Date: 9/19/13

Description: 1982 Council Minutes 1/13/1982, 2/10/82, 3/10/82, 4/14/82, 5/12/82, 6/9/82, 7/14/82, 8/11/82, 9/8/82, 10/13/82, 11/10/82, 12/8/82.

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By: Jim Cogan City Clerk

Back to minutes

As we will be out of town tonite, we have asked Mrs. Massek to represent us.

If in the future we will not be able to park on the North side of the Western Auto Building (due to the fire station) which will take away parking from three businesses - - - would you please post a sign on the south side of the steps on Main (Maple) Street "PARKING FOR WESTERN AUTO, L & L CRAFTS AND FUN CENTER ONLY" FROM 8:00 till 5:00.

Even this will only allow parking for five cars - which is not much parking for three businesses. Sometimes cars will be parked there most of the day, sometimes parking and then riding with someone else or in the Strawberry Patch.

On days when L & L Crafts have to load merchandise in their van, it is not fair that they perhaps might have to carry things half way around the block

We also will have a problem unloading our large W.A. delivery truck if the area in front is not posted.

We would appreciate your taking care of this

Dan & Mel Holmberg

MINUTES - Regular meeting of the Overbrook City Council - January 13, 1982

MEMBERS PRESENT:

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

OTHERS PRESENT:

Lily Massek/ L&L Crafts and Supplies
Kenneth and Mildred Greene/ Greene Sanitation
Bruce Smith
Ed Harmison - arrived at 8:30 P.M.
Floyd McGuire - arrived at approx. 9 P.M.
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. Mayor Cole asked the members to consider the minutes of the December 9, 1981 meeting. Davenna Jones made a motion seconded by Cliff O'Bryhim that the minutes of the December 9, 1981 regular meeting be approved as written. Motion carried.

The Council was asked to consider the warrants as presented by the clerk. In reference to No. 1599, one member questioned the wisdom of paying $600 per year rental on a copy machine when the school had recently purchased another brand for $1400. In answer to a question about No. 1591, it was explained this was for the repair of the walkie talkie and the replacement of one of the batteries. Warrant No. 1586 to Heetco for propane was questioned. It was explained this fuel is used to protect the equipment in buildings at the wells. Another member questioned No. 1597 for the purchase of a jack for the patrol car. It was explained that the used car was purchased from the state and apparently there was no jack included. The clerk was asked to clarify why the gasoline bills were split between the water fund and law enforcement fund. It was explained that the maintenance truck was used primarily for water related services so that portion of the bill was debited against the water fund. Lynn Smith made a motion that all warrants be accepted. Cliff O'Bryhim seconded. Motion carried.

Charges for trash pick up at the Family Fun Center were discussed with Kenneth Greene. It was agreed that $6.00 per month would be acceptable. Also discussed was some apparent problems at the Hulse Apartments. Ken Greene reported Mr. Hulse had contacted him with complaints and that he told Mr. Hulse to contact the city clerk or Councilman Ufford since Greene Sanitation is contracted by the city. It was noted Mr. Hulse had not contacted either the clerk or Councilman Ufford.

Lily Massek of L & L Crafts and Supplies was present to discuss water charges and parking in front of their business at 103 West 4th. In answer to her question about why she was being charged a minimum charge when the landlord assured her she would not have to pay water charges, Mayor Cole explained that the original meter had been removed by Lakin Schwanke when the Laundermat closed and as it comes up the city is trying to get everyone on their own meter. Also discussed was the potential parking problem around the fire station. Mrs. Massek presented a letter from Dan Holmberg dba Overbrook Western Auto (attached) requesting the city post a sign on the South side of the steps on Main (Maple) Street stating "Parking for Western Auto, L & L Crafts and Family Fun Center only" from 8:00 A.M. to 5:00 P.M. Mrs. Massek said when she put in her business she was not aware of a parking problem

and it would be the end of her business if there was no parking except on Maple, etc. She asked when this was first known. Calvin Ufford told her it was approximately September 20, 1981 when the Fire District signed the contract for the building and that was the first that anyone knew exactly where the doors etc would be. He said it would probably be around the end of February before the equipment was moved to the building. Mayor Cole explained it had been discussed at Council meetings previous to that but that this will not be a City decision as such - there is a State Statute (K.S.A. 8-1571 sub.section 2v) and the only decision the City has reached is that we would not make a decision till the building is finished. He said no one is interested in making a hardship but we may not have much choice painful as it may be. In reference to the Western Auto request for the no-parking zone, Mayor Cole said that since no decision has been reached on parking he suggested the matter be tabled to be discussed again at the February 10, 1982 regular council meeting. Mrs. Massek was thanked for coming.

Bruce Smith reported on the new school crossing signs. Bids were obtained from several companies with prices ranging from $900 each to $200 each (1 flasher with message), National Sign Co. at Ottawa had given the bid of a little less than $200 each. This would be for a sign *~~8x8~~ with message and one 8 inch flasher unit at the top with a 110 volt timer. After a brief discussion, Davenna Jones made a motion seconded by Cliff O'Bryhim, that Bruce Smith go ahead and purchase two units and install them at the proper points on the highway. Motion carried.

The fire station water meter installation was discussed. Davenna Jones made a motion that the City assume the cost of the water meter at the Fire District #4 Fire House since the City is the one to benefit from this (charges for the pipe etc. have already been paid by the fire district). Floyd Greenwood second. Motion carried. Lynn Smith casting the only dissenting vote.

Floyd Greenwood reported he had been contacted by Hamms Construction in answer to the letter of complaint about the street resurfacing. They had not been aware of a problem but did say rock may have been unwashed although the order was for washed. Calvin Ufford questioned the quality of the rock inasmuch as it seemed to break down causing excessive dust.

Upon presentation of a license for the Patch to operate two game machines and one juke box for approval and Mayor's signature, Lynn Smith made a motion that the license be approved. Second by Cliff O'Bryhim. Motion carried.

A fee of $20 was approved for Albert Rukes Building Inspector for services rendered during the Vann condemnation proceedings.

Calvin Ufford reported the lighting facilities contract for the new park had been awarded to Seldon Tucker. Two bids were obtained, Tucker's being the lower of the two.

Ed Harmison gave the police report in the absence of Chief Hazen. He said there would be a bill forthcoming for two individuals detained for a variety of charges including aggrevated assault with a fire arm, carrying a concealed fire arm and resisting arrest. He explained the only jail to take a prisoner to is at Ottawa and there would be a charge for housing and feeding the two.

*Delete per 2-10-82 Council Mtg.

Patrolman Harmison reported that the county sheriff's department was going on a new radio frequency and requested the Council to give some thought to equiping the city police radios the same. He said it would take around 13 weeks and would cost approximately $200 each. Patrolman Harmison was instructed to go ahead with the order and also to find out if the base radio and/or walkie talkies could be similarly equipped.

Patrolman Harmison also suggested the purchase of salt and/or sand for the streets. The matter was tabled for discussion at a later date.

Also discussed was the lack of city limit signs as a person would leave town. After a brief discussion, Bruce Smith was instructed to purchase and install city limit signs at the North and South exits of town only.

Mayor Cole asked permission to reappoint himself and Don Hylton to the Housing Authority for another 4 year term each. Council agreed.

Mayor Cole reported Janie Smith had resigned from the Library Board but as yet the Board had made no recommendations for a replacement.

The window between the city hall store room and the new fire building was discussed. It was decided Jim Chenoweth should be contacted to go ahead as soon as possible.

Also discussed was the remodeling of the storage room and restroom at City Hall. It was decided to wait until the fire station is finished before any plans are finalized.

Calvin Ufford reported in reference to the new pump station, he had been in contact with Jim Youngman and in Mr. Youngman's opinion an above ground installation is much better than underground. He also said he had never seen a tank installation that worked or was satisfactory. It was noted the above ground unit would be much more economical. After discussion with the Treasurer, it was agreed for Councilman Ufford to go ahead and contact Mr. Dunnaway in connection with an above ground unit.

Calvin Ufford reported on the progress of the fire district. He said both Lynn Schoonover and Fred Marshall felt the city man should be a member of the fire department. Councilman Ufford said he reminded them that the fire department was strictly volunteer and this is the way it should be kept. He asked that a letter be sent to the fire district requesting them to notify the city when they plan to practice with hoses, etc. He said they had purchased a new nozzle that could pump 1000 gpm but the wells are being pumped at only 80 gpm and if a well was down or if it were peak consumption season, it could be disasterous.

Mayor Cole reported he and Cliff O'Bryhim, Calvin Ufford and the City Clerk had attended the judge's hearing at Lyndon in connection with the Vann Condemnation, and that a permanent injunction had been granted against Resolution 16. It was agreed the City had accomplished what they had set out to do and if another situation came up, it would be handled the same.

The Treasurer reported the water reserve Money Market Certificates were coming due now. He asked the Council to consider 30 month Certificates of Deposit at 13.75% in lieu of the six month Certificates at 13.52%. The Council instructed the clerk to go ahead and transfer the funds to 30 month Certificates of Deposit. The Treasurer reported he felt there was enough in the water operating fund to go ahead with a no fund warrant for the pump station and make up the difference from the operating fund.

Lynn Smith made a motion, seconded by Floyd Greenwood for warrants to be issued to the Library Board and Recreation Commission since the disbursement was not to be made by the county until January 20. Motion carried.

The meeting adjourned at 10:02 P.M.

Respectfully submitted,

Mildred J. Cannon

Mildred J. Cannon
City Clerk

Approved_____

MINUTES - Regular meeting of the Overbrook City Council - February 10, 1982

MEMBERS PRESENT:

Davenna Jones
Calvin Ufford
Lynn Smith
Cliff O'Bryhim

~~Lynn Smith~~ Floyd Greenwood
Mayor Bruce Cole

OTHERS PRESENT:

Kenneth Greene
Mildred Greene
John Gingerich
Ed Harmison

Skip Mann
Bruce Anderson
Dean Beckman

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. Mayor Cole asked that the minutes of the January 13, 1982 meeting be considered. Calvin Ufford said the reference to the sign being 8X8 was inaccurate and should be deleted. Davenna Jones made a motion that the minutes be approved as written with the deletion of '8X8' from the first paragraph of page 2. Lynn Smith seconded. Motion carried.

The Council was then asked to consider the warrants for the previous month. Calvin Ufford made a motion that all warrants be honored. Floyd Greenwood seconded. Motion carried.

Kenneth Greene reported he hadn't had any more trouble with ashes being put out for pick up since the clerk put the article in the paper several months ago. One member wanted to know if Greene's employees would pick up trash strewn about by dogs and cats. Mr. Greene said 'No.'

Ed Harmison gave the police report in the absence of Chief Hazen. He said there had been only one robbery in the last month otherwise things had been fairly slow. He also complimented the maintence people for a job well done on snow removal. Calvin Ufford reported it had cost the city less than $80 plus the use of the city tractor.

Mayor Cole reported that John Degand, Osage County Civil Defense Coordinator was organizing a county wide civil defense program and had asked for a representative from each city as a go between. Someone suggested Mark Daniels for the job inasmuch as he is an EMT and has law enforcement background.

The clerk reported Lakin Schwanke had approached Bruce Smith and had asked that the sewer charge for the car wash be lowered from $18.00 per month to $3.00. He also asked that it be retroactive from the time the new meter was installed. After a brief discussion, Davenna Jones made a motion that the car wash sewer charge be set back to the going commercial rate effective March 1, 1982 but not retroactive to the removal of the laundermat and installation of the car wash meter. Floyd Greenwood seconded. Motion carried.

Mayor Cole reported the Library Board had asked that Mrs. Gary Blosser be appointed to fulfill the unexpired term of Janie Smith. The appointment was approved by concensus.

Mayor Cole reported the new crystals had arrived for the police radios.

The Clerk presented amusement/juke box licenses for Shirley's Cafe, Bob's Champlin Station and Topping Drug for approval. Lynn Smith made a motion to approve all three licenses. Calvin Ufford seconded. Motion carried.

The Clerk reported Nadine Cordts, Chairman of the Recreation Commission had requested the Council make a decision as to the Recreation Commission's right to contract inasmuch as the levy funds had to be handled through the city books. The Council agreed by concensus that since the bulk of the funds used by the commission is donated, the commission does have the right to enter into contracts.

The clerk asked what the Council felt should be done about the library workman's compensation which in the past had been paid by the City. The Council agreed, in keeping with the Attorney General's opinion that the library is a separate entity, the board would have to pay their own portion of this billing.

Bruce Anderson, Skip Mann and Dean Beckman entered the Council room at 8:25 P.M. They said they were representing the Save Our Schools committee. Skip Mann asked, in reference to the present Overbrook Middle School building, if it was donated to the City, did the City feel it was financially able to assume responsibility for the building. Mayor Cole responded that if and when it comes up, the City would have to own it to get matching Jones funds. One member felt this was not the time to answer the question since the school board had never really addressed what they would do with the middle school since the bond issue has not been put to the vote as yet. He said they will do nothing until after the election.

Bruce Anderson complemented the city on a good job of snow removal.

Calvin Ufford reported on the progress of plans for the proposed pumping station. He said he had received a flat fee bid from Bartlett and West in the amount of $3500. He then asked for a per hour schedule. Bartlett and West submitted the following figures; Principal in firm - $50 per hr., Manager - $36 per hr., Engineer - $33 per hr., Draftsman, Asst.etc., $61 per hr., Clerical - $20 per hr., fixed mileage reimb. - 25¢ per mile and reproduction - actual cost--total not to exceed $3500 unless scope of project is changed. After a brief discussion, it was decided to get a second bid from Kramer Engineering.

Councilman Ufford reported that Mark Daniels had refused to allow an above ground installation on his property because it would hurt the resale value of his property. He said Max Friesen had agreed to the use of a piece of land just North of the street in the easement area.

Dean Beckman asked about having the water lines flushed in his area. He said he was under the impression that there was an ordinance or rule that it had to be done once a month. Calvin Ufford explained there was no set rule for this. He said if something goes wrong with the chlorinator plant or if there was a break, it could not be helped. He also said there was not extra water to flush the lines in the summer and even in the winter 75 to 80,000 gallons were being pumped per day.

Calvin Ufford reported the fire district had purchased a SW Bell 1974 Dodge van to be used for carrying emergency medical equipment and there be two emergency medical people available also.

Parking around the new fire house was discussed. It was agreed that the City would have no other choice than to go along with the state statute. It was noted this was not a personal decision by the city. If the city went against a state law and then something happened, the city would be liable.

Dan Holmberg's request for special parking stalls in front of the Western Auto building was discussed. The council agreed by concensus that it would not be appropriate to allow special parking .

Calvin Ufford made a motion that a warrant be made to the Fire District #4 for monies left over in the budget of 1981 consisting of delinquent taxes etc. Floyd Greenwood seconded. Motion carried.

Davenna Jones made a motion that the meeting adjourn. Floyd Greenwood seconded. Motion carried. The meeting was adjourned at 9:43 P.M.

Respectfully submitted

Mildred J. Cannon
City Clerk

mjc

MINUTES - Regular meeting of the Overbrook City Council - March 10, 1982

MEMBERS PRESENT:

Calvin Ufford
Lynn Smith
Floyd Greenwood

Mayor Bruce Cole

MEMBERS ABSENT:

Cliff O'Bryhim Davenna Jones

OTHERS PRESENT:

Kenneth Greene
Mildred Greene
John Gingerich
Mel Holmberg

Bruce Smith
Max Friesen
Lakin Schwanke
Tony Hazen

The regular meeting of the Overbrook City Council was called to order at 7:31 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the February 10, 1982 meeting were considered. Lynn Smith made a motion that the minutes be approved as written. Seconded by Floyd Greenwood. Motion carried.

The Council then considered the outstanding warrants as presented by the clerk. Davenna Jones made a motion to approve all warrants. Calvin Ufford seconded. Motion carried.

The Greene Sanitation contract was discussed. The Council was reminded that even though the contract had another year to run it was still negotiable. Kenneth Greene reported that his cost had gone up 7¼% but that at the time of the last raise a cushion had been added and he didn't forsee a need to raise rates at this time. He did ask permission to come back and negotiate the contract if his costs went up to the point he felt it was necessary. The Council agreed with Mr. Greene's proposals by concensus.

Kenneth Greene also reported that trash from out in the country had been brought in and set in front of Gladys Howard's residence. Mr. Greene said he saw the woman dump it and within the trash was an envelope addressed to Mark Howard. The clerk was instructed to send a letter to Mrs. Howard advising her of the problem and the consequences.

Bruce Smith reported the school crossing signs were almost ready for installation.

One member asked if the chlorine bottles from Penn State Chemical Company had been picked up yet. Bruce Smith said they had called him today advising him they would pick them up tonight and payment should be received within a week.

Tony Hazen reported there would be a civil defense spotter class next Thursday for anyone interested. It is to be held at the high school. He said Mark Daniels and Ed Harmison planned to attend.

Lakin Schwanke was present to protest the Council's decision not to reimburse the car wash for previous sewer overcharge. He agreed the charge had been lowered from $18 to $3 but he said he felt not reimbursing the overcharge was not a fair practice. Mayor Cole explained this was done because the Council did not want to set a precedent. He also said it was the feeling of the Council that they had been more than fair with him when he removed the laundermat meter and the City put another meter in just for the car wash for cost plus labor in lieu of the normal $350 or more charge. It was also explained the meter was never closed out of the Schwanke name, it still carries the same number on the books and that was why the $18 sewer charge had been left on. When one member asked Mr. Schwanke why it had not been brought to their attention sooner, he replied he had been so busy he just went ahead and paid it. It was also noted by Mayor Cole, that the meter had been placed with at least a $124 savings. Davenna Jones made a motion that the Council take a vote as to whether they felt the money should be refunded to Mr. Schwanke's Car Wash account. Floyd Greenwood seconded. A unanimous NO vote was recorded.

Lakin Schwanke also complained about the alley behind the car wash which had been torn up to install the meter. He said it was his understanding that the alley would be graveled. Bruce Smith said there was need of more gravel behind the fire station also. He was instructed to go ahead and purchase whatever material necessary to fill the low areas. Also in reference to the alley, Mr. Schwanke asked that something be done about cars being parked and left unattended in the alley. Mayor Cole instructed Tony to look into it and also to apprise Ed Harmison of the problem.

Mel Holmberg was present just to 'air her feelings' about the parking situation on West Fourth Street. She said no one had ever come to her or Dan to let them know what was to happen. She also said it was hard for the Western Auto delivery truck to deliver large appliances etc. from the alley due to mud etc. In answer to one members question, she explained she knew the truck had blocked the street a few times because there was no place to unload and that it takes around 25 minutes to unload. Lynn Smith apologized personally for not notifying the Western Auto owners, he said it just 'snuck up on him'. He said it was a real dilemma and no one wanted to cause a hardship but the law is the law. Mayor Cole said they deserved an apology but this was something that was 'not dealt with lightly.' He said the decision was put off to the very last minute. He explained the township had a piece of land and the city had a small parking lot and for the sake of saving money and not having to purchase ground -- the land was donated for the purpose of erecting the fire station. He said it was a state law and everyone felt very badly about it.

Mrs. Holmberg was thanked for coming.

Mayor Cole reported there was some interest by Crable Ambulance Service to park an ambulance in Overbrook. Calvin Ufford said the Crable representatives had met with the fire board and if things could be ironed out with the Osage County Commissioners they were interested in bringing one of their ambulances here. He said the fire board had agreed to lease the East portion of the fire station for this purpose if the deal goes well.

Trash collection at L & L Crafts and Shep's was discussed. The clerk reported both businesses had requested discontinuation of trash service. It was agreed by consensus that permission be denied.

The Council discussed several methods of adjusting sewer maintenance rates. It was noted the rates had not been adjusted since 1960. There was some discussion about various methods to set the rates more fairly. The Council agreed the most fair solution would be based on water usage beginning at $3.00 up to 4,000 gallon and 50¢ for each 1,000 gallon thereafter. Calvin Ufford was instructed to contact Steve Jones to go ahead with an ordinance.

Mayor Cole read a letter/contract bid from Kramer Engineering in the amount of $985 (copy attached). This bid furnished the same service as Bartlett and West at a $2515 savings. After a brief discussion Lynn Smith made a motion to accept the contract bid from Kramer Engineering. Calvin Ufford seconded. Motion carried.

Game machine/juke box licenses for Jack's Cafe and the Family Fun Center were presented for approval. Davenna Jones made a motion to approve both licenses. Calvin Ufford seconded. Motion carried.

Davenna Jones thanked Bruce Smith and Calvin Ufford for putting up the voting booths for the school bond election March 16.

Lynn Smith reported the water tower light was out on the West Tower. He also reported during the last rain the road by Duncans was under water. Calvin Ufford said they might have to raise the street before it can ever be paved because there is no runoff.

Floyd Greenwood asked Bruce Smith to go ahead and purchase a load of saturock now that the weather has warmed up. He also thought the blade worked out well on snow removal.

Calvin Ufford asked permission to give some no parking any time signs to the fire board for installation on the fire doors.

The Council went into executive session to review personnel matters, upon reconvening, Lynn Smith made a motion to raise Tony Hazen's salary 10% effective immediately. Floyd Greenwood second. Motion carried.

Max Friesen reported there had been one bid for the water revenue audit in the amount of $6500 for '80 and '81 and thereafter $2500 per year. He said Fox and Company had been contacted to give a bid. Lynn Smith suggested also contacting the company used by the school board for a third bid.

Davenna Jones made a motion that the meeting adjourn at 10:07 P.M. Lynn Smith seconded. Motion carried.

Respectfully submitted

Mildred J. Cannon, Clerk

MINUTES - Regular meeting of the Overbrook City Council - April 14, 1982

MEMBERS PRESENT:

Floyd Greenwood
Cliff O'Bryhim
Lynn Smith
Davenna Jones

MEMBERS ABSENT:

Calvin Ufford
Mayor Bruce Cole

OTHERS PRESENT:

John Gingerich
Mark Criger
Mildred Greene
Kenneth Greene
Lakin Schwanke
Leon Green
JoAnn Allen
Bruce Smith
Max Friesen

The meeting was called to order at 7:30 P.M. by Councilwoman Davenna Jones in the absence of Mayor Cole and Council President Ufford.

The Clerk called the roll. The minutes of the March 14, 1982 meeting were reviewed. Lynn Smith made a motion that the minutes be approved as written. Cliff O'Bryhim seconded. Motion carried.

The warrants of the previous month were considered. Lynn Smith asked the clerk to run a study on the expenses on the patrol car and report back to the Council at the May meeting. Cliff O'Bryhim made a motion that all warrants be approved. Floyd Greenwood seconded. Motion carried.

JoAnn Allen, Chairman of the Library Board was present to petition the Council for an additional 1/2 mill to be added to the Library budget effective beginning with the 1983 fiscal year. She said the Board could no longer function efficiently without more funds. Lynn Smith wanted to know if half a mill was enough or would the Board have to come back in a short time and request another raise. Mrs. Allen said the Board felt they could handle whatever came up in the near future with the half mill but in five years or so they would have to come back for more. Lynn Smith made a motion for the Council to approve a full one mill levy increase. He said he had a problem with the half mill considering the unstableness of the economy. He said he would hate to see the services suffer just for lack of funds. The motion died for lack of a second. After a brief discussion, Floyd Greenwood made a motion that the council approve a 1/2 mill levy with the understanding, if the Library Board feels they need more in the future they can come back comfortably. Cliff O'Bryhim seconded. Motion carried. Lynn Smith casting a no vote.

Mrs. Allen reported two members were going off the board this year and there would have to be two new appointments. She was thanked for coming.

Mark Criger was present to speak for the Ball Assn. He asked that the City once again pay the lights and water at the old ball park. He explained the new park would not be ready for use this year. Lynn Smith made a motion for the City to pay the lighting at the ball diamonds in the old park area during the 1982 ball season. Floyd Greenwood seconded. Motion carried. Mr. Criger was thanked for coming. Approved by concensus - furnish water.

Leon Green was present to complain about the overflow from the East water tower onto his land. He said he would like to request it be properly maintained and operated so it doesn't damage his property any more. Bruce Smith said there had been a downspout installed approximately four to five years ago but it had been badly damaged by freezing. He said approximately 15 to 20 feet was broken off. After a brief discussion Bruce Smith was instructed to contact Midwest Tank Co. for a cost estimate and report back to the Council at the May meeting.

Davenna Jones reported she had received several calls concerning junk cars and stray dogs. The Clerk was instructed to send a letter to the owners of the van parked on the street at the Jim Bachelor residence, apprising them of the problem.

The clerk reviewed an attorney general opinion as printed in the Kansas Government Journal, April 1982, in reference to the effect of abstention from voting --- "If a quorum of a municipal council is present and a majority of the members voting vote in favor of a particular matter, abstentions from voting are to be counted as acquiescence with the votes of the majority, and the action will bind the body. Abstentions from voting may not be counted as acquiescence where there is a tie vote and the proposition fails for lack of a majority voting in favor thereof. Cited herein: K.S.A. 1981 Supp. 72-8205(A.G.Op.No.82-43, 2-19-82)"

Floyd Greenwood reported the streets were being patched. He reminded the Council it was nearly time to be acquiring bids for resurfacing.

Two bids were presented to the Council in reference to the Water Revenue Bond Audit for 1980 and 81 fiscal years as follows:

Barrand Schehrer and Harrod CPA - not to exceed $3400

Fox & Co. not to exceed $4,000

A previous verbal bid was presented by Touche Ross & Co. not to exceed $6500. Floyd Greenwood made a motion that the Council accept the bid of Barrand Schehrer and Harrod. Cliff O'Bryhim seconded. Motion carried.

An inspection/service report from Midwest Tank Co. was discussed. The clerk reported a representative of Midwest Tank had given a verbal estimate of $8458 less 5% to coat the inside of the tank. The report showed time had run out and something was going to have to be done soon. The tank company representative had said if the work could be done between June 1 and September 15, they would reduce the bid another 5% to $8,035. The problem was tabled to be discussed at the May meeting.

Lakin Schwanke was present to register another complaint about the automobiles being left unattended in the alley behind the car wash. He said it caused legitimate traffic to drive on his property to get around the parked autos. Some of the Council members felt the offenders should be given a warning ticket one time and then if they parked there again they were to be fined.

Several members reported yard ornaments had been taken from residents lawns and put in one family's yard.

Ed Harmison entered the meeting at 9:00 P.M. He gave a report on law enforcement activities. He reported Tony Hazen had started to simulate a weather watch and there have been 8 persons signed as watchers -- Ed Hanner, Dennis Graves, Mark Daniels, Emery Elliott, Bill Worthington, Bruce Smith and Tony Hazen.

The members again discussed the parking problem in the alley behind the car wash and also the problem of the yard ornaments, Patrolman Harmison was instructed to relay the Council's feelings to Chief Hazen.

Patrolman Harmison reported the patrol car was running fairly well now.

The meeting adjourned at 8:56 P.M.

Respectfully submitted,

Mildred J. Cannon, City Clerk

Approved_____.

MINUTES - Regular meeting of the Overbrook City Council - May 12, 1982

MEMBERS PRESENT:

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

OTHERS PRESENT:

Jim Hesseltine	Bob Shepard
Ed Harmison	Lakin Schwanke
Mildred Greene	Max Friesen
Kenneth Greene	Tony Hazen
Earl Warren	

The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. He thanked Councilwoman Davenna Jones for filling in for him at the April meeting.

The clerk called the roll. The minutes of the April 14, 1982 meeting were reviewed. Calvin Ufford made a motion that the minutes be approved as written. Davenna Jones seconded. Motion carried.

The warrants of the previous month were considered. Mayor Cole reported in reference to No. 1781, the recreation commission had requested the balance of their account be allocated now in asmuch as there were a number of bills coming in in connection with preparation of the swimming pool for summer use. Lynn Smith made a motion that all warrants including 1781 be approved for payment. Calvin Ufford seconded. Motion carried.

Jim Hesseltine of Kramer Engineering presented a two page plan for the booster pump station to be situated north of the city. He reported it was to be erected ~~approximately 81 feet from~~ north of the Mark Daniel property line. He gave a detailed review of the plans, he also said a by-pass would be installed in case it was needed. He said the KP&L had agreed to erect a power pole free and to run lines and set a meter at the plant but the city should discuss it with them. He explained a area had been left for a chlorinator in case the state requested it but he felt there would be enough residual coming down that it wouldn't be necessary. He explained the building was to be built of block with core fill insulation and the ceiling would be filled with fiberglass insulation. He said the preliminary estimate for construction would be approximately $18,000 if the city contracted the work done, but if they did it themselves, it would be considerably lower. He explained the pressure to the surrounding homes would be elevated only minimally if any at all.

After a brief discussion, Lynn Smith made a motion that the City accept the plans as drawn up by Kramer Engineering and presented by Jim Hesseltine for the construction plans and specifications for the booster pump station to be located north of the city, completing the initial hook-up to the lines of the RWD #5 bringing water into the area from the Clinton Reservoir. Calvin Ufford seconded. Motion carried. Mayor Cole signed the cover sheet. Mr. Hesseltine explained the plans would not be official until approved by the state. Mr. Hesseltine was thanked for coming.

Bob Shepard appeared to represent the Ridgeway Masonic Lodge. He said in answer to the city's request to run a line through the window of the lodge hall and through the floor into City Hall for the air conditioner, permission for the installation had been given with the concession that he be present

when the work is done to make sure the line is installed in an acceptable place.

Mayor Cole read a formal complaint from Mrs. Vera Waller (attached) against Bob Shepard in reference to the removal of a fence, an open well and livestock within the city limits. Mayor Cole said he didn't feel anything could be resolved tonight but the Council would like to have Mr. Shepard's side of the problem. Shepard said he took down a four strand barb wire fence on his own land and replaced it with a seven strand barb wire fence with hedge posts. In reference to the cattle, Shepard said there had been cattle on the land for the last 20 years. Dale Fox was first then Clyde Flory. He explained 150 ft. was in the city limits and 260 ft. was outside the city. As far as the open well is concerned, he said it is also outside the city and there are railroad ties covering it. He said if Mrs. Waller wanted different fence posts and was willing to pay her share, he would be happy to do it. He also commented his other neighbor was very pleased with the new fence. Mayor Cole thanked him for his comments and said the Chief of Police would look into it. Mr. Shepard was thanked for coming.

Earl Warren was present to speak for the First Christian Church. He explained several years ago, Mayor Boyd had promised to put water at the Christian Church and nothing has been done. Now they are in the process of preparing to tear down the old parsonage and garage. He explained there was already water at the parsonage and they felt they would like to have all the digging at the same time.

Bruce Smith explained the original plans were to start a block south of the highway at 7th and Cedar where the four inch line ends and go on with four inch line North to the highway then East on the park side toward the fence line then across the highway and loop back on the North side of the highway, install a fire hydrant and run back again to the beginning with four inch line. He said the existing service is only two inch line and there is no fire hydrant. There was considerable discussion, one member said he felt the city was obligated to do it and do it right. Another member said he felt there was no decision to be made, the work has to be done. Mayor Cole explained there was no question the work needed to be done, but he was sure the city was not interested in another no-fund warrant. The work would have to be based on how the money situation looks after the audit next month.

It was also discussed that maybe 600 ft. could be cut off inasmuch as there didn't seem to be any anticipated new home construction to be done in the near future. One member felt an alternative plan which would include the church but would not follow the original route east might be feasible. The matter was tabled to a later date when more facts and a cost estimate could be obtained.

Mr. Warren was thanked for coming.

Charter Ordinance No. 4 was presented. The clerk explained the changes from what was originally requested at the April Council meeting. She said she had requested the city attorney devise a charter ordinance that would allow the library a 1/2 mill increase in levy but would also leave the door open for a full one mill levy if necessary in the future. She explained he had added the remaining items also for future use only. These do not have to be used now, they can be called upon at any time in the future if the Council sees a necessity.

After a brief discussion, Calvin Ufford made a motion to approve and adopt Charter Ordinance No. 4. Cliff O'Bryhim seconded. Motion carried.

Davenna Jones requested an article be published about the dog ordinance. The clerk explained the newspaper was already in possession of an article which is to be printed close to June 1, the date the new tags are due.

Bruce Cole requested the council approve the appointments of Jane Hylton and ~~Mary~~ Karen Halterman to the Library Board. The appointments were approved by concensus.

Mayor Cole reintroduced the Midwest Tank contract for approval. After a brief discussion Calvin Ufford made a motion that the contract be approved for work to be done sometime between July 15 and September 15, 1982 (preferably after September 1) if possible in order to take advantage of the 5% discount (paragraph 10) total cost less 5% discount $8035. Davenna Jones second. Motion carried.

Mayor Cole reported Don Hylton had requested the council formally approve or disapprove the public liability insurance renewal. Renewal was approved by concensus.

Police Chief Hazen reported there were several street signs to be replaced. He also thought several shrubs and trees along parkways need trimmed for safety sake. He reported the patrol car was in need of new tires and front end alignment.

The clerk reported approximately $6700 had been spent on the present patrol car since its purchase in March 1980. Several alternatives for replacement were discussed. Chief Hazen was requested to check different alternatives and report back to the council.

Mayor Cole asked the council to review a bill for certain work done on a sewer problem for Hazel Warren by Northbrook in which there was a small problem discovered in connection with the City's line. Bruce Smith said the only portion of the bill that had room for question was the gravel. Nothing was decided.

Mayor Cole reported in connection with the sample sewer ordinance discussed at a previous meeting, Cliff Fischer had some questions and had said he would be present to discuss it but he had not appeared as yet. Mayor Cole said in lieu of the fact the water department audit was due soon, the matter should be tabled until a later date.

Floyd Greenwood said he felt some thought should be given to the street resurfacing. Max Friesen said there should be approximately $36,000 available for this purpose.

Max Friesen as an interested party asked the council to consider reinstating the parking on Fourth Street West of Maple. He said he felt strongly there needed to be some parallel parking for City Hall and the Library.

Floyd Greenwood made a motion, seconded by Davenna Jones that the meeting be adjourned. Motion carried. Meeting adjourned at 10:01 P.M.

Respectfully submitted,

MINUTES - Regular meeting of the Overbrook City Council - June 9, 1982

MEMBERS PRESENT:	Floyd Greenwood	Cliff O'Bryhim
	Calvin Ufford	Lynn Smith
	Davenna Jones	Mayor Bruce Cole
OTHERS PRESENT:	John Ramsey	Max Friesen
	Bruce Faust	Bruce Smith
	Bob Sisson	Mildred and Kenneth Greene
	Tony Hazen	

The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the May 12, 1982 meeting were considered. Lynn Smith noted nothing had been recorded in connection with the discussion about mowing various lots around town. Calvin Ufford asked that the second sentence of paragraph 4, page one be deleted. Cliff O'Bryhim made a motion to approve the minutes as written with the deletion of sentence two of paragraph four, page one. Davenna Jones seconded the motion. Motion carried.

The warrants of the previous month were considered. In answer to a question about warrant No. 1795, Police Chief Hazen explained there were two city traffic cases that had been appealed and transferred to the District Court. He explained one case had a $1,000 surety bond being held and the other case had been tried and the defendant was found guilty -- he then left the state but a warrant had been issued which would surface on computers nation wide. Lynn Smith questioned warrant No. 1810 in the amount of $10 payable to the Dept of Human Resources, State of Kansas as a penalty. It was explained a report had been sent to the State timely but apparently it had been lost in transit and by the time it was brought to the clerk's attention two months had elapsed @ $5 per month. It was also noted this was only a report and no money was involved since the City is a reimbursing employer only. After a brief discussion it was decided not to pay the $10 until someone from the Dept of Human Resources appeared before the Council to explain why this penalty was necessary under the circumstances. The clerk was instructed to contact a representative of the State advising them of the Council's action. Lynn Smith made a motion that all warrants be paid with the exception of 1810. Calvin Ufford seconded. Motion carried.

Mayor Cole relayed a request from the Overbrook Ball Association for a dumpster to be placed at the ball park, also a dumpster to be placed at the swimming pool was requested by the Recreation Commission. It was agreed that two dumpsters would be taken from the school area leaving three available for school use.

John Ramsey was present to report on conditions at the pool. He said one of the filters had been out of service for a while but all was well now. He reported there was a possibility there would have to be some some help in meeting the financial obligations of the pool again this year. He said no raises had been given but that costs were consistently going up. He said his prime concerns were safety and operating as efficiently as possible. Mayor Cole commended Ramsey and his employees for running things more efficiently andwell organized. Calvin Ufford said they had done a fine job last year and he was surprised at the lack of maintenance required this year. The Council as a whole was well satisfied with the way the pool operation is being handled.

Mayor Cole noted the City had received the annual bond from Greene Sanitation.

John Ramsey said he would appreciate a clarification of just exactly what the city planned to do in connection with the water lines to the First Christian Church.

Bruce Smith explained he had made some measurements of the area. He said it would be more economical if the line was taken across the highway West of the church in lieu of going down the highway on the fairgrounds side and then crossing the highway for a loop back. One member asked Ramsey if the church would be agreeable to coming down 300 ft. to the meter connection. He said he could not speak for the congregation but felt it would probably be ok. Mayor Cole said as far as going East and looping back, he felt the cost could not be justified at this time. After a brief discussion Lynn Smith made a motion, seconded by Calvin Ufford that the new water line be laid to cross the highway at the church area and also a fire hydrant be installed North of the highway. Motion carried.

Bruce Smith reported he had replaced an old sewer line from the Champlin Station across ~~Jeff Rice~~'s property ~~for a total of 20 ft~~. He also said the lift station behind Ron Anderson's had been overflowing a great deal due to the excessive rains this season and that he had reported the situation to the Dept of Health.

Tony Hazen reported he had checked on new and used patrol cars as requested at the last meeting. His prices varied on used cars from $1800 for a 1978 highway patrol car with 75,000 miles on it to $4000 for a 1980 highway patrol car with 75,000 miles on it. He said one dealer in Kansas City had a Plymouth with 57,000 miles for $3600. On new cars, he said a Dodge dealer in Kansas City had a Dodge Diplomat for $9,000 and Glen Owens Mercury of Topeka had a special deal on patrol cars recently with only a few left at a cost of $8500 (list price $12000). These cars would be preset for law enforcement use. He said there is an average of 1000 miles per month driven on the City patrol car.

Mayor Cole asked John Ramsey if he still had any contacts with the State of Missouri highway patrol to purchase used patrol cars. Ramsey said he would see what he could do and would get back with Mayor Cole.

Chief Hazen requested the purchase of two rain coats. He had priced them for around $35.00 each. The council agreed by concensus. Chief Hazen also said he felt the city speed limit should be reduced to 25 mph with Maple Street at 20 mph. The matter was tabled to a later date.

Mayor Cole reported Mrs. Harding had requested the City place a N/S stop sign on Elm at 4th. The matter was taken under advisement.

It was reported the audit of the water department would begin June 14. Mayor Cole said there would probably be some recommendations and after the report is received the council would discuss possible water and sewer rate increases.

It was reported the tax exemption for the swimming pool had been approved.

A formal contract for tower repair was signed by Mayor Cole.(approval was made by the Council at the May council meeting)

Davenna Jones reported the county clerk had contacted her saying the council must vote yes or no to keep the intangible tax for the current year. She explained the legislature had approved the right of home rule. She explained if the Council wants to reinstate for the next year, they would have to pass a resolution prior to September 15, 1982. It was explained the receipts to the city are approximately

Riley Gerisch
delete all of sentence 1, PP 1 after word property, add word "easement"

$6600 per year or equivalent to three mills. Calvin Ufford made a motion that the City retain the intangible tax to be received by the City of Overbrook during the calendar year 1983. Lynn Smith seconded. Motion carried. four voting yes, one voting no (Davenna Jones voting no) Max Friesen noted some cities are going to a half cent sales tax increase which is effortless and is easy to collect.

Davenna Jones reported a member of the fair association had questioned why the city had signs up on private property (fair grounds) It was noted by a council member that the city has the right to afford police protection any way that they feel necessary. Chief Hazen said the signs were put up at the time it was owned by the city. He also said there is a section in the criminal code that says all city parks will be closed X number of hours P.M. to A.M. Mayor Cole said several years ago there were other signs put up at the bank parking lots and stores etc. Max Friesen felt the remark had been made by a fair association member without thought.

Lynn Smith thanked Chief Hazen for reporting the tornado warning to the schools. Chief Hazen said there had been a complaint by a citizen who then shut off the siren. The Mayor and Council felt the law enforcement people should have the authority to make the decision when and if necessary. Chief Hazen was instructed to contact the Council or Mayor if he has any more problems and a representative will appear before the Fire Board.

Floyd Greenwood said he and Bruce would be looking at the streets soon for resurfacing.

Calvin Ufford reported he had received five copies of plans and specs for the proposed pump station, one for the office and four for distribution. Council decision was for sealed bids to be delivered to the City Clerk's Office by noon July 9, 1982 at which time Bruce Smith and another City representative would review the bids for Council action.

In connection with a bill received from Northbrook Lumber covering sewer work done for Hazel Warren in which a city break was discovered, the Council was asked to make a decision as to whether or not to refund the price of half the gravel to Mrs. Warren ($78.75) It was agreed by concensus to refund the money to Mrs. Warren.

Max Friesen reported there was $25,000 available for street resurfacing.

Davenna Jones made a motion that the meeting be adjourned. Floyd Greenwood second. Motion carried. The meeting adjourned at 10:18 P.M.

Respectfully submitted,

Mildred J. Cannon
Clerk

MINUTES - Regular meeting of the Overbrook City Council - July 14, 1982

MEMBERS PRESENT:

Floyd Greenwood
Davenna Jones
Lynn Smith
Mayor Bruce Cole

MEMBERS ABSENT:

Cliff O'Bryhim
Calvin Ufford

OTHERS PRESENT:

Dale Bloom
Lakin Schwanke
John Gingerich
Representatives from
AFS Construction
LRM Industries
Tony Hazen
Kenneth and Mildred Greene
Bruce Smith
Max Friesen
Nadine Cordts

The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the June 9, 1982 meeting were considered. Councilman Ufford asked that the portion of sentence one, paragraph one, page two after the word property, be deleted and the word easement be inserted. Floyd Greenwood made a motion that the minutes be approved with the change. Lynn Smith second. Motion carried.

The warrants of the previous month were considered. There was some discussion about the city attorney billing in connection with the Patmore case. It was noted there was also a charge paid June 9 on the same case. Police Chief Hazen explained the case had gone back to court for sentencing and that Steve Jones had done some more work with Mr. Patmore's attorney. There was also a question on the payroll check for Dennis Graves in the amount of $6.17. Chief Hazen said Mr. Graves had gone along with him for training. Mayor Cole explained that warrant No. 1860 was to begin picking up the deficite on the bond reserve. Davenna Jones made a motion that all warrants be approved. Calvin Ufford seconded. Motion carried.

Nadine Cordts was present to represent the Park and Recreation Commission. She presented a list of items for discussion (attached). She asked that the commission be sent a copy of the minutes reflecting this portion of the council meeting.

Cordts asked if this was to be a city or community park and if it is a city park is everything for upkeep such as mowing, lights and repair to come from the city budget. In answer to the first question, Mayor Cole said since it will probably be used by persons living in two or three townships and possibly another county, it will probably be a city project. He said the lighting and mowing was a gray area that needed discussion. He explained the city is no longer on a municipal rate with KP&L and even though the new lights will be more efficient there will be more lights. He said he assumed the city would still be responsible for the lights and since there will be two diamonds, maybe the night games won't be necessary.. He also said the all night tournaments may be a thing of the past. He said as far as mowing is concerned, the most efficient way should be researched. Further discussion of the mowing and lighting were tabled to a later date.

Cordts asked if it would be possible to levy another mill? She also wanted to clarify who would be handling the funds, the commission or the city treasurer. Lynn Smith explained the law pertaining to the custody of the recreation levy. He explained that by state statute, the funds were to be held and dispensed by the city treasurer. He said the park and recreation commission could make recommendations but the council would have final approval. The clerk was asked to check into the possibility of levying another mill.

Cordts questioned whether the commission could enter into contracts. Mayor Cole explained the commission had authority to check into contracts but the council had final authority to grant a contract.

Cordts asked permission for the commission to reappoint the present commission members until the park is finished. Mayor Cole said he would prefer to receive recommendations from the commission as a formality since they had to be voted on by Council.

Cordts explained the commission had set a goal for Labor Day to finish Phase 1 of the new park and were getting ready to apply for Phase 2.

Mayor Cole thanked her for coming.

Sealed bids were received from Hamms Const, Lawrence Asphalt and AFS Const. There were representatives present from Lawrence Asphalt and AFS Construction. There was some discussion about how the asphalt is thinned and why. Also discussed was the rock and whether it would be washed. Both representatives assured the council rock would be washed. They explained MC800 is cut with kerosene or deisel fuel and CRS 18 is emulsified (cut with water) this is done to thin it enough to spray.

Bids were as follows:

AFS Const - MC800 asphalt applied at rate approximately .25 pr.sq.yd. 1/2" washed crushed rock applied at a rate of 25# pr sq yd - 21,311 sq yard @ 60¢ or a total cost of $12,786.60 (the representative noted the area would have to be re-measured)

Lawrence Asphalt - CRS-1H Oil and clean limestone chips applied at a rate of approximately .30 gal oil and 26 lb chips per sq yd. -- 19,815 sq yd @ 64¢ or a total cost of $12,650 (price included sweeping)

Hamms Const - oil to be applied at a rate of .3 gal and chips -28lb per sq yd - $11,550 (no measurement - no price per sq yd - price included brooming)

There was some discussion about rolling afterward. Both representatives agreed a pneumatic roller is used, if a metal one is used, it breaks up the chips.

Lynn Smith recommended, since Hamm's didn't bother to send a representative and based on past performance, that this bid be eliminated. Lynn Smith made a motion that the Lawrence Asphalt bid of $12,650 be accepted. Floyd Greenwood seconded. Motion carried. Both representatives were thanked for coming.

Lakin Schwanke was present to ask for something to be done about the ditch along the alley between Maple and Oak bordered by Fourth and Third. He said the city had graded the alley going South toward the senior citizen housing. He said this throws water to the West side. He said erosion was already 14 to 16 inches deep. He said he wanted to go ahead and stop it up above the door of the old blacksmith shop to throw water into the alley. There was a brief discussion after which Mr. Schwanke was given permission to go ahead with his project and at such time as a blade is available, the city will finish the project.

Mayor Cole announced there were only two bids for the construction of the new pump station. One was from Overbrook Lumber for material only (they did not want to bid for full construction), and Northbrook Lumber. The Northbrook bid was in the amount of $8721.74 for all work as listed on the bid which did not include pumps etc. Calvin Ufford said he figured the plumbing would run approximately $3,000. Dale Bloom was present as an interested citizen. He said there were no more bids because the potential bidders felt the bids would be opened, checked and then the City would give the job to an outsider. Mayor Cole explained four or five copies of the specs and plans were given out. He said he was disappointed that no one else would give bid. He also said he was disappointed in the potential bidders attitude that the council would play one person against another.

Calvin Ufford said if no one else wanted to bid, that was fine. He felt since only one bid was received, the Council should accept it. Bruce Smith was asked to review the bid and get prices on items not bid on.

Bruce Smith presented a bill for sewer cleaning from Reddi Root'r in the amount of $62.10. He said the bill had been given him by Mr. ~~Toliver~~ Willis. He explained ~~Toliver~~ Willis had a problem over the weekend and had called Reddi Root'r to find the problem. Apparently the sewer company after trying to get through ~~Toliver~~ Willis's line had entered through the City's manhole and had found some blockage. Bruce Smith then took the backhoe and dug the area up. The problem was actually on the ~~Toliver~~ Willis line but Bruce had dug along the City line and found nothing until he got to the ~~Toliver~~ Willis line. He said an old break was there (on the ~~Toliver~~ Willis line) which had been covered by a piece of metal also there were roots, etc. After a brief discussion, the Council agreed by concensus that since ~~Toliver~~ Willis had called the Reddi Root'r company and the bill was justified and they felt the sewer was installed improperly, thus the bill belonged to Mr. ~~Toliver~~ Willis.

The Clerk reported she had billed Major Simmons twice for the culvert tubing but had gotten no response. She was instructed to make a phone call to Simmons and then if there was no response, Bruce Smith was to repossess the tubing.

Bruce Cole reported a number of complaints of rusty water around the area of Cliff Fischer's home. The Clerk was instructed to call the residents along the block to make a study for a week or so. The matter was tabled to a later date.

Mayor Cole presented a petition from Maurice Fager for the United Methodist Church for issuance of $800,000 in Industrial Revenue Bonds at no expense to the city. The bonds would pay 9½% for 10 years. The money is to be used to construct a new church under the name of Overbrook Christian Education Center, a Kansas corporation. Mayor Cole recommended a copy be sent to the City

attorney for legal advice and/or recommendations. One member wanted to know how it might possibly effect the city's capacity to sell other bonds. Mayor Cole recommended the matter be tabled until next meeting when the city attorney will hopefully have some legal advice available.

Electric billings at the fair grounds were discussed. Mayor Cole said in the past, the city was on a special municipal rate but this was no longer available. He said he felt it was time to transfer all but the ball diamonds and concession stand to the Fair Association.

The audit report and recommendations were reviewed. Among other items discussed was the designation of an official depository. Lynn Smith made a motion that the Kansas State Bank will be the depository for the operating account and certificate of deposit and the First Security Bank will be depository for the Bond and interest account and also certificate of deposit. Davenna Jones seconded. Motion carried.

Also included in the recommendations was a larger surety bond for both the city clerk and the city treasurer, and also a safe deposit box for securities, deeds and insurance policies.

The report reflected a deficite in the revenue bond reserve. There was some discussion as to how long it will take to bring the reserve into balance. The auditor's recommendation was to add $2,204.76 each month through December 82 which would bring the reserve in balance to that date. No final decision was made.

A raise in water and sewer charges was discussed. The matter was tabled until a further study could be made.

Future intangible tax revenue was discussed. It was decided nothing would be done until after the August primary, then a decision would be made based on whether or not the 1% county sales tax is approved.

Tony Hazen reported he had not been able to get in touch with John Ramsey in reference to the proposed purchase of a Missouri highway patrol car. He did say that the next group of autos would be available sometime in September and the average price was between $3600 and $4000. Mayor Cole instucted Chief Hazen to put Overbrook's name on the list.

The 1983 budget was discussed. It was decided to add 1/2 mill to the library fund as previously approved, 1/2 mill for noxious weeds, .250 for law enforcement and one mill for recreation if possible. It was also decided to lower the employee benefit by 1 mill since no benefits for water personnel could be taken from this account.

Lynn Smith questioned why lots had not been mowed. Bruce Smith was instructed to check with the school district for possible use of their mower. Lynn Smith suggested a reciprocal trade. He said the school district has to maintain the blacktop road from 56 highway to the school and were in need of some saturock. Bruce Smith was instructed to check into the possibility.

Floyd Greenwood said there had been some complaint about Vaughn's dogs. He was curious how many dogs it would take to be considered a kennel. The law says it would take 3 or more dogs to be considered a kennel.

Davenna Jones reported people had been complaining about broken glass on main street. Tony Hazen reported the last couple of weekends some of the participants had gone down and picked up the glass. One member suggested a letter be written to the owner of the tavern. Mayor Cole said the only remedy might be to take away their beer license. There was some discussion about limiting beer sales to non-glass containers. The matter was tabled to a later date.

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

The meeting was adjourned at 11:02 P.M.

Respectfully submitted;

Mildred J. Cannon

Mildred J. Cannon, City Clerk

MINUTES - Regular Meeting of the Overbrook City Council - August 11, 1982

MEMBERS PRESENT:	Davenna Jones Cliff O'Bryhim Calvin Ufford	Floyd Greenwood Lynn Smith (late arrival) Mayor Bruce Cole
OTHERS PRESENT:	Tony Hazen Bruce Smith Kenneth Greene	Mildred Greene Max Friesen

The meeting was called to order at 7:35 P.M. by Mayor Bruce Cole. The roll was called by the clerk. The minutes of the July 14, 1982 meeting were reviewed. It was noted on page three,paragraph four, the name should be changed from Toliver to Willis. Floyd Greenwood made a motion that the minutes be approved with the change. Davenna Jones second. Motion carried.

The warrants of the previous month were considered. There was some discussion about warrant No. 1891 in the amount of $75 to Modern Office Methods. The clerk explained the company was going to a first of the month billing and the extra $25 was to bring the account into balance. The previous billing date was the 15th. Cliff O'Bryhim made a motion that all warrants be approved. Floyd Greenwood second. Motion carried.

Mayor Cole brought up the request of the Osage County Fair Board for dumpsters during fair time. It was decided, inasmuch as the school dumpsters were the ones usually used, the Council should wait until Lynn Smith arrived to make a decision. Kenneth Greene asked that the Council contact him when the arrangements are agreed upon. He also asked for permission to come into town on Saturday and Sunday. Permission was granted. Mr. Greene said he would dump the school dumpsters on Friday and Saturday.

Mayor Cole reported he had sent the Methodist Church proposal for Industrial Revenue Bonds to the City Attorney and he was still working on it. He said Steve Jones, Ed Nichols (Bond Counsel) and Morris Fager had met to discuss the proposal. Per note to the file Mr. Nichols said the use, as a church, of the day care center to be built with the industrial revenue bonds will be a violation of the constitutional prohibition against the establishment of a state religion. Further, the internal revenue service regs require only non-exempt organization's industrial revenue bonds would be tax exempt, and the curch and/or day care center, already being exempt, would not qualify. Maurice Fager has suggested making application for revenue ruling on the issue. One member wanted to know who was to pay for this. Mayor Cole said he would discuss it with the church but he felt since the church instigated this in the first place, they should be the ones to pay. One member suggested making a motion to either accept or deny the petition so it could be researched. Different members felt it would be a bad precedent to start, also, there might be other things to issue the bonds for. Max Friesen said there had never been a formal presentation and it might be wise to wait for the formal presentation and ideas behind it. Mayor Cole said he had spoken to Maurice Fager and he presented the resolution and this was what they were working with. One member questioned why the church presented a resolution if it was not formal. The matter was tabled to a later date.

Mayor Cole reported he had received a complaint from Pauline Supple about profanities, etc., on Main Street around the tavern. He said it was regrettable but they might gather on the street even though there wasn't a tavern in town. He said he felt as much as anything it is moral-social decay generally not just here but everywhere.

Bruce Smith reported that he had received a bid from Haynes Equipment Co., in the amount of $2188 for a control panel for the new booster pump station. He explained it is electronic and Northbrook was not able to build it. He explained Jim Hesseltine had suggested this company because they are doing work on some of the controls for the rural water district. It was agreed by concensus to go ahead with Haynes Equipment Co. for the control panel.

The Council discussed a letter received from Hamm's Construction Co., stating they felt the City had not been fair with them in connection with the work done last year, that the City had not brought the problem to their attention at the time. Floyd Greenwood said that since he had contacted them twice last summer and nothing was done, he felt the letter was unwarranted. Councilman Greenwood said he felt Lawrence Asphalt had used adequate amounts of oil this year. Mayor Cole added that Fourth Street between Ash and the new park had also been surfaced this year.

Future intangible tax's were discussed. It was decided since the county sales tax had passed, the intangible tax would no longer be necessary. Davenna Jones made a motion that the City drop the intangible tax in the future. Floyd Greenwood second. Motion carried.

Additional recreation levy was discussed. The clerk was instructed to research this and get back with the Council.

The rusty water problem in the Western portion of the city was again discussed. The clerk reported she had contacted several families in the area but could get no set pattern related to the rust problem. The only family with a serious problem seemed to be Cliff Fischer. The clerk was instructed to contact families on each side of Fischer's and have them keep a record for a month.

Bruce Smith reported there had been a problem with the pump at one of the wells. He said apparently lightning had caused the motor to single phase which burned it out, it has now been replaced with a 5 hp pump and is functioning normally.

Mayor Cole read a letter from the State of Kansas, Division of Accounts and Reports, sent in answer to the auditor's report. He noted the water fund had exceeded their budget in 1981. The state's suggestion to alleviate the problem was to adjust rates.

Tony Hazen reported Ed Harmison was in the hospital with pneumonia and would not be able to return to duty for some time. He reported he had checked on some used patrolcars but the mileage on most was in the neighborhood of 70,000.

A second game machine license was presented for Topping Drug. Calvin Ufford made a motion, seconded by Lynn Smith to approve the license. Motion carried.

The clerk asked a council decision as to the fee, if any, for home occupation licensing. After reviewing the Zoning Ordinance, the Council decision was that no fee would be charged.

Lynn Smith made a motion that the 1982 budget,as published, be accepted. Calvin Ufford second. Motion carried.

The Council went into executive session for 15 minutes, to discuss personnel matters. Upon reconvening, Lynn Smith made a motion to increase Bruce Smith's salary by 10%, Mildred Cannon from $4.00 to $5.00 per hour and Max Friesen from $25 to $40 per month. Calvin Ufford seconded. Motion carried. The clerk was instructed to add all personnel salary discussions to the agenda each June to alleviate budget problems. Mayor Cole said Tony Hazen's salary might have to be adjusted to bring all in line for June review.

Lynn Smith commented he felt the streets were very well done. He also said he felt the Council should give serious thought to a patrol car before more money needs to be spent on the present car.

The dumpsters for the fair grounds to be used August 26, 27 and 28 were discussed with Lynn Smith. Councilman Smith said he was in agreement but would prefer they be washed before returning.

The Clerk was instructed to contact Cable TV in reference to areas damaged by their trucks.

Water rates were discussed. The clerk was instructed to research more figures and get back with the council.

Floyd Greenwood made a motion to adjourn. Lynn Smith seconded. Motion carried.

The meeting adjourned at 11:00 P.M.

Respectfully submitted,

Mildred J. Cannon

Mildred J. Cannon
City Clerk

mjc

Approved _____

MINUTES - Regular Meeting of the Overbrook City Council - September 8, 1982

MEMBERS PRESENT:

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

MEMBERS ABSENT

Lynn Smith

OTHERS PRESENT:

Tony Hazen
Bruce Smith
Kenneth Greene
Mildred Greene
Max Friesen

The meeting was called to order at 7:32 P.M. by Mayor Bruce Cole. The clerk called the roll.

The minutes of the August 11, 1982 meeting were reviewed. Cliff O'Bryhim made a motion, seconded by Calvin Ufford that the minutes be approved as written. Motion carried.

The warrants of the previous month were considered. Davenna Jones made a motion, seconded by Floyd Greenwood that all warrants be paid. Motion carried.

There was a discussion with Kenneth Greene about problems with trash etc., at the fair grounds shelter house. Davenna Jones reported the fair association said it was not their problem since the city residents used it. The major question before the council was, whose responsibility it is to keep the area clean. Mayor Cole questioned if it was fair left overs or maybe from night baseball games? He asked Mr. Greene if it would be possible to have a dumpster there during picnic season. Mr. Greene said No. 1, he has to have permission to go onto private property and No. 2 he used to pick up at the fair grounds and the fair board told him not to come in again because he was tearing it up. Mayor Cole commented it really wasn't something that needed resolving tonight but he would like to see individuals take care of their own problem. He said he felt the fair board needed to have some input in this. Also, if the fair board wishes for Greene not to come up there, then there really isn't anything the City can do about it.

Bruce Smith reported on the progress of the booster pump station. He said the slab has been poured and the cinder blocks have been delivered. They are only waiting for the brick layer to lay the blocks. He also reported the booster pump motors and small plumbing has been delivered. He said the pipe is hooked to the incoming lines of the Rural Water District and they only have to hook up to the building now.

He reported the lift stations had a motor and check valve go out but they are now back in working order.

He reported there has been some discussion about where to place the concession stand at the new park. He said a spot had been left for it close to the proposed pool area but now some want it between the ball diamonds. He said the sewer in either case would have to go on the North side of the school and West to the middle of the street. He also questioned whose responsibility the mowing would be. Mayor Cole said basically it will be left to the recreation

commission. He said apparently they don't have funds right now to buy a mower but they might consider a contract agreement like the schools have. He said the City has final authority over levied funds but the day to day things should be left to the commission. Calvin Ufford reminded the Council that since the maintenance man had been hired, two wells had been added, a booster station and care of the pool among other things. He said that one day the city will have to have two maintenance people and he didn't feel there should be any more added to the duties than absolutely necessary.

Bruce Smith reported the City was in need of a new push mower since the old one was beyond repair.

It was reported the cable tv people had not done anything about repairing the damage done to some of the alleys. The Clerk was instructed to write them a letter.

Police Chief Hazen reported he had been in contact with Steve Jones City Attorney in regard to the new DWI law being incorporated into the traffice ordinance. It seems now there is no law in Overbrook to cover this since the new state law went into effect July 1, 1982. He said there was a new ordinance waiting for the Attorney General's opinion which will be incorporated into the present ordinance. One member wanted to know if Chief Hazen had any way to check alcohol content when the law does go into effect? Chief Hazen said there was equipment available at Lyndon.

A replacement patrol car was discussed. Mayor Cole asked Treasurer Max Friesen if the Revenue Sharing monies could be used for this purpose. He said yes. There was a discussion as to whether to buy a used car from the Missouri Highway Patrol or purchase a new vehicle. The matter was again tabled.

Floyd Greenwood reported he had noticed some ~~knoxious~~ weeds in the ditches at the Meadows Addn.

Councilman Greenwood reported he had been in contact with John DeGand Osage County Civil Defense Coordinator. He said Mr. DeGand is planning a disaster drill in October especially for the nursing home. He said the fire department and possibly the police department would participate. He also reported Mr. DeGand had been researching a grant from the Federal Government for new sirens and the City's portion would be possibly two to three thousand dollars per siren. He said Overbrook would possibly need three new sirens. He said the money would have to be set aside by October 3, 1983.

Cliff O'Bryhim reported he had not heard any complaints in connection with the fair or problems on Main Street. He commended Chief Hazen.

The sewer rates were discussed. It was noted that these rates had not been adjusted since 1961. After discussing several plans, Calvin Ufford made a motion that the sewer rates be raised to $3.00 for the first 4,000 gallons of water used and $.50 for each 1,000 gallons over 4,000, with no maximum. The motion died for lack of a second. Calvin Ufford withdrew the motion and made a second motion that the sewer rates be raised to $3.00 for the first 4,000 gallons water used and $.50 for each 1,000 gallons with a $75.00 maximum. Cliff O'Bryhim seconded. There were 2 no votes and 2 abstains. Mayor Cole cast the deciding yes vote. Motion carried.

The water rates were then discussed. After considering several alternatives, Floyd Greenwood made a motion that the rates be raised to $8.00 minimum for the first 1,000 gallons and $2.25 for each 1,000 gallons over 1,000 gallons up to 10,000 gallons and $2.00 for each 1,000 gallons over 10,000. The motion died for lack of a second. One member felt this would not make the large user conserve. After another discussion, Davenna Jones made a motion that the water rates be raised to $7.00 minimum for the first 1,000 gallons and $2.50 per 1,000 above 1,000. Calvin Ufford seconded. Motion carried. 3 yes votes and 1 no vote were cast.

Davenna Jones made a motion that the meeting be adjourned. Calvin Ufford seconded. Motion carried.

The meeting was adjourned at 10:45 P.M.

Respectfully submitted,

Mildred J. Cannon

Mildred J. Cannon
City Clerk

Approved _____

MINUTES - Regular Meeting of the Overbrook City Council - October 13, 1982

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Lynn Smith

OTHERS PRESENT:

Donald Hulse	Floyd McGuire
Mildred Greene	Max Friesen
Kenneth Greene	Bruce Smith
John DeGand	Tony Hazen

The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. The clerk called the roll.

The minutes of the ~~October 13, 1982~~ September 8, 1982 meeting were reviewed. Floyd Greenwood asked that the word noxious be stricken from paragraph 5, page 2. Davenna Jones made a motion seconded by Calvin Ufford that the minutes be approved with the change. Motion carried.

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

Donald Hulse, owner of Hulse Apartments was present to request a dumpster in lieu of individual pick up at his apartments. He said he would give written permission for Greene Sanitation Co. to cross his property. Kenneth Greene said it would take a three yard dumpster. Mr. Greene stated he would not want others in the area using this dumpster. Mr. Hulse said he doubted if they would, considering where it would be located. A $30.00 per month charge was agreed upon in lieu of the present total individual apartment charge of $29.75. They left the meeting at 7:43P.M.

John DeGand, Osage County Civil Defense Coordinator was present. He said he had been working with Floyd Greenwood in connection with local civil defense. He said he had been asked by Brookside Manor to conduct a drill on disaster preparedness. He asked the city's cooperation in this drill which would take place at 2:30 P.M., Monday October 18. He said Fire District #4 had agreed to take part in the drill. Mayor Cole assured Mr. DeGand the City would help in any way possible.

Mr. DeGand also discussed the grant monies for sirens which should be available in 1984. He said the units would probably be priced around $7,000 or for three phase units $6,000. Mayor Cole said the City was definitely interested in more sirens.

Mr. DeGand was thanked for coming. He left at 8:02 P.M.

Bruce Smith reported the extension lines toward the Christian Church were a little over half finished. He also reported the booster pump station was near completion. He said there had been some problem with well #5 and

it had not been used for the last couple of weeks. He said he was checking on a float control valve that might help keep it on the line.

Police Chief Hazen reported there were problems with the new DWI law. He said the league is working on a new ordinance in connection with the Attorney General's office. He said they had arrested one person and were awaiting a court date. He said it would seem the cost to the city could be somewhere between three and four thousand dollars and the state would get the fine. There was a lengthy discussion in regard to the new law and the City's part in it. Mayor Cole asked Chief Hazen to use his best judgment and if he had a question about something, to contact either himself or Calvin Ufford.

The purchase of a replacement patrol car was again discussed. Calvin Ufford made a motion that Chief Hazen check into the purchase of a Missouri Highway Patrol used car or the purchase of a new car at the State of Kansas package price. Floyd Greenwood seconded. Motion carried. Mayor Cole reminded the Council if Chief Hazen checked this out it could still be a matter of months before a final decision could be made, especially if the State deals were not available. Chief Hazen presented several bids from topeka auto dealers as follows: 1983 Plymouth 318 @ $9.520; 1983 Ford 302 @ $9670(no guarantee on price after 30 days); 1982 Chevrolet @$11,386; and 1983 Chev. 305 @ 10,932. After a brief discussion Calvin Ufford made a motion to obligate no more than a total of $9600 including trade-in for a new patrol car. Floyd Greenwood seconded. Motion carried. Chief Hazen said if he found something suitable he would like to have either Mayor Cole or a member of the Council go along to make the final decision.

Davenna Jones reported the Park and Recreation Commission was interested in changing the line of the fence at the new park to square it off. She said there was some question as to whether the school or the city owned this section. The matter was tabled until the school district could be contacted.

The clerk asked if the council wanted a special mailing to go to customers apprising them of the fact that water usage would be subject to the 1% county sales tax. It was decided an article should be printed in the local newspaper.

The clerk reported the police department was interested in some used file cabinets and inasmuch as there had never been any new ones in the City Hall she felt it might be appropriate to purchase new ones for the City Hall and give some of the old ones to the Police Department. After a brief discussion, Davenna Jones made a motion, seconded by Calvin Ufford to purchase new file cabinets for City Hall not to exceed $500. Motion carried.

The clerk asked for a decision whether to have an all city audit or water utility only. It was agreed by concensus to have an audit of the water utility only.

Calvin Ufford asked the Council to consider whether or not a permanent municipal judge was needed in light of the small number of citations being written. He said a decision was not necessary tonight but it was something that needed to be considered.

MINUTES - Regular meeting of the Overbrook City Council - November 10, 1982.

MEMBERS PRES:

Davenna Jones	Cliff O'Bryhim
Calvin Ufford	Floyd Greenwood

MEMBERS ABSENT:

Lynn Smith	Bruce Cole

OTHERS PRESENT:

Kenneth Greene	Bruce Smith
Mildred Greene	

The meeting was called to order at 7:30 P.M. by Calvin Ufford, Council President. The Clerk called the roll. The minutes of the September 8, 1982 meeting were reviewed. Floyd Greenwood made a motion seconded by Cliff O'Bryhim to approve the minutes as written. Motion carried. The warrants of the previous month were considered. Floyd Greenwood made a motion, seconded by Davenna Jones that all warrants be paid. Motion carried.

Kenneth Greene reported he had a problem with Lakin Schwanke in connection with a barrel Mr Schwanke wanted picked up. He said the barrel was too heavy and when his employees did not dump it, Mr. Schwanke was abusive to them. It was agreed that the City of Overbrook/Greene Sanitation contract states nothing will be picked up if it weighs over 55 pounds and also items are to be bagged.

Floyd Greenwood asked if it would be possible for Mr. Greene to instruct his employees to close the lid on the dumpster at the Hulse apartments. Mr. Greene agreed and said he had not been aware it was being left open.

A raise in the water budget from $118,434 to $125,000 was discussed and appr.

Bruce Smith reported the work was almost done on the church project. He also reported the booster pump station was nearing completion. He asked the Council's advice on a sewer problem behind the Weast residence. It was decided the problem was to be checked out more thoroughly before any work could be started.

Water usage in connection with sewer charges at the Sale Barn were discussed. It was decided inasmuch as most water was consumed by livestock that Bruce Smith should approach Mr. Hulings and apprise him of his options.

It was decided christmas light bulbs should be purchased from local business people to replace the old ones on the City Christmas decorations.

The clerk reported it was time to shut off the electric service at the fair grounds. It was decided that all accounts at the fair grounds should be taken out of the City name and transferred to the Fair Assn.

The Clerk presented a game machine license to the Council for discussion. The license was for machines presently housed in the Patch. She explained there had been some problem establishing ownership of the Patch and also Mr. Cochran purchaser of the establishment had not met the residency requirements to obtain a cereal malt beverage license. She said she had contacted Steve Jones and his

advice was for Mr. Cochran to get an opinion from his attorney as to the legality of running on Gilbert Rodgers license and also have his attorney recite the statute that would make it legal. She said as yet she had not heard from Cochran's attorney. The Council decision was tabled until such time as Mr. Cochran's attorney contacts the City or until next meeting when the 1983 license would be due.

Bruce Smith reported Bruce Faust had asked him to check and see if the large tree by his home belonged to the City. He said he had measured it off and was of the opinion that the tree belonged to Mr. Faust.

The purchase of a new patrol car was again discussed. Calvin Ufford presented several figures but no decision was made until more council members and the Mayor could have a voice in the decision.

Davenna Jones made a motion that the meeting adjourn. Floyd Greenwood seconded. Motion carried.

The meeting was adjourned at 9:05 P.M.

Respectfully submitted,

Mildred J Cannon

Mildred J.Cannon
City Clerk

Approved 12-8-82

MINUTES - Regular meeting of the Overbrook City Council - December 8, 1982

MEMBERS PRESENT:

Calvin Ufford
Cliff O'Bryhim
Davenna Jones
Mayor Bruce Cole

MEMBERS ABSENT:

Lynn Smith
Floyd Greenwood

OTHERS PRESENT:

Kenneth Greene
Mildred Greene
Bruce Smith
Earl Warren
Tony Hazen
Carl Maichel
Bob Cochran
Max Friesen

The meeting was called to order at 7:30 P.M. by Mayor Bruce Cole. Davenna Jones, Acting Clerk,called the roll. The minutes of the November 10, 1982 meeting were reviewed. Calvin Ufford made a motion seconded by Cliff O'Bryhim to approve the minutes as written. Motion carried. The warrants of the previous month were considered. Cliff O'Bryhim made a motion seconded by Calvin Ufford that all warrants be paid. Motion carried.

Kenneth Greene reported he had been contacted by members of the Fire District in connection with providing a dumpster to be placed in the vicinity of the alley west of the fire station. After a brief discussion it was agreed the dumpster located at the dentist office would be moved to the fire station right away and Mr. Greene would provide another one for the dentist's office. Greene's left the meeting at 7:45 P.M.

Carl Maichel was present to ask the Council for permission to possibly place gas pumps east of his cafe. After a brief discussion it was decided he would first have to obtain a building permit, have the area to be used inspected by the city building inspector. The city would also require copies of the fire marshall's statement and also copies of any other items pertinent to the construction etc. Mr. Maichel agreed and left the meeting at 8:00 P.M. (The acting clerk was instructed to have the city clerk contact the League of Kansas Municipalities in connection with the above).

Problems in connection with licensing the Patch were discussed. The present license is in the name of Gilbert Rogers. The proper procedure for issuing a license was discussed, also the problems in connection with licensing in the name of Robert Cochran were discussed. Chief Hazen contacted Mr. Cochran as to the length of time he had been a resident of the City of Overbrook. He said he established residency on October 1, 1982. All agreed this did not meet the six month residency requirement and the problem would have to be absolved by the attorneys. The council was of the opinion that they must have an agent for the three months remaining in the residency requirement, unless their attorney could come up with some other legal way to meet the requirements as set out by law.

Licenses were issued and approved for the following:
CEREAL MALT BEVERAGE:- Bob's Champlin and O'Bryhim's Thriftway.
GAME MACHINE LICENSE:- Bob's Champlin, Jack's Cafe and Shirley's Cafe(juke box only).

Bruce Smith reported some of the resident's of the retirement housing had complained about the west side of the north parking lot. After a brief discussion it was agreed Bruce Smith would take care of the repairs with pipe and rock. When the bill is received the council will make a decision as to what portion the city will pay and what portion the housing commission would pay. Smith also reported there was a problem with the sewers north of Don Tutcher's (a distance of 8 or 9 ft.) No decision was made at this time.

Calvin Ufford suggested the back-hoe be taken to Berry's if it cannot be repaired locally. Bruce Smith was instructed to obtain estimates on the repair.

Regarding the First Christian Church project, Bruce Smith advised the council that Earl Warren had informed him that the church will extend the line at no charge to the city and had requested the meter be fairly close to the building. The council agreed the meter should be on the city line. The meter would be a Rockwell meter.

Bob Cochran entered the meeting at 8:30 P.M. to discuss the licensing problems at the Patch. Mayor Cole explained the legal aspects being faced. Cochran was advised to contact his attorney who in turn would work with the city attorney to work out something that would be legally acceptable with both sides. If and when all legal qualifications are met the City Attorney is to contact the City Clerk so the license can be issued. Mr. Cochran left the meeting at 8:40 P.M.

Earl Warren entered the meeting at 8:40 P.M. to discuss the Christian Church project. A brief discussion followed and it was agreed Earl Warren will do the trenching, the City will buy his pipe and 2 in. line will belong to the City. Also, the meter will be 2 in. and it will also belong to the City. Mr. Warren estimated the cost at approximately $125. He left the meeting at 9:15 P.M.

Chief Hazen reported the new patrol car had been ordered and it should be ready by January 30, 1983.

Amendment of the water utility budget for 1982 was discussed. Inasmuch as there was no response from citizens opposed to the raise, it was agreed by concensus the budget would be raised from $118,434 to $125,000. (copy of publication attached).

The council discussed the hope that the three blocks on North Maple might be repaired in the near future as it appears there might be monies available in the 1983 budget.

Calvin Ufford made a motion, seconded by Cliff O'Bryhim to adjourn.

Meeting adjourned at 10:00 P.M.

Respectfully submitted

Davenna Jones, Acting City Clerk