourly wage than the other reserve officers in consideration of the extra training he has and also because he is the senior reserve officer. Floyd Greenwood made a motion that regular reserve officers receive \$3.35 per hour and Mark Daniels as senior reserve officer, receive \$3.50. Davenna Jones seconded. Motion carried.

Chief Hazen reported there had been a question brought up as to the legality of using cage type traps to pick up stray dogs. He was instructed to check with the judge and any other authority necessary and get back with the Council at a later date. Chief Hazen also reported the need for a new first aid kit for the patrol car. He said the present one was in very bad condition with nothing in it usable. He was instructed to check into a replacement container and new materials.

Bruce Smith reported a motor had burned out in the pump in #3 well. He said the 10 hp motors suggested by Kramer, now being used, take too much power before they trip out and the one in #3 is being replaced with a 5 hp motor per Jim Youngman's suggestion. He said there was a break about a month ago followed shortly thereafter

by a second major break and they were still trying to catch up with one well short. He reported the wells were not giving up as much as in the past. There was a possibility maybe they were plugged up or the motors were too heavy and were trying to pump the water too fast. Mr. Youngman felt the ground was suited only for 20 gpm and they had been pumping 25 to 30 gpm. Bruce said they had squeezed all the wells back and were not pumping as fast as before.

John Irwin said, after checking the problem out, it was obvious we are going to have to continue to conserve water in Overbrook. He suggested checking with RWD #5 for another temporary hook-up. He said Mr. Youngman felt #2 was down and we had burned up #3. Councilman Irwin said at this point no one really knows how bad it is. It was suggested someone appear at the next RWD meeting to discuss it with them.

Councilman Irwin also said he felt the \$7,000 payment for RWD #5 hook-up with Clinton Reservoir should be paid by a No-fund Warrant as it would short the water operating budget. He said his recommendation is, 'the emergency warrant is the tool we will have to use in this case.'

Nadine Cordts made a suggestion that inasmuch as there are several water items unfinished and this being John Irwin's last meeting as a member of the Council, he be appointed possibly as Water Commissioner. Councilman Irwin said he would give it some thought but that he felt legally he could only be a consultant.

Mayor Cole introduced Ordinance 110, "An ordinance declaring, establishing, and defining the city limits and boundaries of the City of Overbrook". He explained it was essentially the addition of the park but that whenever the boundary of a city changes, a boundary ordinance has to be filed by the end of the year. He said Calvin Ufford had done the work compiling legal descriptions and the State Department of Transportation had written the ordinance. Floyd Greenwood made a motion, seconded by John Irwin to approve Ordinance 110. Motion carried.

It was reported the clerk had checked with Dr. Maichel in regard to rabies shots for dogs and that he had agreed to do it possibly sometime in May. The clerk was instructed to contact the Rotary Club about helping.

Mayor Cole introduced an application for a carry-out beer license by Bruce Faust, dba Bob's Champlin. Chief Hazen was instructed to make the necessary inspection of the premises per Ordinance 91, Section 12 and also supply Mr. Faust with a copy of said ordinance. Mayor Cole said the license would be held until the inspection had been completed.

Mayor Cole reported he had received a communication from Steve Jones in reference to the telephone company franchise referred to at an earlier meeting. Mr. Jones stated he had written a letter to the attorney for the phone company asking him to discuss the matter. He also pointed out Section 8 of the Ordinance recites the phone company has 60 days to file a written acceptance. He was also going to check to see if there was a state requirement forcing them to accept.

The clerk reported there had been some question by certain customers as to the time element on pick-up at the drop box at the grocery store. It was decided by the Council that a bill could not be considered delinquent if the money was in the drop box any time during the day of the 20th and no shut off if the money was there any time the day of the 27th even though the pick-up time was 8 a.m. This is also true of mail received at the post office post marked the 20th or 27th. There was also some question about certain residents who had asked for special compensation in regard to trash pick-up. It was decided there could be no special allowances for persons not putting their trash out. Everyone was to receive the same billing.

Mayor Cole asked the Council to consider reappointing Cliff Fischer to the Housing Authority for a four year term. Nadine Cordts made a motion, seconded by Davenna Jones, that Cliff Fischer be reappointed to the Housing Authority for a four year term. Motion carried.

Floyd Greenwood reported that it was probably getting warm enough to start patching the streets. Bruce Smith was instructed to order patching compound when he felt the time was right.

Nadine Cordts reported the park did not get funded. There was much dissatisfaction as to the way the State Board had handled the funding. It was reported Bruce Cole had made a very good presentation but that it had been all decided before they showed up at the meeting. Councilwoman Cordts reported that if the city decided to go ahead and construct the diamonds, etc., we could get matching funds if we kept track of hours equipment, etc. She also said we need to approach the County Commissioners about the possibility of monies being budgeted for recreation to be allocated to the various cities in the county.

Councilwoman Cordts reported that the pool affairs had been turned over to John Ramsey. She said he will take care of everything. She also reported Bruce Smith had said it probably would not cost as much as anticipated to get the pool ready for the summer and do the necessary repairs.

Nadine Cordts made a motion that the Council go into executive session to discuss a personnel matter. Floyd Greenwood seconded. Motion Carried. The executive session began at 9:30 p.m. and ended at 9:45 p.m.

The Treasurer was asked if he would give his report. Max Friesen said the figures on the sheets provided by the clerk were complete and nothing else was to be added. One member asked if there were a possibility of the city funds being placed in a 'NOW' account. Max explained that municipalities and school districts were not entitled to use the new interest paying checking accounts, by law.

John Irwin commented on the water reserve. He said even though the ordinance stated differently, state law requires us to have one year total payment in reserve and that is exactly what we now have.

Davenna Jones made a motion that the meeting be adjourned. Floyd Greenwood seconded. Motion carried. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

Mildred J. Cannon, Clerk

MINUTES -- Regular meeting of the Overbrook City Council -- April 8, 1981

MEMBERS PRESENT:

John Irwin
Davenna Jones
Calvin Ufford

Floyd Greenwood
Bruce Cole, DDS, Mayor

MEMBERS ABSENT:

Nadine Cordts

OTHERS PRESENT:

Twila Athon
Tom Athon
Kenneth Greene
Mildred Greene
Tony Hazen
Mark Daniels
Tom Ripley

Bruce Smith
Skip Mann
Lynn Smith
Cliff O'Bryhim
Max Friesen
John Gingerich

The regular meeting of the Overbrook City Council was held April 8, 1981. 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 April 11, 1981 meeting. Floyd Greenwood moved, seconded by John Irwin, that the minutes be approved as written. Motion carried.

The outstanding bills of the previous month were considered. In reference to warrant No. 1254, there was a brief discussion as to whether the old pump should be traded in for \$200 or be kept for possible overhaul and use at a later date. The subject was tabled until later in the meeting. Also questioned was warrant No. 1242 made payable to Kramer Engineering. John Irwin explained it was for work done in connection with the RWD water contract and had been approved at an earlier council meeting. Calvin Ufford made a motion to accept all warrants with the exception of 1254. John Irwin seconded the motion. Motion carried.

Tom Athon appeared on behalf of the Athletic Assn to request the City pay for the lighting of the baseball diamond this summer as had been done in the past. Mr. Athon also requested dumpsters again be placed at the park for the summer. Kenneth Greene explained, as far as trash collection is concerned, there was a problem that needed working out with the schools inasmuch as the park collection was done free and the school dumpsters were used. Lynn Smith, Principal of the Overbrook Schools and Mr. Greene agreed to discuss the problem and try to come up with a workable solution. Calvin Ufford made a motion, seconded by Davenna Jones, that the City pay the lighting of the baseball diamond this summer. Motion carried. *Motion rescinded by Calvin Ufford. New motion made - see May 13, 1981 Minutes.*

Mr. Athon reminded the Council of the problem of improper lighting at the ball diamond. He said he had checked with the State Recreation Commission and Topeka Recreation Commission and none of their used lighting fixtures were acceptable. He said he had checked with Davis Wholesale who had some 1500 watt quartz lights @ \$35 each. He said the association had some money available in their funds and had purchased ten lights and hopefully the City could see their way clear to help with the cost. One of the Council members explained the money

was going to be pretty tight this year with only one mill budgeted for recreation and work is already starting on the new park.

Mayor Cole reported the Hearing Aid Society of Wamego had requested the use of the council room for testing on Wednesday April 22. Councilman Irwin said he was opposed to this inasmuch as this would only lead to others wanting the same privilege. The clerk was instructed to inform the company of the Council ruling.

Mayor Cole reported there was a request for a street light to be placed in the vicinity of the southeast corner of the alley by the housing project. The Council agreed the City should proceed with whatever paperwork is necessary. The clerk was instructed to contact Leon Green.

John Irwin reported no new problem on the water system. He said the new pump had been installed but no pumping figures were available as yet. He said he was interested in alternating the water storage between the two towers at peak times so the city would always have a full tower. He said this way there would always be fire protection.

One member suggested checking out an abandoned government well around 2½ miles from the city wells. Skip Mann offered the information that the well had been condemned and was used for livestock only.

The subject of trading in the bad pump was again discussed. One member felt that if the city could only get \$200 in trade maybe it should be kept and possibly be repaired for use as a spare. John Irwin made a motion, seconded by Floyd Greenwood to approve warrant No. 1254 for payment in full and retain the old pump. Motion carried.

Floyd Greenwood reported it was time to think about street repair. The matter was tabled until Councilman Greenwood and Bruce Smith could discuss the number of streets needing work.

Mayor Cole reported he had received a carbon copy of a letter from Mildred Greene to Brookside Manor in reference to the transfer of trash service from bulk pick-up to dumpster. Kenneth Greene explained he picks up approximately 16 yds on Tuesdays and 5 to 8 yards on Thursdays (6 to 7 ton) and he felt there was no way that much refuse could be gotten into three dumpsters. It was noted by one member that the figure of \$30 per month stated in the letter was in error and the Brookside Manor was rated G (major commercial) @ \$40 per month. Mayor Cole suggested holding up any decision until more information has been obtained.

Tony Hazen was present to report on Law Enforcement. He discussed the storm watch. He also discussed stray and loose dogs. He said there were a number of complaints and two cases of dog bites. One member asked if he had gotten a ruling on the legality of the dog trap as questioned in March. Chief Hazen said it was definitely legal. It was suggested that the portion of the ordinance pertaining to dogs be printed in the local newspaper along with an article showing when and how to obtain licenses.

Another item of importance was the problem of fading yield and stop signs. Chief Hazen said some were in such bad condition that he could not enforce the law if someone did not observe the sign. He said it was also required they be reflective. He said a preliminary count showed the need for at least 29 new signs. It was noted the beaded reflective ones last 3 to 5 times longer. Calvin Ufford made a motion to purchase 30 new 30 inch reflective yield signs. John Irwin seconded. Motion carried.

Chief Hazen reported he had been doing a study on the problems at the intersection of Maple and 4th. He reported the parking at the intersection west on 4th was a hazard and the parking spaces south of the corner in front of David's Flowers was also a problem. This item was tabled until more information could be compiled.

Mayor Cole reported on the progress of negotiations in reference to the phone franchise. He said he had been in contact with the City attorney who had discussed the problem with the phone company attorney and the decision was, the phone company had 60 days to accept but printing of the ordinance was paid for by the phone company. Mayor Cole said Mr. Jones' point was, there was some problem with a letter of acceptance and he wanted to know if we were in a position to prove it had been accepted. After a brief discussion, Calvin Ufford made a motion to instruct Steve Jones, City Attorney, to pursue this difference the City with the phone company. Davenna Jones seconded. Motion carried.

Liability insurance for voluntary work on the city park was discussed. A price of \$2.92 per \$100 at minimum wage was quoted. One member felt it was excessive and thought it might be worth while to check and see how others handle this. One member thought possibly each person working could sign a waiver of responsibility.

Mayor Cole read three letters from Shiela Dale. The first two were congratulating the new Council members and explaining why she could not appear in person. The third was a request to be notified of all council, special council and committee meetings. The clerk reported a previous request had been received from Mrs. Dale and that the League of Municipalities had been contacted. Their advice was since regular council meetings are set by ordinance it was not necessary to contact anyone in regard to the regular monthly meetings. The clerk said Mrs. Dale would be contacted whenever a special meeting was called. John Gingerich asked that he also be contacted when a special meeting was called.

The Council then turned back to Floyd Greenwood and his report on the need for street resurfacing. He said there were 24 blocks and 8 intersections badly in need of work, this did not include Maple. He also reported patching material had raised 25% in the last year. Max Friesen, Treasurer reported there would be only \$20,000 available. Bruce Smith was instructed to go ahead with the bids.

John Irwin made a motion seconded by Floyd Greenwood to open an interest bearing savings account as the City's operating fund and disbursement be made into the city checking account on a monthly basis as necessary including daily disbursements. These accounts to be held at the Kansas State Bank. Motion carried.

Mayor Cole announced the appointments for each councilman as follows:

Floyd Greenwood - streets
Calvin Ufford - water/sewer
Lynn Smith - budget/finance
Cliff O'Bryhim - assist streets
Davenna Jones - assist water/sewer

Mayor Cole also announced John Irwin had agreed to serve as consultant.

Calvin Ufford reported there was a need to contact the water consumers of the city in reference to conservation. He said he felt now is the time to work up an article for the paper. John Irwin said he had ordered a brochure from American Water Works Assn. to be distributed to the city water consumers. The brochure would tell specific ways to conserve.

Mayor Cole commended John Irwin on the time and effort he has put in, much of which was extra-curricular. He said he knew a lot of the problem areas the city has are a great deal better than they were a few years ago. He also thanked Councilman Irwin for agreeing to stay as a consultant.

Mayor Cole also commended Nadine Cordts for her time and efforts spent on city work especially recreation. He announced Councilwoman Cordts had agreed to stay as Chairperson of the Parks and Recreation Commission.

The meeting was adjourned at 10:25 p.m.

MINUTES - Regular meeting of the Overbrook City Council -- May 13, 1981

MEMBERS PRESENT:

Calvin Ufford
Floyd Greenwood
Nadine Cordts

Davenna Jones
Bruce Cole, DDS, Mayor
NEW MEMBERS: Cliff O'Bryhim
Lynn Smith

MEMBERS ABSENT:

John Irwin

OTHERS PRESENT:

Carl Antes, Blacktop Const.
George Poje, Lawrence Asphalt
Lawrence Asphalt Rep. (name unknown)
Bruce Smith
Kenneth Greene
Mildred Greene

Tony Hazen
Max Friesen
John Gingerich

The regular meeting of the Overbrook City Council was called to order at 7:32 P.M. The clerk called the roll. The minutes of the April 8, 1981 meeting were reviewed. Calvin Ufford requested the motion made by him in reference to payment of the recreational lighting (para 4, page 1) be rescinded. He explained it was not his intent for the City to pay this from the general fund, he felt it should be paid from the recreation fund. The matter was tabled to be discussed later in the meeting. Davenna Jones made a motion to approve the minutes as written with the exception of the aforementioned change. Calvin Ufford seconded. Motion carried.

Mayor Cole thanked Nadine Cordts, outgoing council member, for her outstanding work on the council and park and recreation commission.

The Clerk administered the oath of office to Cliff O'Bryhim and Lynn Smith as Council members and Bruce Cole as Mayor.

Calvin Ufford was elected President of the Council by unanimous decision.

The outstanding bills for the previous month were reviewed. Davenna Jones made a motion, seconded by Floyd Greenwood, that all bills be approved. Motion carried.

Greene Sanitation Contract was discussed. Calvin Ufford made a motion that the present contract between the city and Greene Sanitation Service for refuse collection service be continued for two years beginning July 1, 1981 and ending June 30, 1982. Floyd Greenwood seconded. Motion carried.

The meeting was turned over to Floyd Greenwood who read the bids for street resurfacing as they were submitted;

Lawrence Asphalt	17,450.00	Midwest	\$1.02 pr sq yd (23,239)
Blacktop	15,030.54	Hamm Const.	14,825.00

using 3/10 gal. asphalt per sq yd with 28 lb chips
Calvin Ufford made a motion that the City accept low bid (Hamm Const - \$14,825) with payment of 50% at completion and 50% at the end of 1981. Lynn Smith second. Motion carried.

The subject of the street problems in the Meadows Addition was discussed. Mr. Poje, Lawrence Asphalt Rep. said he had looked at the project and felt a portion of Surrey and the West portion of Second needed to be graded and filled with seven inches of gravel @ of approximately \$8,800. One member felt the City should not become involved as it might set a precedent for all new additions. The matter was set aside for future discussion. ✱

In reference to the new park, Calvin Ufford asked Mr. Poje how much rock would be necessary for a parking lot. He said four inches would be servicable if you were to have cars only but to do it right, six inches would be best. He also said it would need good drainage.

The representatives from Blacktop Const. and Lawrence Asphalt were excused and were thanked for coming.

The problem of drainage near the northeast corner of Second was discussed. Calvin Ufford said he had visited with Larry Coffman and he had offered to weld any kind of grate the city needed if they could break into the intersection. It was agreed by consensus that this work should be done before the streets are re-surfaced.

Tony Hazen, Chief of Police, reported on Law Enforcement:

First he discussed the parking problems on Fourth, West of Maple and also several spots on Maple around the intersection and by the fire station. It was decided no parallel parking would be instituted as yet on Fourth, West of Maple and the spots for "no parking" would be one in front of the library, one-North ~~of the present fire station~~, one on each side of Maple, South of Fourth and two just West of Maple on the South side of Fourth. It was agreed "no parking" signs should be installed at these locations.

Also discussed were the potential parking problems around the proposed new fire station when erected. This matter was shelved until the building is actually erected and ready for use.

Next, Chief Hazen discussed the possible need for a new traffic ordinance. The Council was asked to review the ordinance advocated by the League of Municipalities. It was noted the one now being used by the City was patterned after the Topeka City ordinance but several portions have been ruled unlawful by court. It was noted the City of Lyndon is now using the new ordinance. This ordinance is updated by the League every other year. It was suggested the City wait for the 1982 version before taking any action.

Chief Hazen requested his Blue Cross/Blue Shield payment be received as wages at this time inasmuch as his wife had health insurance and they would be double insured. Approval was unanimous with the stipulation that if Chief Hazen wishes health insurance in the future, the dollar amount would be removed from his gross salary.

Nadine Cordts requested a street light be installed in the Four hundred block of West Market. Mayor Cole noted that it had been the policy of the City to have a light at each block within the City limits. Calvin Ufford made a motion that the City place a light somewhere near the West end of Market commensurate with the size in other areas of the City. Cliff O'Bryhim seconded. Motion carried. Lynn Smith dissenting.

Nadine Cordts discussed the possibility of the transfer of the levy for Park and Recreation to the Park and Recreation Commission. It was noted by one member that this could be done but the electric bills for the ball association and pool should be paid from this fund. Calvin Ufford explained this was why he had rescinded his motion of the last meeting. He said he had thought the city would be responsible for the approximately \$1800 and it would go toward paying expenses for the pool and lights for the ball park. He said the Council knew it was not enough to completely finance that obligation. He said he did not object to turning the funds over to the recreation commission but he did feel the money should be spent paying for the lights and pool and any deficite should be taken up with the City at such time as the fund is depleted. Calvin Ufford made a motion that the City turn the recreation funds over to the Park and Recreation Commission for their disposition and at such time as the Commission may have a deficite, a representative should meet with the City Council to request help in resolving their financial problems. Davenna Jones seconded. Motion carried.

Mrs. Cordts invited the Council and any other interested persons to attend the Commission meetings which will be held on the second and fourth Mondays of each month. She also said the Soil Conservation Service had agreed to donate Calvin Ufford's services to survey and stake the new park as a gesture of good will. It was suggested the City send a letter of thanks. Mrs. Cordts said this had already been done by a Commission representative.

The subject of potential annexation of approximately five to ten acres North of town for the new Methodist Church was brought up. Bruce Cole, speaking for the church building committee said they would pay all legal expenses, meter moving, cutting into sewer lines, etc. Calvin Ufford said he had mixed feelings on the subject. He said he was reluctant to approve any new building until such time as the City has finalized their hook up to the Rural Water District. It was agreed the area would be checked out and a decision would be made at a later date.

Davenna Jones reported there was a complaint about a dead tree on Walnut in front of Tutchers. It was agreed it would be checked into and taken care of.

The Clerk asked the Council to rule on procedures to collect unpaid utility bills on trailer rentals when a third party is involved. No disposition was made.

Calvin Ufford presented a resolution on water use. He said he felt the Mayor should have the authority to ration water by any means necessary to assure the City an adequate water supply. Davenna Jones made a motion, seconded by Cliff O'Bryhim, that this resolution be adopted. Motion carried.

It was reported the Cable TV Company had picked a potential site for its tower and they have a tentative agreement with the land owner. Hopefully service will begin around September 1.

Davenna Jones made a motion that the Clerk's wages be raised from \$3.50 to \$4.00 per hour. Calvin Ufford seconded. Motion carried.

The meeting was adjourned at 10:55 P.M.

Respectfully submitted,

Mildred J. Cannon, City Clerk

MINUTES -- Regular meeting of the Overbrook City Council -- June 10, 1981

MEMBERS PRESENT:

Lynn Smith	Calvin Ufford
Cliff O'Bryhim	Davenna Jones
Bruce Cole, Mayor	Floyd Greenwood (arrived 8:25)

OTHERS PRESENT:

Mildred Greene and son	Max Friesen
Tony Hazen	Lakin Schwanke (arrived 8:40)
Bruce Smith	

The regular meeting of the Overbrook City Council was called to order at 7:30 P.M. The clerk called the roll. The minutes of the May 13, 1981 meeting were reviewed. Davenna Jones made a motion the minutes be approved as written. Calvin Ufford second. Motion carried.

The warrants for the previous month were reviewed. There was some question about the excessive charges on warrant 1332. It was explained this was for work done on the spotlight and remote control mirror on the patrol car. Mayor Cole noted the spotlight was needed for night patrol and apparently no one in Overbrook wished to do the work. Lynn Smith made a motion that all warrants be honored. Calvin Ufford seconded. Motion carried.

Mildred Greene complained that the hole at the corner of Second St. and Surrey had rendered the street virtually impassible for their trucks. After a discussion of this and other street problems in the Meadows Addn., Lynn Smith made a motion that the City go ahead and rework the corner of Second and Surrey and complete the basework and drainage from the North end of Surrey Lane to mid-block, taking in all houses. Calvin Ufford seconded. Motion carried. Bruce Smith was instructed to go ahead with the work. It was agreed to contact Ivan Snyder about hauling the necessary rock.

Bruce Smith asked if the Council wished to have additional streets resurfaced inasmuch as the initial bid was lower than anticipated. He said the first bid figure was around \$600 to \$700 per block. After a short discussion it was decided to table the matter until Floyd Greenwood arrived before making any final decision.

Tony Hazen reported on law enforcement. He said there had been problems with noise from the bands performing at the Patch. He explained he could do nothing unless the complainant contacted him personally. He said the complaints were usually to a Council member and he was not notified until a day or so later.

The Council questioned the number of times the municipal court met per month. Chief Hazen said they met once a month right now but if the need arose Judge Coursen was available more often. Several members questioned the Judge's salary staying the same for one meeting as it had for several in the past. Mayor Cole said he would discuss it with Judge Coursen. Several thought he was a good judge and would not want to loose his services. The Clerk was instructed to contact surrounding cities to find out what their procedures were and their pay scale.

Mayor Cole discussed the problem of the dead tree in front of Tutchter's home. He said he felt it was too large to be taken down by someone without liability insurance. It was decided several would be contacted and bids taken for the tree removal.

Calvin Ufford agreed to attend a special Rural Water District Board meeting on Friday June 12, 1981 in hopes of convincing the Rural Water District to change the water line location to come in west of the Mark Daniel property. Councilman Ufford said hopefully it would come in at the northwest corner of the city. He said there was already easements west and northwest of the Daniel property and this would save the city easement expenses. He said the new location would involve only approximately 150 ft. of new water line. The line to Daniels is presently a dead-end - the hookup would form a loop and thus eliminate any 'dead' water problems. The Council agreed by consensus for Councilman Ufford to go ahead with the plan.

Floyd Greenwood arrived at 8:25 p.m. and was asked his feelings about resurfacing more streets. He said he would like to spend three to four thousand more on the streets. The previous motion in reference to the Meadows Addn. by Lynn Smith was explained. Councilman Greenwood made a motion for the Council to allow up to \$20,000 for street maintenance and repair which would include work necessary in the Meadows Subdivision and also a problem at the housing development. Calvin Ufford seconded. Motion carried.

Councilman Greenwood reported the brick work discussed at the May meeting had been finished and the grillwork should be done soon for the low spot on Second St. east of Maple.

Mayor Cole presented a petition from Trustees of the Nina Schlink Memorial to turn the pool and other real property over to the City along with \$3,000 left in the fund plus interest. He said it looked like the Jones Fund would match funds but would do it in two parts and any money turned over to the city account would be earmarked for pool use only. It was reported that the Jones Fund would see to the appraisal. One member felt this transfer would be good but that all monies should be used for the pool only. Davenna Jones moved; The City Council wishes the City of Overbrook to petition that the Nina Schlink Memorial Trust, both physical property and monies, be turned over to the city of Overbrook. Any Trust monies available to be allotted for construction and maintenance on the pool and grounds., Lynn Smith second. Motion carried.

Lynn Smith reported the weeds in vacant lots in the Meadows Subd. were getting out of hand. The Clerk was instructed to send letters to owners.

Cliff O'Bryhim questioned the possible closing or reduction of parking on Fourth St. somewhere between Maple and Oak. He said he had visited with Lakin Schwanke and there were several questions raised. Mayor Cole explained a fire district is being formed after which the fire department will no longer be under the City's jurisdiction. They would have their own tax money, etc. He explained they need more fire equipment and as far as he knew they planned to build an 'L' shape building with two doors opening onto Fourth St. He said he understood State laws prohibit parking 'X' number of feet each side and across from a fire station and if the City allowed parking in violation of this law and something happened, there would be a question of whether the City would be at fault. The problem was tabled until more information is available on the new fire district and building.

Max Friesen, Treasurer discussed the reinvestment of the two 6% Certificates of Deposit, one coming due in July and one now. Lynn Smith made a motion the City invest the money from the CD due now in a savings account until July and then transfer all to a Money Market Certificate. Cliff O'Bryhim second. Motion carried.

Calvin Ufford, in reference to the phone franchise, said he was not satisfied yet. He said he was going to check the records at the Telegraphic and see if there was any reference to the publication etc.

There was some question about the present City Attorney. There were several alternatives mentioned but the Council decided to table any decision until a later date.

The meeting was adjourned at 10 p.m.

Respectfully submitted,

Mildred J. Cannon
City Clerk

MINUTES -- Regular meeting of the Overbrook City Council -- July 8, 1981

MEMBERS PRESENT:

Lynn Smith	Davenna Jones
Cliff O'Bryhim	Mayor Bruce Cole
Calvin Ufford	Floyd Greenwood (late arrival)

OTHERS PRESENT:

Glen Scharf	Kenneth Greene
Bruce Smith	Tony Hazen
Charles Starkebaum	John Gingerich
Max Friesen	

The regular meeting of the Overbrook City Council was called to order at 7:32 P.M. The clerk called the roll. The minutes of the June 10, 1981 meeting were considered. Cliff O'Bryhim made a motion the minutes be approved. Davenna Jones seconded. Motion carried.

The warrants of the previous month were reviewed. Mayor Cole asked that any action on check 1374 (transfer of fire fund to fire district #4) be withheld until later in the meeting. Calvin Ufford made a motion that all warrants be honored with the exception of 1374 to be acted on later in the meeting. Davenna Jones seconded. Motion carried.

Glen Scharff, minister of the Overbrook United Methodist Church was present to discuss the proposed annexation of land north of Overbrook for the new church. The subject of sewer connection was discussed, Calvin Ufford said it was pretty shallow but if there wasn't a basement it would probably be alright. He also asked that the church consider leaving Oak Street open so it could be extended North and a public easement right-of-way be left on the west side so the rural water district line could be brought along the city line. Another problem of concern to Councilman Ufford was if this area is annexed, the RWD would only be obligated to bring their line to the northwest corner of the property. In reference to expenses incurred in hook-ups, etc., Councilman Ufford noted in the past sewer, streets, etc., were put in by developer and water was the decision of the Governing Body in office at the time. Mayor Cole said the City would get a check list ready so everyone would know what they have to do. Glen was thanked for coming.

Kenneth Greene asked for permission to again pick up trash at the schools and to negotiate with the school district inasmuch as there would be some major changes since the fire in Carbondale. Council approved by concensus.

Charles Starkebaum, President of the Fair Board was present to request permission to sell beer at the concession stand at the annual fair. He said it would be tap beer only. He assured the council there would be strict supervision and if there were problems, it would be shut down immediately. Since several Council members had reservations, the matter was tabled until Monday, July 13, 1981, 7:30 p.m.

Calvin Ufford asked the Council's feelings about the sale of small quantities of blacktop. He said from time to time the city would be approached individuals wanting small amounts. Bruce Smith said some had been sold that way but never until he was finished with all pot holes.

Tony Hazen reported some of the lots had been mowed in the Meadows Subd. but not all. He said he had contacted two persons who were interested in mowing the lots. Mayor Cole suggested he obtain bids and then proceed.

Chief Hazen asked if the Council wished to purchase another dog trap, since the original one had been stolen. After a brief discussion, Calvin Ufford made a motion to allow money for the purchase of another dog trap to replace the one stolen from Wayne Williams yard. Lynn Smith second. Motion carried.

Bruce Smith requested the Council consider the possibility of raising his wages. His last raise was September 1980. After a short discussion, Lynn Smith suggested they go on a percentage basis rather than a flat dollar amount. He said he felt the City should establish some type of policy so employees would know what to plan for. Mayor Cole recommended 10%. Davenna Jones made a motion that the City raise Bruce Smith wages 10%. Lynn Smith seconded. Motion carried. Four votes in favor with Calvin Ufford abstaining.

The Council reopened the discussion concerning the fire fund transfer. Calvin Ufford reported he had been appointed to the District #4 Fire Board. He said other members were Ralph Bryson, Larry Turner, Albert Smith, Fred Marshall, Lynn Schoonover and Max Friesen. He said the fire district is an entity directly under the county commissioners and they were ready to assume responsibility for paying bills etc. Calvin Ufford made a motion the City transfer the fire fund (warrant 1374) to Osage County Fire District #4. Davenna Jones seconded. Motion carried.

Calvin Ufford asked the Council's feelings on the purchase of an addressograph from the Citizen-Times. He said they had purchased a new one and would let the City have their old one for \$75. There was a brief discussion. Calvin Ufford made a motion the City purchase the addressograph from the Citizen-Times for \$75. Davenna Jones second. Motion carried. There were four yes votes, Lynn Smith voted no.

Calvin Ufford reported he had located a blade to work on the streets in the Meadows @ approximately \$30 per hour. He said if Rich Ufford ran it, it would be another \$7.00 per hour. He asked for a specific dollar figure allocated for this purpose. He was told there was \$2185 left of the \$20,000 allocated for streets and this would also have to cover the cost of the rock.

The subject of the fee to the Rural Water District of \$7200 (5% of total contract) was discussed. Councilman Ufford asked if the money was to be taken from the operating fund or should a surcharge be placed on water users to recover the money which would take around 18 months to two years. He felt the latter should be done since this was for upgrading. No decision was made.

In reference to the Phone Company franchise, Mayor Cole reported he and Calvin Ufford had met with phone representatives. They had submitted a sample ordinance. Mayor Cole said the phone company assured them they did not need a franchise to operate in the city but would rather have one so there would be no question of rules, etc., but it was up to the Council what percentage, if any, to assess. Calvin

Ufford thought it was wise to have a franchise but did not feel we should have a tax. Lynn Smith made a motion, seconded by Cliff O'Bryhim, that the City approve a franchise with the phone company with a 3% franchise tax. Motion carried.

Four votes yes, one no. — *See page 1 A'1 - Aug 12, 1981 minutes*

The 1982 budget was discussed. It was decided to increase five mills as follows; one noxious weeds, three law enforcement, and one employee benefits.

Galvin Ufford asked the Council to give some consideration to investing in a tractor with a mower sometime in the future.

Meeting adjourned at 11:15 p.m. to reconvene Monday July 13, 1981 at 7:30 p.m.

ADJOURNED MEETING, Overbrook City Council
July 13, 1981

The adjourned meeting of July 8, 1981 was reconvened at 7:32 pm on July 13, 1981. All council members were present. Also present were Charles Starkebaum, Bruce Smith, Janie Smith, Mark Daniels and Tony Hazen.

The subject of whether or not to issue a beer license to the Fair Assn. was discussed. Mayor Cole said to obtain a license is a right that everyone has equally; as long as there is one license issued in town, the city is obligated to issue a license to anyone who qualifies. Some members felt the Fair Assn. should have a license and basically the council does not have the right to do anything either way, even though some had misgivings about this being a wise move by the Fair Assn. Calvin Ufford made a motion that the City issue a beer license to the Fair Assn. Floyd Greenwood seconded. Motion carried. Vote: one no, one yes, three abstain.

Mayor Cole discussed the improper use of fireworks downtown on the 4th of July.

Mayor Cole asked Bruce Smith to use weed killer on various spots on the sidewalk and streets that have become unsightly.

It was reported Jerry Coffman had cut the parkways in the Meadows Subd. but had not cut the main lots. It was reported Mr. Coffman felt this should be given to someone who could bale and use it as hay.

Also in reference to the Meadows Subd., Calvin Ufford reported the blade needed to grade the streets would be \$40 in lieu of the \$30 earlier reported, but the company would deliver and pick it up. He also reported the blade owner assured him that if the City's money ran out and there was only a little bit to finish, he would not charge them.

It was reported Skip Mann had not finished the work on the tree on the parkway in front of Tutcher's home but would finish as soon as he had his saw repaired.

Calvin Ufford asked the Council to consider investing the monies earned on the Money Market Certificates in a fund to be used for purchasing extra equipment such as a pipe cutter, etc.

The abandoned building North of town was discussed. The Clerk was instructed to contact Albert Rukes, Building Inspector, to inspect the building and notify the City in writing that the building was unsafe and/or dangerous. A Resolution would be acted upon at the August meeting if possible.

Meeting adjourned at 8:39 pm.

Mildred Cannon
City Clerk

MINUTES -- Regular Meeting of the Overbrook City Council -- August 12, 1981

MEMBERS PRESENT:

Davenna Jones	Calvin Ufford
Lynn Smith	Mayor Bruce Cole
Floyd Greenwood	

MEMBERS ABSENT:

Cliff O'Bryhim

OTHERS PRESENT:

Kenneth Greene	Albert Rukes
Bruce Smith	Walt Settles
Tony Hazen	

The regular meeting of the Overbrook City Council was called to order at 7:35 pm. The clerk called the roll. The minutes of the July 8, 1981 meeting were considered. In reference to paragraph one, page three, Mayor Cole asked one sentence to be added as follows: "The telephone company franchise was sent to the city attorney for his approval." There was some concern about the meaning or intent of an abstain vote. The clerk reported per information obtained from the League of Kansas Municipalities, an abstain vote is considered to be a yes vote per an Attorney General opinion. She said the League's advice was for the Council to pass a resolution laying ground rules on this after which there would be no question as to intent. Calvin Ufford made a motion, seconded by Davenna Jones that the minutes be approved as written with the aforementioned addition. Motion carried.

The outstanding bills of the previous month were considered. Lynn Smith made a motion, seconded by Calvin Ufford that all warrants be paid. Motion carried.

Kenneth Greene asked permission to come into the city Sunday, August 23 to transfer the dumpsters from the fair grounds to the school grounds. The Council agreed by consensus.

Bruce Smith reported Jerry Coffman had agreed to finish mowing the various lots in the Meadows Subdivision as soon as he got a new tire on his tractor, but when approached about also mowing around the lagoons, he declined. Mayor Cole asked that he also mow behind the retirement housing.

Mayor Cole relayed a request to forego the 11 pm curfew at the fair grounds for the Muscular Dystrophy Telethon, Labor Day weekend. It was agreed to by consensus.

The 1982 budget was reviewed. There was no one present in protest. Davenna Jones made a motion to approve the 1982 budget as printed. Lynn Smith seconded. Motion carried.

In reference to the addition of the proposed Methodist Church to the East Lift station, Albert Rukes and Walt Settles were present to protest anything more being added to the present sewer lift station. Mr. Rukes said "It has been overloaded for years, I don't think you have sewer enough to handle it anymore." He also said it was a health hazard. Walt Settles said, "I feel we are at the maximum or over now. We are at the point there has got to be a limit somewhere." The Council agreed to take the matter under advisement.

Calvin Ufford made a suggestion that the City look into using smoke bombs to check out the sewer system to find leaks and illegal connections. Bruce Smith reported he had talked to Kramer Engineering along with others and they feel this is an excellent method to uncover problem areas. Lynn Smith made a motion that the City pursue this. Calvin Ufford second. Motion carried.

In light of the fact that no beer will be sold at the fair grounds by the Fair Assn., Davenna Jones made a motion seconded by Floyd Greenwood that the fee for the beer licence be refunded. Motion carried.

* Mayor Cole announced the Recreation Commission had received ~~approximately \$88,000 in~~ matching funds from the Jones Trust to be used in constructing the new park.

The Council went into executive session at 8:41 pm to review personnel matters.

The meeting reconvened at 9:15 pm. Tony Hazen reported he had checked with the League of Kansas Municipalities in connection with the traffic ordinance and it will not be revised until mid '82. After a brief discussion, the matter was tabled to be looked into again at the September meeting.

Chief Hazen reported a new fan and fan clutch had been put in the patrol car and now the air conditioner won't overheat the motor any more. New starter belts were also installed.

Floyd Greenwood reported there had been a number of complaints about vehicles making U turns in front of the Post Office and also shrubs around town blocking vision at intersections.

Calvin Ufford noted the \$7200 fee paid to the RWD toward connection to the Clinton hookup needed to be replaced in the water fund. After a brief discussion Councilman Ufford made a motion the City place a surcharge of \$1.00 per month, per meter for a period of 19 months. Davenna Jones second. Motion carried. The Clerk was instructed to contact the City Attorney or League as to how to handle a surcharge.

Calvin Ufford suggested the interest on the City's regular savings account be set aside toward the purchase of equipment.

The Council agreed to hire Ed Harmison as part time law enforcement officer at a salary of \$4.00 per hour considering he is experienced.

Floyd Greenwood reported he had been in touch with the Civil defense office and had been told the Director was planning a trip to Overbrook in the future at which time they would discuss the needs of the City, specifically sirens.

The meeting adjourned at 10:15 pm.

Respectfully submitted,

Mildred J. Cannon
City Clerk

* "received an allocation"
Per 9-9-81 min.

MINUTES - Regular meeting of the Overbrook City Council -- September 9, 1981

MEMBERS PRESENT:

Calvin Ufford
Lynn Smith

Floyd Greenwood
Cliff O'Bryhim
Mayor Bruce Cole

MEMBERS ABSENT:

Davenna Jones

OTHERS PRESENT:

Thelma Sloan
JoAnn Allen
Ed Harmison
Tony Hazen
Steve Jones

Mildred Greene
Kenneth Greene
Bruce Smith
Max Friesen

The regular meeting of the Overbrook City Council was called to order at 7:30 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the August 12, 1981 meeting were reviewed. Calvin Ufford asked the reference to the \$88,000 on page 2 paragraph 3 be deleted and be replaced by the words "received an allocation." Lynn Smith made a motion to accept the minutes as written with the aforementioned exception. Floyd Greenwood seconded. Motion carried.

The outstanding bills of the previous month were considered. Floyd Greenwood made a motion seconded by Cliff O'Bryhim that all bills be approved. Motion carried.

JoAnn Allen and Thelma Sloan were present to speak for the Library Board. They expressed concern over the parking situation after the new fire building is constructed. They also wanted to know why there had to be two entrances into the fire building. Mayor Cole explained the parking situation had been discussed several times and that there were state statutes involved. He said nothing could be done until the fire station is finished and hopefully there wouldn't have to be very many changes. He said nobody wants to create any more hardships than necessary. He also explained the new building would be a drive-thru and would house the present equipment plus some anticipated new equipment. They were thanked for coming and sharing their concerns with the governing body.

Bruce Smith reported there were approximately 35 pieces of 4 inch sewer pipe behind the city building that would have to be moved. He said the city had no use for this size and he had been in contact with Armco of Topeka and they refused to accept a return. He said Earl Warren had bid 25¢ per foot to take it off the city's hands. After a brief discussion Calvin Ufford made a motion to donate the entire remainder of 4 inch plastic sewer pipe to the Park and Recreation Commission for use at the new park. (Present dollar price to be turned in to the Jones Trust for matching funds) Lynn Smith seconded. Motion carried.

Bruce Smith reported Mr. Bloom at the high school had requested the use of the city tractor to move some patching materials from the track area of the school. There was a brief discussion concerning the merits of taking the equipment out of the city. Calvin Ufford suggested a reciprocal agreement with the school district inasmuch as the city is in need of the use of a rotary mower and the school district owns one. It was agreed by general consensus

for Bruce Smith to contact Dr. Bloom to see if an agreement could be reached and, if so, to do the work at his convenience.

Steve Jones arrived at 8 p.m. Mayor Cole introduced him to the new Council members. First item for discussion was the phone company franchise. Mr. Jones said he had reviewed it and had found no criticism. Next, Mayor Cole asked him to review his duties for the benefit of the newer members. He said his duties were basically to advise the governing body and in some instances dismiss or oversee cases filed in District Court. Several members brought up specific items of concern. One member asked what his priority was on city business in comparison to regular clients. Mr. Jones said it depended on how serious the problem was. He did agree that sometimes he had been slower than necessary.

The position of municipal judge was also discussed with Mr. Jones. He said he felt the present judge's ability and knowledge of law had been keeping Overbrook out of court.

Mr. Jones questioned who was to pay for the work and publication done in connection with the Nina Schlink Memorial. He said he was not presenting a bill, he just wanted to know who was responsible. It was agreed the Park and Recreation Commission would be responsible, Floyd Greenwood said he would bring it up at the next meeting. Mr. Jones said the bill would amount to approximately \$200.

The transfer of land from the city and township to the Fire Board was also discussed. It was thought there would be three parcels of land that would have to be transferred. Max Friesen said he would send Mr. Jones a description of the land to be transferred by the city. Mr. Jones advised that the county surveyor had issued orders that a deed cannot be made up by anyone other than a surveyor and the register of deeds is not to handle one made up by anyone else. He said this developed just this year.

Mr. Jones was thanked for coming. He left at 8:42 p.m.

Chief of Police, Tony Hazen discussed the traffic ordinance. It was decided the city would go along with the new one as is. He also discussed the police school. He said Topeka had not decided if they would have one or not this fall. He asked if the council wanted him to go to Hutchinson in January. He said he would go ahead and contact Hutchinson.

Cliff O'Bryhim brought it to the Chief's attention that there were several really bad corners in town and if something was not done someone was going to get killed. He said it was not so bad in the fall and winter but in the spring and summer something would definitely have to be done. Floyd Greenwood said he was still getting comments about U-turns on Main street. At this time he also reported he was getting comments and complaints about the railroad crossing being in bad repair. The clerk was instructed to send a letter to the Road Master of the Missouri Pacific Railroad to see if anything could be done.

Municipal court and the Judge's salary were again discussed. Chief Hazen said the Judge had brought the subject up to him and that he had told him what the Council feelings were. He reported the Judge had said they could schedule court every week if that was what the Council wanted. It was the concensus of the Council it would not matter how many times they met, there should be enough fines to carry the Judge's salary. Chief Hazen said things would be a bit better now with Ed Harmison on duty nights and himself on days. The matter was tabled until a study could be taken.

The meeting recessed at 9:15 for 10 minutes.

Upon reconvening, Bruce Smith discussed the possible need for a water meter for the new fire station. He said they were asking for a two inch line and even though they were not going to be paying for the water, it still might be good to meter it. The majority of the council agreed it should be metered. Bruce Smith was given permission to order a new meter.

The clerk reported the Cable TV was getting closer to completion. The tower was already in place and KP&L people were to finish their work in the city after which the Cable TV personnel could come in and set three poles, then stretch their lines. She said Mr. Pabst had anticipated starting to put homes on the line by mid-October.

Resolutions 12 (condemnation of Willis B. Vann property) and 13 (weeds, rodents, etc) were introduced. In lieu of the fact that the city already has a letter on file from City Building Inspector Albert Rukes, the next step would be to publish a resolution two weeks in succession. The hearing date was set for October 28 (34 days after first publication) at 7:30 p.m. Lynn Smith made a motion seconded by Cliff O'Bryhim to approve Resolutions 12 and 13 and the accompanying notice. Motion carried.

Ordinance 111 (Continental Telephone Company Franchise Agreement) was introduced. Calvin Ufford made a motion to approve Ordinance 111. Floyd Greenwood seconded. Motion carried.

It was agreed by consensus that if the Resolution concerning the water utility surcharge was acceptable with Steve Jones, City Attorney, it would go into effect October 1, 1981. (Resolution 14)

Cliff O'Bryhim reported the grass was bad at the foreclosed property at 404 West 4th, also Ed Lee was questioning when something was going to be done about the weeds at the Hess property.

Bruce Smith asked, in reference to the new fire station, were the meters etc., going to be provided by the City or should he keep track of expenses for the Fire District to pay? There was no decision at this time.

Respectfully submitted,

Mildred J. Cannon, City Clerk

Approved _____

MINUTES - Regular meeting of the Overbrook City Council--October 14, 1981

MEMBERS PRESENT:

Calvin Ufford
Cliff O'Bryhim
Lynn Smith

Davenna Jones
Mayor Bruce Cole

MEMBERS ABSENT:

Floyd Greenwood

OTHERS PRESENT:

Lakin Schwanke
Bruce Smith
John Gingerich

Tony Hazen
Ken and Mildred Greene

The regular meeting of the Overbrook City Council was called to order at 7:30 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the September meeting were reviewed. Lynn Smith made a motion that the minutes be approved as written. Calvin Ufford second. Motion carried.

The outstanding warrants of the previous month were considered. Davenna Jones made a motion seconded by Cliff O'Bryhim that all warrants be approved. Motion carried.

Kenneth Greene reported that he and the school district had come to an understanding in connection with the trash hauling fees. He asked that the City collect \$120 per month in lieu of the \$50 now being collected. The Council agreed.

Lynn Smith noted there had been some complaints about the drivers of the red trash truck not giving right of way, etc. Kenneth Greene said his trucks always run with their blinkers flashing. He also said his trucks were not allowed to run along the edge of the blacktop, and that if they do and the blacktop is broken, they are obligated to pay for the repairs. He did say he would ask his boys to be more careful.

Tony Hazen reported the spotlight was out again on the patrol car. The Council agreed by consensus that he should go ahead and purchase a new light.

Fire coverage for Halloween night was discussed. It was decided to handle it the same as last year.

Bruce Smith reported the clutch had gone out on the tractor and was now in the process of being repaired. He also asked for permission to purchase two snow tires for the maintenance truck. He was instructed to go ahead and take care of it as he saw fit.

Bruce Smith reported there had been a water break in front of Myrtle McCabes residence.

Mayor Cole said the City had received a communication from the Continental Telephone Company accepting the new franchise ordinance as published. The first franchise payment to the city will be received by June 20, 1982.

Mayor Cole introduced the new traffic ordinance for the City. He explained it was essentially the standard traffic ordinance for Kansas cities with the exception of a few codes which were a carryover of the old ordinance. Tony Hazen reviewed the codes which were to be added. Lynn Smith made a motion that the new ordinance be approved. Cliff O'Bryhim seconded. Motion carried.

Lakin Schwanke arrived at 7:45 p.m. He wanted to discuss the charges for the new meter at the car wash. He said he felt since he was not a new customer, maybe some adjustment could be made in reference to the cost of the new meter. New customers are charged \$350. After a brief discussion, it was agreed the City would bill Mr. Schwanke for parts and labor only.

The old laundermat meter was discussed. Lakin Schwanke said he had purchased the meter many years ago from his brother and was going to remove it. Calvin Ufford said if this was the case, Dan Holmberg, d/b/a Western Auto would have to be considered a new customer and would have to pay for a new meter.

Lynn Smith requested Chief Hazen give a little more attention to the traffic around the schools. He said there was one car in particular that had been giving some trouble at the middle school. He described the car as light brown or copper colored Pontiac. Chief Hazen said he would look into it.

One member asked Chief Hazen about the advantage of an officer on duty on Sunday mornings as was noted recently. Chief Hazen said he liked to vary the coverage of the town so there was not set pattern. He also explained that the Sunday traffic to and from the lakes, etc. was bad.

Calvin Ufford presented an estimated billing for work done at the Meadows etc. He explained that out of the \$2185 budgeted amount, \$1950 had been spent. He said they had done the work at the Meadows plus filling a ditch by O'Bryhims, a low spot at the west side of the retirement housing, and filling in at the alley where the line was dug for the new meter at the car wash.

There was some discussion about the excessive amount of rock left on the streets. One member felt the City should let Hamms know how dissatisfied they were. Nothing was decided.

Mayor Cole reminded the Council of the condemnation hearing to be held at 7:30 p.m. Wednesday, October 28, 1981. The clerk was instructed to contact the city attorney.

Chief Hazen questioned the use of a part time law enforcement officer who had been drawing unemployment against the city. The Council members said they felt it was not a good practice.

Meeting adjourned at 9:10 P.M.

Respectfully submitted

Mildred J. Cannon
City Clerk

Approved _____

MEMBERS PRESENT:

Lynn Smith
Calvin Ufford
Floyd Greenwood

Davenna Jones
Cliff O'Bryhim
Mayor Bruce Cole

OTHERS PRESENT:

Mark Daniels
Bruce Smith
JoAnn Allen

Kenneth and Mildred Greene
Tony Hazen

The regular meeting of the Overbrook City Council was called to order at 7:32 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the October 14, 1981 meeting were reviewed. Cliff O'Bryhim made a motion that the minutes be approved as written. Lynn Smith second. Motion carried.

The minutes of the October 28, 1981 condemnation hearing (Vann) were reviewed. Davenna Jones asked that there be an addition to paragraph 1, page 2, stating that the cistern is to be permanently covered with cement. Davenna Jones made a motion that the minutes be approved with the aforementioned addition. Lynn Smith second. Motion carried.

The outstanding warrants for the previous month were considered. ^{parts purchased} Calvin Ufford suggested any more ~~work done to~~ the tractor should be ^{done} ~~done~~ at Osage City or at least obtain an estimate for comparison. Davenna Jones made a motion that all warrants be approved. Calvin Ufford second. Motion carried.

JoAnn Allen was present to speak on behalf of the Library Board. She asked that the matter of the employer portion of Social Security be cleared up as to whether the city would pay for 1982 and if so, would it be on-going. During Council discussion the legality of this was brought up. It was noted the city would pay for 1982 only if it was found to be legal and that if it was found to be legal the Board would have to come to Council each year and ask for renewal, it would not be ongoing. Mrs. Allen was thanked for coming.

Kenneth Greene had a complaint about people putting out building materials and fire place/stove ashes. He said he would not pick up either of these items, that he had contracted to pick up household refuse only.

Bruce Smith reported there had been a number of complaints about rusty water. He said he had checked with a chemical company and their suggestion was to use chemical treatment. He said the initial cost would be for a 55 gallon drum of chemical and a pump, from there on it would be the chemical only. During discussion it was found that the biggest problem area was actually a high point in the line and there was a possibility of a trapped air pocket involved. Calvin Ufford said he and Bruce Smith would look into trying to isolate the problem area and then flush every other month and maybe it could be taken care of, if not, they would pursue other measures.

Tony Hazen reported the brakes and master cylinder had been replaced on the patrol car. Emergency tornado watch was discussed. Mayor Cole asked that an outline be developed before spring. Chief Hazen reported Halloween had been relatively quiet. He also reported Ed Harmison was working out very well.

Floyd Greenwood reported that funds had been cut so there was no chance for new sirens in 1982 but hopefully things would be better in 1983.

Mayor Cole presented a deed transferring the land West of City Hall to the Osage County Fire District #4. Cliff O'Bryhim made a motion that the deed be signed transferring the land West of City Hall to Osage County Fire District #4. Lynn Smith seconded. Motion carried.

Calvin Ufford brought up the subject of the hook-up with the rural water district. He said the installation would run approximately 22,000 but the Council should be thinking in terms of \$25,000. He said it had to be approved by the Department of Health so an engineering firm would have to design the installation. There was some question if the installation should be above or under ground. He said if it were placed underground there would be virtually no upkeep and would also discourage vandalism. He said Mr. Butel had reported the work was on schedule on the RWD side and should be finished sometime in July. Councilman Ufford asked the Council to give some serious thought to what route they want to take and he would check again at the January meeting.

Mayor Cole reported there had been some complaints about loose rock on the side streets and maybe it could be cleaned off. Floyd Greenwood said he had heard they used unwashed gravel to keep expenses down and this would account for the excess dust.

Mayor Cole brought up the subject of problems with the reporting of Council meetings. He said these are public meetings and what is said is public information but things are being taken out of context. He said everything should be kept on a professional level. He felt the city is being run as capably as possible. *newspaper reports*

It was reported there was going to be a large amount of fencing delivered for the new park and it would be housed in a semi-trailer behind Leora Woodruff's trailer. Tony Hazen was asked to patrol the area.

Mayor Cole reminded the Council the final disposition meeting on the Vann condemnation would be held Saturday November 28, 1981.

The meeting was adjourned at 9:45 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved _____

MINUTES -- Final Disposition -- Condemnation Hearing
Willis B. Vann Property

DEFENDANTS:

Mr. & Mrs. Willis B. Vann

PLAINTIFF:

The City of Overbrook

MEMBERS PRESENT:

Calvin Ufford
Lynn Smith

Davenna Jones
Mayor Bruce Cole

MEMBERS ABSENT:

Cliff O'Bryhim

Floyd Greenwood

OTHERS PRESENT:

Steve Jones

Tony Hazen

The final disposition hearing in connection with the proposed Willis B. Vann property condemnation was held November 28, 1981. The hearing was called to order by Mayor Bruce Cole at 7:30 P.M. Davenna Jones was appointed Acting City Clerk in the absence of Mildred J. Cannon, City Clerk

It was noted that Mr. or Mrs. Willis B. Vann were not present at this hearing and had not contacted either the Mayor or the Clerk.

Mayor Cole reviewed the October 28, 1981 hearing, noting the hearing had been held to discuss complaints from concerned citizens and neighbors as to whether the buildings and property owned by Mr. & Mrs. Vann were unsafe and a health hazard. At this time a resolution was passed by the Council and was printed in the official paper declaring the property and buildings to be in an unsafe condition and a health hazard. Mr. & Mrs. Vann were present during this hearing. It was also stated at this hearing that there would be a special meeting to be held on Saturday November 28, 1981 at 7:30 p.m. in the Council Room of the Overbrook City Hall to determine if the requirements set forth had been carried out.

After Council discussion, it was determined that the cistern had been covered satisfactorily and the well had a make-shift cover. However, it was noted there was no door on the back porch, the front and back door were not secured as required for safety and the foundation openings north and south side still exist and had not been taken care of as set forth. The foundation inside the south side of the shed is open and has not been completed as required. There are also several windows missing on the property and the brush piles still exist.

Mayor Cole asked for a vote as to whether the Council felt the property and buildings were still unsecure as to the requirements as set forth at the original hearing. The vote was unanimous that the properties had not been made safe and secure.

A motion was made by Lynn Smith that on the 30th day of December 1981 the City will cause the buildings to be razed and removed and the premises made safe and secure. Calvin Ufford seconded. Motion carried.

A notice of the findings of the Council of the City of Overbrook, in the form of a resolution shall be printed in the official paper and a copy of said publication, accompanied by the minutes of said meeting, along with a cover letter will be sent by registered mail to Mr. & Mrs. Vann advising them of the final findings as set out in the resolution.

Calvin Ufford made a motion that the meeting be adjourned, seconded by Lynn Smith. Motion carried.

Respectfully submitted,

Davenna Jones, Acting City Clerk

MINUTES - Regular meeting of the Overbrook City Council - December 9, 1981

MEMBERS PRESENT:

Lynn Smith	Davenna Jones
Cliff O'Bryhim	Calvin Ufford
Floyd Greenwood	Mayor Bruce Cole

OTHERS PRESENT:

Tony Hazen	Max Friesen
Bruce Smith	

The regular meeting of the Overbrook City Council was called to order at 7:30 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the November 10, 1981 regular meeting were reviewed. Calvin Ufford said he would like to make a change on page one, paragraph three. He said it was not his intent to say 'any more work done to the tractor should be done at Osage City', his intent was to get a comparison of prices on parts because of the difference between farm equipment and heavy equipment. Lynn Smith made a motion that the November 10, 1981 minutes be approved with the change. Calvin Ufford seconded. Motion carried.

The minutes of the Willis Vann condemnation final decision meeting of November 28, 1981 were reviewed. Calvin Ufford made a motion that these minutes be approved as written. Lynn Smith seconded. Motion carried.

The warrants of the previous month were reviewed. There was a question about warrant no. 1558 to Warren Plumbing and Heating and no. 1570 to Osage County Fire District #4. The clerk explained that \$602.29 of no. 1558 was for work done in changing the water lines etc for the new fire building and 1570 was the final budget payment, closing out the fire protection fund. Also questioned was warrant no. 1570 to LeRoy Shepard. The clerk explained this was merely a transfer of money from the municipal court and represented restitution payment for damage done to Mr. Shepard's private property. Calvin Ufford made a motion that all warrants be paid with the exception of 1570 which should be marked VOID and be replaced with a warrant for \$46.36 thus paying Warren Plumbing and Heating from the City Fire Fund before the budget balance is transferred to the fire district. Davenna Jones seconded. Motion carried. The clerk was instructed to send a letter to Hamm's Construction Co. along with final payment, expressing the Council's dissatisfaction with the resurfacing work done during the summer.

Kenneth Greene had a complaint about the ditch that had been cut across the alley west of the proposed fire building. He said his trucks were having trouble negotiating the alley to pick up the refuse from the Horn Dental Lab dumpster. Bruce Smith was instructed to fill the ditch with gravel which hopefully should alleviate the problem.

The clerk had a question about the last trash pick up at DeShazer Carpet which has gone out of business. She noted since Bruce Smith had boxed and cleaned up the area for pick up, the \$8.00 regular monthly charge might be split between the city and Greene Sanitation. Mr. Greene said it was alright with him but normally he charges \$20 per hour plus the dump bill and he felt maybe the City should charge Mr. DeShazer the same. Several Council members felt that since the company had gone out of business and due to the unfairness of charging the larger amount without giving DeShazer Carpet an opportunity to do it themselves, maybe the regular monthly charge was enough. Mayor Cole instructed the clerk to add \$8.00 to the final billing and hold \$4.00 of this when paying Greene's next bill.

The clerk reported she had checked with the attorney for the Kansas League of Municipalities about the City paying the employer portion of the library employees social security and it was his advice that the library employees are not City employees -- the library is a separate entity and also if the City were to pay this it would alter the library budget which is illegal. Lynn Smith made a motion that the City finish 1981 by paying the employer portion for the library and the library board be advised of the League's advice and subsequent Council action. Davenna Jones seconded. Motion carried.

Mayor Cole reported the park area is now tax exempt per Nadine Cordts.

Mayor Cole reported he had been contacted by Willis Vann's attorney, Jim Davidson, about a possible meeting with the Council next week. Mayor Cole said he felt the City had adequately met their obligations. After Council discussion it was decided the Council would not grant the meeting and that they had taken whatever legal steps necessary to alleviate the problem. Mayor Cole said he would contact Mr. Davidson and apprise him of the Council decision.

Calvin Ufford introduced Mike Dunnaway, Rural Water District #5 project manager, with Bartlett and West Construction Engineers. Mr. Dunnaway was present to discuss the proposed pumping station to be installed at or near the collection point of the rural water district. He said he had looked at the proposed site with Calvin Ufford and it looked favorable. He said as far as the unit goes, there are two choices -- underground or above ground metal type or concrete block building. He said if the City decides to construct underground he would suggest prefab in lieu of one built on site. It could be built with one or two pumps. Construction would be approximately \$16,000 to \$20,000 for one pump and \$24,000 to \$25,000 for two pumps. These prices include pump housing, electrical (in other words, ready to go). He said it would need to be heated and would need a dehumidifier. He noted if the City decides to go underground with the unit, the Kansas Dept of Health and Environment requires the use of submergible type pumps. He said above ground would be \$2,000 to \$3,000 less. In answer to questions by the Mayor about possible water pressure variance and service of equipment, Mr. Dunn said there shouldn't be much variance, also he felt if there was a by-pass installed, if the pressure was great enough, the pump would not have to operate. He said there were two companies they recommend for service - Fluid Equipment and Hanes Equipment. Mayor Cole asked about the advisability of a back-up pump. Mr. Dunnaway said if the City had some extra money, it would be a good investment. He said the Dept. of Health and Env. also requires aboveground mount controls. As far as costs are concerned, Mr. Dunnaway said a good rule of thumb would be construction plus 25%--15% engineering fee and 10% City administration cost. He said it would probably be early 1983 before any water is available. Mayor Cole thanked Mr. Dunnaway for coming.

Calvin Ufford discussed methods of raising the necessary money for the construction of the pump station. He said there were two ways they could go -- a bond issue which would entail legal fees, etc., or a no-fund warrant. He said the benefit of a no-fund warrant was it could be repayed in three years and could be more evenly distributed among the utility customers. The matter was tabled to a later date.

Three cereal malt beverage license applications were presented for approval. Davenna Jones made a motion that all applications be approved. Calvin Ufford seconded. Motion carried.

Bruce Smith reported a possible problem with the sewer ponds. He said reports show a possible noncompliance. The inspector is to return for more tests and hopefully the problem will be nothing more than algae. He said he would report again after the tests.

Bruce Smith wanted to know what was to be done about the meter for the Co-op Fertilizer Plant. Co-op has never been billed for the meter installed last summer. This meter was an old one and has broken down and will need replacing. Calvin Ufford made a motion this be handled the same as the Schwanke Car Wash - parts plus labor (parts would include meter). Davenna Jones seconded. Motion carried. Also discussed was the meter at Western Auto. It was decided to charge half price for the meter and fittings.

Bruce Smith brought up the subject of school traffic control signals. He said he had been contacted by the State after Lynn Smith contacted them in reference to signals. Lynn Smith said he had called to get information and by state rules, if a school makes a request about controls, it has to be done. He said the State had already done a study and the City is not in compliance. Bruce Smith said he had checked with a company in Wichita and got a price of \$900 each for a flashing unit at top and words spelled out on pole (price of pole \$170), and \$110 each for flashing units at top and bottom with sign which would come on to read message. The matter was tabled to be brought up again at the January meeting.

Tony Hazen asked about the parking on the South side of Fourth Street across from the new fire station. It was decided nothing would be done until after the fire station is finished.

Mayor Cole reported the Fire District had approached him about the base radio. They said they could use it or trade it in on a better one. They would set up a unit in the fire station and Chief Hazen would be given a key for police monitoring. Chief Hazen said he had intended using it at his home but not until he moved into a permanent residence. It was decided to table the matter until more information is available.

Calvin Ufford, reporting as a member of the Fire Board, said the fire district had purchased a surplus army vehicle which would be equipped with a pump and motor. He said it would give a 2½ ton, 6X6 for brush fires. He said they also had purchased other equipment.

Floyd Greenwood made a motion to adjourn at 10:15 P.M. Lynn Smith seconded. Motion carried.

MEETING ADJOURNED.

Respectfully submitted,

Mildred J. Cannon, City Clerk