

MINUTES - Regular meeting of the Overbrook City Council - July 10, 1985

MEMBERS PRESENT:

Pernal Olds	Floyd McGuire
Davenna Jones	Virginia Robertson
Dale Fox	Mayor Calvin Ufford

OTHERS PRESENT:

Carl Simpson	Max Friesen
David VanDyne	Ron Dean
Rosemary Topping	Bruce Smith
Nathalee Linden	

The meeting was called to order by Mayor Calvin Ufford at 7:32 P.M.

SWEARING IN CEREMONIES: The clerk administered the oath of office to Virginia Robertson as Councilperson.

MINUTES: The minutes of the June 12, 1985 regular meeting were considered. Pernal Olds made a motion to approve the minutes as written. Davenna Jones second. Motion carried.

WARRANTS: The warrants of the previous month were reviewed. Davenna Jones questioned the car wash charges on both oil company billings. Ron Dean explained it had been a practice, before he came here, to get quarters from the service stations for car wash. It was the consensus of the council that car wash money be obtained from the city petty cash fund. In reference to warrant No. 3367, Mayor Ufford questioned if a claim had been turned in for lightning damage. The clerk affirmed it had been done. Pernal Olds made a motion to approve all warrants. Floyd McGuire second. Motion carried.

CHAMBER OF COMMERCE/OLD SCHOOL HOUSE AT FAIR GROUNDS: Nathalee Linden President of the Chamber of Commerce and Rosemary Topping were present to discuss the old school building at the fair grounds. Linden said the fair association had offered the building to the chamber but the chamber is not allowed to own any real estate. They wanted to know if the city was interested in owning it and allowing the chamber to use it as a museum during the centennial. They hoped for it to be an ongoing thing after that. The council was interested but had several areas of concern such as mowing, cost of restoration, etc. The matter was tabled to again be discussed at the August meeting. A member of the council would be assigned the duty of checking into cost etc. They were thanked for coming and left at 7:52 P.M.

SEWER PROJECT: David VanDyne and Carl Simpson were present to represent BRB Construction. Mayor Ufford reported he, Jack Kramer and BRB representatives had inspected the lagoon project and lift stations Monday and felt it could be called substantially completed. The fencing and seeding would have to be done later. He explained the surface of the ground around the lagoon was intentionally left rough for the time being to impede possible erosion. Any work needed to ready it for seeding etc., will be done at the time of seeding, possibly September. The two BRB representatives were basically present to discuss their position in reference to penalty time. After the matter was thoroughly discussed, Dale Fox made a motion that the contractor be charged with a three day penalty @\$150 per day to offset Kramer Engineering's overrun fee of \$379. Davenna Jones seconded. Motion carried. They were thanked for coming and left at 8:16 P.M.

July 10, 1985

TREE REMOVAL: Mayor Ufford reported Mr. Barber had requested an extra \$30 reimbursement for cleaning up the area where the tree had been cut down for the city. This would be in addition to the \$20 agreed to at the June 12 council meeting (see paragraph 8, page 1). It was the concensus of the Council that he only be allowed the \$20 previously agreed upon. It was also noted that Mr. Barber had hauled the limbs etc to Jerry Coffman's property.

LAW ENFORCEMENT/ORDINANCES - DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS and LEGAL DRINKING AGE: Ron Dean presented two new ordinances as follows:

- Ord. 125 - An ordinance concerning the Standard Traffic Ordinance for Kansas Cities Edition of 1985/Amending section 30 relating to driving under the influence...Pernal Olds made a motion, seconded by Virginia Robertson to approve the ordinance verbatim as printed in the June 1985 issue of the Kansas Government Journal as an addition to Ordinance 124. Motion carried.
- Ord. 126 - An Ordinance Concerning Cereal Malt Beverages...(legal drinking age) Davenna Jones made a motion to approve the ordinance changing the legal drinking age to 19 deleting that portion of Ordinance 91 (Criminal Code) pertaining to legal drinking age, section 1207c. Floyd McGuire seconded. Motion carried.

STREET SURFACING: Bruce Smith reported the Hi-Plains Sand Co. had begun the street surfacing today. He also reported there was a section of Maple Street (West side of Maple between 7th and 56 Highway) that needed extra work. He said Hi-Plains had given him a bid of \$1800 to remove a strip of the street from the middle of 7th Street North a distance of 150 foot. The strip being approximately 14 ft wide. It was agreed by concensus to approve the work. Smith said the bid also included sealing twice. It was also agreed that Mayor Ufford would ask that the original sealing bid for the portion of street in question be withdrawn.

LAW ENFORCEMENT IN REGARD TO THE FAIR GROUNDS DURING THE FAIR: Ron Dean asked the council to set guidelines as to the police department's responsibilities during the fair. He also asked if the city had a prior agreement with the Fair Association. He was assured there was no agreement. He was told to check with the city attorney and then use his discretion.

BLUE CROSS-BLUE SHIELD: The clerk asked for a ruling by the council in regard to what portion of the hospitalization insurance would be paid by the city. She reported historically the city had paid the family premium. After a brief discussion, Davenna Jones made a motion, seconded by Pernal Olds that the city pay the family premium of hospitalization if the employee is married and individual premium if employee is single. Motion carried.

EMT/AMBULANCE SERVICE: Calvin Ufford reported three men participating in the EMT school had received their certification by the state and the fourth would be receiving his soon. Ufford also reported Mr. Bell, Osage County Ambulance Service has a fully equipped ambulance which he has offered to bring to Overbrook to be housed in the fire station. The EMTs would be manning the vehicle on a volunteer basis as a first response unit. At this time the vehicle is not licensed to transport. It was noted all four EMTs are on the fire phone hookup. It was agreed by concensus for the City to support this project in any way they can.

BUDGET: Max Friesen reported he and the clerk had spent the afternoon at Lyndon working up the budget for 1986. He explained the changes, noting the mill levy had to be raised due to the new General Obligation Bonds. Floyd McGuire made a motion to approve the changes. Virginia Robertson seconded. Motion carried. It was noted the budget hearing would be August 14, 1985 at the regular council meeting.

INSURANCE COVERAGE: Mayor Ufford noted he did not feel the coverage on the contents of the City Hall were adequate. It was agreed by concensus that Max Friesen would take care of this.

RADAR GUN: Ron Dean reported he had been informed that the radar gun had become obsolete. He said it cannot be calibrated because there are no parts available. No decision was made at this time.

Floyd McGuire made a motion to adjourn the meeting. Pernal Olds second. Motion carried. The meeting was adjourned at 9:32 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

mjc

APPROVED: _____

OVERBROOK CITY COUNCIL
SPECIAL COUNCIL MEETING

July 30, 1985

MEMBERS PRESENT

Pernal Olds	Floyd McGuire
Davenna Jones	Virginia Robertson
	Mayor Calvin Ufford

MEMBERS ABSENT:

Dale Fox

OTHERS PRESENT:

Larry Williams	Larry Bond
Pam Williams	Max Friesen
Carolyn Meerian	Albert Smith
Lynn Schoonover	Ralph Bryson
Bill Warrington	Ed Harmison
Fred Marshall	Ron Dean

The meeting was called to order at 7:30 P.M. by Mayor Calvin Ufford. The clerk called the roll. Mayor Ufford announced the items to be brought before the Council at this special meeting would be;

1. Consideration to annex the property for Casey's General Stores
2. to discuss whether the police station should be left in the fire house.

CASEY'S: Mayor Ufford asked if anyone had any comments. Pam Williams inquired if the State Department of Transportation had done a traffic study. The clerk said no not to her knowledge but they had approved the drive with two entrances. Police Chief Ron Dean reported he would be doing a traffic flow check and would implement more signs if necessary and also the flasher lights could be set for any time the flow of children across the highway or traffic flow deemed necessary.

There not being any more discussion, Pernal Olds made a motion to accept the annexation proposal. Davenna Jones seconded the motion. The motion carried. (3 yes votes and 1 no-Floyd McGuire casting the no vote)

POLICE STATIDN: Mayor Ufford explained the reason for the joint meeting with the fire board. He said there had been some conflict between Chief of Police Ron Dean and Fred Marshall. As a result Marshall had requested the police department be removed from the fire house or he would resign the fire department and the fire board. Each person was asked to explain their position.

Marshall said the Chief of Police had been acting very unprofessionally. He said he did not feel the fire department should condone his actions and to leave the office at the fire house would be condoning it.

Dean answered that professionalism was a very strong issue in it. He said his actions have been to enforce the laws of this city. As a professional law enforcement officer there was not really a lot that could be said. If he did less than that he was not a law enforcement officer. He said he believed the job was important enough to pursue to the fullest and there would always be conflict. Laws are made by citizens of the community and if they feel they should be changed it is their privilege. He said these were the laws he had been given to enforce and he would do so.

At this point Mayor Ufford opened the discussion to the Council and the Board. Ufford asked Marshall to give an example of what he considered unprofessional. Marshall said Dean had threatened to shut a place down for over occupancy when there was no occupancy limit. He said the State Fire Marshall would have to come down and set the limits. Mayor Ufford noted the building had not actually been shut down. Marshall said he felt the statement should not have been made, stating you are going to do something and not having anything to back you up showed a lack of professionalism. He said he felt the police chief should know his law before he starts talking about doing something.

Dean was asked what he had to say about this. Dean answered the patrolmen on duty that night were using channel 3 to communicate with each other as more or less a private channel and these people were apparently monitoring it. The incident happened around the time the storm hit, the people had gathered in the tavern and it was overflowing. He said it was private conversation, not public information or public threat. Marshall noted all channels are open to the public. Dean went on to explain they were discussing opening up the bank basement. He had stationed Randy Harrison by the bank to open it up, he said they always open the bank basement when there is an intense storm. He said the storm ended before they could implement it. He also went on to explain the procedure normally used during storms.

Marshall stated he didn't want to get into this, that the problem was not over one situation but over several things. He said he did not understand how a person can come to town and have this many people down on them.

Councilwoman Davenna Jones said it looked to her like we have a good fire department but we also have a good police force and she couldn't see the reason for all this. She said they were all interested in the community and she didn't see why this couldn't be solved without someone getting childish.

Mayor Ufford said the fire board had met last Tuesday and had heard the same things and out of this meeting came the request to meet with the council. He also noted as a result of the meeting Fred Marshall had resigned from the Fire Board and Fire Department and for that he was very sorry. He said everyone was here to try to resolve it and invite Marshall to come back.

Ralph Bryson said the fire board was not going to take sides but they had indications that possibly Dean got a little unprofessional. He said this came from a witness. He said it is one of those things gossip hurts people really bad. He said they were all prone to get heated up at times and you should not pressure an officer for getting a little unprofessional as humans do. He said if Dean felt he had been unprofessional, to admit it and tell the people that might have their feelings hurt. Bryson said he had not been there but had talked to some people who were.

Albert Smith noted when Bryson referred to 'we' he was not talking for the fire board.

In answer to a board members question as to how it came about that the police station was located in the fire house, Lynn Schoonover explained that part of the ground where the fire house sets belonged to the city and part to the township. He said both had deeded their portion to the fire district free of charge. At that time it was agreed that Elk Township would hold their meetings there and the City police station would be housed there. It was mutual.

Larry Bond asked if it was an advantage to the fire department to have the police station there. Schoonover said 'yes it is'.

Marshall asked if it would be too much to ask the council to possibly ask the police chief to act in a more professional way. He said he was not saying everything each did was wrong or right, but he felt the council should tell Dean to act a little more nice or think before he does things. He said as far as having the police and fire department together they should be, it helped both of us. He said he really did not think it should be moved out, but that he could not work with Dean. Marshall went on to say if the Council did not think Dean did anything wrong, fine, but he felt he had and a lot of other people feel the same. He said there was no problem until Dean made one.

Davenna Jones asked Marshall what he meant by unprofessional. Marshall said to tell people he was going to arrest them and then not do it. Jones went on to ask him if he didn't really think he and Dean could work together. Marshall said he was not saying he couldn't but not the way Dean is acting right now. He said he didn't understand why Dean came to town scared of everybody.

Councilman Floyd McGuire said the Council more or less left both the police chief and maintenance man to work at their discretion as much as possible. If there is a problem then the Council looks into it.

McGuire said he happened to be working Friday and Saturday night here in town. He said he heard what everybody else said, he said he recalled the conversation but couldn't quote it. He said it was quite common to discuss what you might do and should do, it is just police talk. He said he felt what the problem is, some of the people that enjoy their night life cause most of the beer drinking incidents on Main Street which is something Dean has been putting a stop to. The law prohibits beer drinking in public and Dean has been trying to enforce it. He said he didn't feel we could have laws on the books and tell law enforcement not to enforce them for certain people. With the corn festival coming up on that weekend, it was decided that no drinking on Main street would be allowed that night. Everyone wanted to know why so strict this weekend and not the rest of the year. He said from now on the law will be enforced 365 days a year. He said this is what Dean is doing. He also said he had heard on the other side, there are still a good many people who don't want drinking in public.

McGuire said another thing that might have offended people was there were six or seven officers on duty instead of three. He said the extra officers should not have offended anyone, they were there to see the laws were obeyed and if they were obeyed, no one was bothered. He went on to say when it is your job you have to deal with people you don't like, but what is at stake here is a service provided to the public whose taxes are paying for it. He said from all appearances, everyone agreed the fire house is where the police station should be. He said he thought Dean and Marshall both, whether or not they care for each other should do their best to do their jobs as well as possible. If there is some emergency traffic he thought both of them were big enough to respond properly.

McGuire went on to say Marshall has spent countless hours on the fire department but if he wants to quit that is his decision but he would like to think he would stay.

At this point Floyd McGuire made a motion to ask the Fire Board to grant permission to leave the police station in the fire building. Pernal Olds second. Motion carried unanimous.

Mayor Ufford said the fire board would meet as soon as the meeting was adjourned to make their final decision. He asked them to contact the city with their decision and if they decide the police station should move he would expect them to give ample time for relocation.

Davenna Jones made a motion to adjourn. Pernal Olds seconded. Motion carried.

The meeting was adjourned.

Respectfully submitted,

Mildred J. Cannon
City Clerk

APPROVED _____

MINUTES - Regular meeting of the Overbrook City Council - August 14, 1985

MEMBERS PRESENT:

Virginia Robertson
Floyd McGuire
Dale Fox

Davenna Jones
Mayor Calvin Ufford

MEMBERS ABSENT:

Pernal Olds

OTHERS PRESENT:

Bruce Smith
Ron Dean

Max Friesen

The meeting was called to order by Mayor Calvin Ufford at 7:35 P.M. The clerk called the roll.

MINUTES: The minutes of the July 10, 1985 regular meeting and July 30, 1985 special meeting were reviewed. Floyd McGuire made a motion, seconded by Virginia Robertson to approve both sets of minutes as written. Motion carried. In connection with the minutes of the special meeting, Mayor Ufford reported the unanimous decision of the Fire Board was to leave the police station at its present location in the fire house.

WARRANTS: The outstanding warrants of the previous month were considered. Floyd McGuire said his check for work during the weekend of the 'Corn Festival' was short ten hours. Davenna Jones made a motion to approve all warrants including the ten hours to McGuire. Floyd McGuire seconded. Motion carried.

OLD SCHOOL HOUSE AT FAIR GROUNDS: Davenna Jones reported she had attended the Fair Board meeting in connection with the old school house. Jones asked if the Fair Association would deed the building and grounds to the city so the city could restore the building for the centennial and later use it as a museum. Fair Association concensus - no they would not deed the land. Jones said she did not pursue it any further. Virginia Robertson reported the concensus of the Chamber of Commerce was they would not pursue the matter unless it could be done legally (the Chamber of Commerce is not allowed to own land, etc.)

Jones also reported Chief of Police Ron Dean was also present at the meeting on invitation of Jerry Coffman but he was not recognized. Dean said he had previously spoken to Gayle Warren and had gone over the fair grounds and midway. He said Warren had also invited him to the board meeting. After a brief discussion, the Council agreed by concensus the Police Chief be instructed to have someone on the grounds Friday and Saturday evening. They felt if the police did not appear, they would be denying the decent good people they serve. The Council also requested Floyd McGuire and two extra County patrolmen with vehicles work Friday and Saturday evening to patrol the city.

HEBERLING HALL: Jones also reported the Fair Board had never filed the deed for Heberling Hall. She said the city clerk had a photo copy of the original deed dated 1980 in the file. She said Charles Starkebaum said he still had it.

LIFT STATION: Bruce Smith reported a problem with the East lift station. He said apparently a faulty switch did not shut off and the vibration shook some of the bolts loose. He said Fluid Equipment Company was looking into it now. It was noted the contractor is responsible for one year.

LAW ENFORCEMENT: Ron Dean thanked the Governing Body for their support during recent months.

Dean requested permission to order two pair winter trousers for Warrington and Harmison. It was agreed by concensus.

CON TEL: It was agreed by concensus that the city not exercise their option in reference to the new service policy offered by Con Tel.

BUDGET: Davenna Jones made a motion, seconded by Dale Fox to adopt the city's 1986 budget as published. Motion carried.

FIRST RESPONSE UNIT: Mayor Ufford reported Mr. Bell had appeared at the Fire Board meeting to explain the process of the first response unit. He said it could not be called an ambulance because it was not insured to transport. Bell also noted he is under contract with the County Commissioners. He said Bell had explained that the vehicle is set up to transport but that he does not have the money or manpower, there would have to be someone on duty at all times. He went on to explain, when this unit is called they would respond and prepare the victim in any way they could and have them ready for the regular ambulance. There would not be any waiting period from the time the regular ambulance arrived until it is on its way.

PUBLICATION OF FINES: Mayor Ufford reported Kurt Kessinger had requested the city provide him with current fines to be printed in the paper. It was agreed by concensus.

CEREAL MALT BEVERAGE LICENSE VIOLATION: A general discussion on cereal malt beverage violations was held. Virginia Robertson made a motion to rescind or revoke the cereal malt beverage license issued to Bruce Faust dba Bob's Service due to violations brought to the attention of the governing body. Dale Fox seconded. Motion carried.

Davenna Jones made a motion to adjourn the meeting. Floyd McGuire second. Motion carried.

The meeting was adjourned at 9:40 P.M.

Respectfully submitted



Mildred J. Cannon
City Clerk

APPROVED: _____

MEMBERS PRESENT:

Dale Fox	Floyd McGuire
Pernal Olds	Davenna Jones
Virginia Robertson	Calvin Ufford

OTHERS PRESENT:

none

Mayor Ufford called the meeting to order at 7:45 P.M. The clerk called the roll.

Mayor Ufford announced the reason for the special meeting was to rescind the motion of August 14, 1985 regular meeting in reference to revoking or suspending the cereal malt beverage license issued to Bruce Faust dba Bob's Service and make recommendations pertaining to alleged violations.

Dale Fox made the motion to rescind the August 14, 1985 motion to suspend or revoke the cereal malt beverage license issued to Bruce Faust dba Bob's Service due to violations brought to the attention of the governing body (original motion made by Virginia Robertson and seconded by Dale Fox). Davenna Jones seconded the motion. Motion carried unanimous.

After due consideration and discussion Dale Fox made a motion instructing the Chief of Police of the City of Overbrook to consult and work with the City Attorney in regard to investigating alleged violations of the cereal malt beverage ordinance by licensee Bruce Faust dba Bob's Service. Virginia Robertson second. Motion carried unanimous.

Dale Fox made a motion to adjourn the meeting. Davenna Jones second. Motion carried.

The meeting was adjourned at 8:00 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

APPROVED _____.

REQUEST FOR SPECIAL COUNCIL MEETING

OVERBROOK, Kansas

8/16/85, 1985

The Honorable CALVIN UFFORD,

Mayor of CITY OF OVERBROOK, Kansas

We, the undersigned, councilmen of the city of OVERBROOK Kansas, hereby respectfully request you to call a special meeting of the council to be held at the city hall, -- 8/19, 1985 at 7:30 O'clock P.M., for the object and purpose of Rescind motion of August 14, 1985 regular meeting in reference to revoking or suspending the cereal malt beverage license issued to Bruce Faust dba Bob's Service, and make recommendations pertaining to alleged violations.

Signed:

Flayd W. Nelson
Paul [Signature]
Darwin James
Permal [Signature]

Council members

MINUTES - Regular meeting of the Overbrook City Council - September 11, 1985

MEMBERS PRESENT:

Pernal Olds Virginia Robertson
Floyd McGuire Mayor Calvin Ufford

OTHERS PRESENT:

Ron Dean Max Friesen
Bruce Smith

The meeting was called to order by Mayor Calvin Ufford at 7:30 P.M.

MINUTES: The minutes of the August 14, 1985 regular council meeting were considered. Floyd McGuire made a motion to approve the minutes as written. Pernal Olds seconded. Motion carried.

WARRANTS: The warrants of the previous month were reviewed. Pernal Olds made a motion, seconded by Floyd McGuire, to approve all warrants as presented. Motion carried.

ORDINANCE 128, AN ORDINANCE DECLARING, ESTABLISHING AND DEFINING THE ZONING OF PROPERTY DESCRIBED THEREIN, COMMONLY KNOWN AS CASEY'S, AS B-1(business): Mayor Ufford read a letter from the Overbrook Planning Commission recommending the property in question be zoned B-1(business). Ufford also read the transcript of the minutes of the hearing held by the planning commission September 4, 1985. Pernal Olds made a motion, seconded by Virginia Robertson to approve Ordinance 128. Motion carried.

SCHOOL CROSSWALK: Problems with the grade school crosswalk guard stepping in front of moving vehicles was discussed. Police Chief Dean suggested the possibility of a crosswalk light but said it would have to be approved by the State Department of Transportation. After a brief discussion it was suggested Dean bring the problem before the school board inasmuch as the guard is a school district employee.

PUBLISH MINUTES IN NEWSPAPER: Mayor Ufford reported Kurt Kessinger had asked that a copy of approved minutes be furnished to him for publication in the official newspaper each month. It was agreed to table the subject until the full council could be present to make a decision.

MISCELLANEOUS: Floyd McGuire reported someone had approached him in regard to a problem with the drainage tube at O'Bryhim's Trailer Park. Smith was instructed to look into it.

Virginia Robertson made a motion that the meeting be adjourned. Pernal Olds seconded. Motion carried. The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

APPROVED:

MINUTES - Regular meeting of the Overbrook City Council - October 9, 1985

MEMBERS PRESENT:

Pernal Olds	Floyd McGuire
Davenna Jones	Dale Fox

MEMBERS ABSENT:

Virginia Robertson	Calvin Ufford
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OTHERS PRESENT:

Fred Marshall	Max Friesen
Lynn Schoonover	Ron Dean
Bruce Smith	

The meeting was called to order by Council President Pernal Olds at 7:30 P.M. The Clerk called the roll.

MINUTES: The minutes of the September 11, 1985 regular meeting were reviewed. Dale Fox made a motion, seconded by Davenna Jones to approve the minutes as written. Motion carried.

WARRANTS: The warrants of the previous month were considered. Floyd McGuire made a motion, seconded by Davenna Jones to approve all warrants. Motion carried.

FIRST RESPONSE UNIT-PORTABLE RADIO TRANSMISSION UNIT: Lynn Schoonover and Fred Marshall were present to request the City purchase a used portable radio transmission unit from Osage Ambulance Service at a price of \$600 to be used by the Osage County Fire District #4 First Response Unit. They explained there is a stationery transmission unit in the vehicle but precious time is lost going from patient to vehicle etc. After a brief discussion, Floyd McGuire made a motion that the city purchase one of the used portable radio transmission units from Osage Ambulance Service at a cost of \$600. The unit to be donated to the Osage County Fire District #4 First Response Unit. Davenna Jones seconded. Motion carried.

SOLID WASTE: The clerk reported there had been a problem between Greene Sanitation and a city customer in regard to an old trash can which Greene's employees picked up two or three months ago. (The incident was not reported to the City until October 8.) The customer felt even though it was old and had partially rusted out, it should be replaced but Greene felt too much time had elapsed. Greene also said his driver offered the customer another old can but it was refused. The clerk then quoted Section 1, Solid Waste Ordinance ... the occupant of every dwelling unit shall...maintain solid waste containers at all times in good repair. It was the consensus of the Council that this was not a council matter and the customer should deal directly with Greene Sanitation.

PUBLISH MINUTES IN NEWSPAPER: The subject of furnishing the Osage County Chronicle with a copy of the approved minutes of the Overbrook City Council was again discussed. Davenna Jones made a motion, seconded by Dale Fox that the city clerk provide a copy of the approved minutes each month to the Osage County Chronicle. Motion carried.

WATER LINE TO CASEY'S: Laying of the water line for the new Casey's Store was discussed. It was agreed by consensus that Bruce Smith would check into the use of a trencher in the area of the walkway.

SNOW PLOW: Replacement of the old snow blade was discussed. Councilman Fox asked that Bruce Smith check into the feasibility of using a hydraulic blade on the 4 wheel drive maintenance truck. The matter was tabled to the November meeting to give Smith ample time to obtain more information.

BAD WATER: Recent complaints about bad tasting water were discussed. Bruce Smith reported the bad water was coming from the Rural Water District. He explained the City was not using the RWD water at this time and he was checking it periodically before pumping any more.

HALLOWEEN POLICE COVERAGE: Ron Dean requested permission to put on extra deputies for the night of halloween and also the weekend if necessary. It was agreed by consensus that Dean was to use his own discretion and work with the Mayor.

MISC: Dean reported he had an old Chevrolet station wagon he would donate to the city to be used in storing disaster equipment such as barracades, rope, flashlights, etc. He said it could be used to corden off wrecks, fires, etc. It would be a multiuse vehicle. The matter was tabled to a later date.

Davenna Jones made a motion that the meeting be adjourned. Dale Fox seconded. Motion carried. The meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

APPROVED _____

Hearing concerning alleged violations of the cereal malt beverage license #2-85 issued to Bruce A. Faust dba Bob's Service.

MEMBERS PRESENT:

Davenna Jones Floyd McGuire Dale Fox
Pernal Olds Virginia Robertson Mayor Calvin Ufford

OTHERS PRESENT:

Steve Jones, Overbrook City Attorney Debbie Smith, Court Reporter
Mildred J. Cannon, City Clerk

WITNESSES:

Penny L. Bilka, Clarence Edward Haslett, Jr., John J. Peterson, Jr., Mark A. Ziegler, Chief of Police Ronald W. Dean, Officer Bill Warrington and Officer Ed Harmison

Interested parties: Gene Ziegler and Dave Clemens

The hearing was called to order at 7:30 P.M., October 15, 1985 by Mayor Calvin Ufford. The hearing was then turned over to Steve Jones, Overbrook City Attorney. Jones explained the hearing was to ascertain if the cereal malt beverage ordinance had been violated by Bruce A. Faust dba Bob's Service (license #2-85) and to decide whether to suspend or revoke said license.

Testimony was given by Penny L. Bilka, Clarence E. Haslett, Jr., Mark A. Ziegler and John J. Peterson, Jr. Each testified to violations of the cereal malt beverage ordinance that they had personally been witness to. Testimony was also given by Ronald W. Dean, Chief of Police and Bill Warrington and Ed Harmison, Law Officers. Debbie Smith, Court Reporter was present to record the testimony of the witnesses.

After testimony was given, Floyd McGuire made a motion for the council to go into executive session at 8:05 P.M. to discuss the charges and testimony, the hearing to resume at 8:15 P.M. Dale Fox second. Motion carried. The Council retired to the library in the city building and returned at 8:13 P.M. at which time the hearing was resumed.

It was decided inasmuch as Floyd McGuire had conducted some investigation in the case he would abstain from voting. There being no further discussion, Mayor Ufford asked for a motion from the floor as to the disposition of the case. Pernal Olds made the motion to revoke Cereal Malt Beverage License #2-85 issued to Bruce A. Faust, dba Bob's Service, immediately. Virginia Robertson seconded. Motion carried. VOTE: 4 yea 1 abstain (McGuire).

Mayor Ufford commended the four young people for coming forward to testify. He noted we may not like the law as written but we must work to change it not break it and that this was the purpose of the meeting. Davenna Jones commented she didn't think any of the Council liked the idea of having to do this sort of thing but it was a question of right and wrong and we are here to enforce the law.

Davenna Jones made a motion to ajourn. Dale Fox seconded. Motion carried.

The meeting was adjourned at 8:30 P.M.

Respectfully submitted,

Mildred J. Cannon
Mildred J. Cannon, City Clerk

MINUTES - Regular meeting of the Overbrook City Council - November 13, 1985

MEMBERS PRESENT:

PERNAL OLDS
DAVENNA JONES
VIRGINIA ROBERTSON

DALE FOX
MAYOR CALVIN UFFORD

MEMBERS ABSENT:

FLOYD MC GUIRE

OTHERS PRESENT:

PAM FAUST
MELVIN EDMONDS, MAYOR CARBONDALE
HOWARD HAWLEY, COUNCILMAN, CARBONDALE

RON DEAN
BRUCE SMITH
MAX FRIESEN

The meeting was called to order by Mayor Calvin Ufford at 7:32 P.M. The clerk called the roll. Mayor Ufford welcomed Mr. Edmonds and Mr. Hawley.

MINUTES: The minutes of the October 9, 1985 regular council meeting were considered. Pernal Olds made a motion to approve the minutes as written. Davenna Jones second. Motion carried.

WARRANTS: The warrants of the previous month were reviewed. Davenna Jones made a motion to approve all warrants. Virginia Robertson seconded. Motion carried.

CEREAL MALT BEVERAGE LICENSE: Pam Faust was present to inquire as to the status of her cereal malt beverage license application. Mayor Ufford explained the application had been referred to the city attorney. Faust wanted to know why. Ufford explained considering the Bruce Faust dba Bob's Service license which had been revoked recently, the city attorney wanted to do some research on the new application.

POLICE REPORT: Ron Dean reported things went fairly well during the Halloween period. Dean commented he was very pleased with the community's cooperation. Dean asked permission to purchase a protective vest for Mark Daniels. The council agreed by consensus. Dean also said the station wagon he had originally offered to the city would not be used at this time. He felt maybe at some later date it might be feasible but not now. The council agreed.

SNOW PLDW: The snow plow was again discussed. Bruce Smith had done some research on a plow for the maintenance truck as requested. The prices ranged from \$1157 to \$1257. After a brief discussion it was agreed the pick up could handle part of the snow if equipped but not all. Smith said he had located a used blade for \$650 or the old blade could be used on the backhoe with some repair and revision. The Council agreed by consensus to use the old blade.

ROAD GRADER: Mayor Ufford reported he had gotten some information about a 1960 International road grader for \$5500. After a brief discussion the council decided not to purchase a grader at this time.

AUDIT: The clerk presented a bid from the audit firm Schehrer, Harrod & Bennett CPA for the council's consideration. Councilman Fox suggested obtaining a bid from Bob Greenfield. He said Greenfield had gone into business with another CPA, their offices are located in Ottawa. He said he felt that if Greenfield's company was equipped for this type audit, it would be good to keep the business in the community. The matter was tabled to the next meeting. The Council felt Greenfield should meet with them at the regular December meeting.

LIBRARY BOARD: Mayor Ufford asked the Council to appoint ⁿⁿConnie Fenton to finish out the unexpired term of Meridee Graham. Graham has moved out of the community. Davenna Jones made the motion to appoint Connie Fenton to the Library Board. Pernal Olds seconded. Motion carried.

MAPLE STREET - ERODING: Mayor Ufford reported an eroded spot has appeared on Maple by the swimming pool. He said the contractor has looked at it but there is nothing he can do until the weather warms up. Ufford said he and Bruce Smith would see what they could do temporarily.

SEWAGE PROBLEMS: Mayor Ufford reported that during the heavy rains there had been a problem with the sewer backing up as far as the locker plant. He said the owner of the plant had sent a bill for approximately \$9,000 damages along with a letter stating if this amount was not paid within 10 days he would contact his attorney. Ufford said the matter had been referred to the city attorney. Ufford said it was an act of God and everything possible is being done by the City to alleviate the problem. He said the state inspectors were satisfied with the progress the city has been making in improving the sewer system. He also noted Kramer Engineering was to be commissioned in the spring to do a study on the problem. He said the locker plant owner had been contacted but nothing else has been done at this time. He also noted the owner had been advised several times in the past to install a check valve.

LIBRARY: Mayor Ufford reported he had been invited to attend a meeting with the Library Board and a representative of the Tatcher Building. He said the board members he had talked to felt it would be simplest for the City to issue bonds to buy the building. The asking price was reported to be \$65,000. The Board felt they might be able to come up with the money to fix it up from existing funds along with donations on a money available basis. Ufford suggested the Council members talk to members of the community this month and report back at the December meeting. The centennial committee has dedicated all their profits to the library project and Ufford was in hopes this would possibly get the ball rolling. He said the library is definitely in need of a larger building, they have already run out of space and have had to use two walls of the Council room for overflow. Max Friesen said the corner building (Western Auto) could be acquired for \$10,000.

Mayor Ufford thanked Mr. Edmonds and Mr. Hawley for sitting in on the meeting.

Dale Fox made a motion to adjourn the meeting. Virginia Robertson seconded. Motion carried. The meeting was adjourned at 9:00 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

APPROVED: _____

MINUTES - Regular meeting of the Overbrook City Council December 11, 1985

MEMBERS PRESENT:

Pernal Olds
Dale Fox
Davenna Jones

Floyd McGuire
Mayor Calvin Ufford

MEMBERS ABSENT:

Virginia Robertson

OTHERS PRESENT:

Pamela Faust
Mark Daniels
Ron Dean

Bruce Smith
Max Friesen

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

MINUTES: The minutes of the November 13, 1985 regular meeting were considered. Pernal Olds made a motion to approve the minutes as written. Davenna Jones seconded. Motion carried.

WARRANTS: The warrants of the previous month were presented. Mayor Ufford suggested warrant No. 3633 to BRB Construction be approved but not be signed until the lift station is back in operation. He said everything else has been done - seeding etc. and the repair should be finished by December 18. After a brief discussion, Pernal Olds made a motion to approve all warrants with the stipulation that warrant No. 3633 be withheld until the lift station is repaired to our satisfaction. Floyd McGuire seconded. Motion carried.

CEREAL MALT BEVERAGE LICENSE - FAUST: Pam Faust was present to again inquire as to the status of her cereal malt beverage application. Mayor Ufford explained the city attorney had not received the affidavits from her and Bruce. Faust said they had been mailed to her attorney several weeks ago. Ufford said the Council would, at the end of this meeting, adjourn to meet again December 18, 1985 at 7:30 P.M. and at that time, with both attorneys present, a decision would be made.

CEREAL MALT BEVERAGE LICENSE-GAME MACHINE LICENSE RENEWALS: Cereal Malt Beverage license applications for the Patch and O'Bryhim's Thriftway were presented. Dale Fox made a motion seconded by Davenna Jones to approve both licenses. Motion carried. A game machine license for Bru's Amusement (the Patch) was presented. Dale Fox made a motion seconded by Floyd McGuire to approve the license. Motion carried.

AUDIT: Bob Greenfield of Piemann & Greenfield CPA was present to submit a bid for the 1985 city audit in the amount of \$3250. Also submitted was a bid in the amount of \$3,400 by Schehrer, Harrod & Bennett CPA. After discussing the services with Mr. Greenfield, Pernal Olds made a motion to accept the bid of Piemann & Greenfield in the amount of \$3,250. Davenna Jones seconded. Motion carried.

SCHOOL BUS-STREET BARRICADE-Grade School: Ron Dean discussed the problem of barricading Elm Street from 7th to the highway. He said the gates could not be closed because of ice. He also said Clarence Hickman, Supt of Schools suggested the abandoning of that portion of the street permanently so the school would have full usage of that area. The council was not in favor of abandoning the

street at this time and as far as the gates were concerned, the city had granted permission for the barricade during school hours. Ufford said one of the council's concerns was that the city be held free of any responsibility while those gates or barricades are shut.

It was also reported there were some problems with parents letting their children out of cars across the street and the child runs in front of the school bus. It was noted there had been some near misses. Mark Daniels said the law officer on duty had the right to write a citation against the bus driver who does not adhere to the law, such as using flashing lights and also having the safety arm out. Ufford said possibly a committee or at least one member of the Council should meet with the school board to discuss the matter.

SNOW PLOW: Bruce Smith reported the snow plow was working out ok. Mayor Ufford said the Council should give a vote of thanks to Neil Smith who re-worked the blade free of charge.

COUNTY JAIL FEE: It was disclosed that there was to be a \$20 charge per day per prisoner to the cities for housing prisoners in the new jail. During the discussion some members felt the citizens were paying taxes to build the jail and they felt it would be double taxation. It was noted the decision of the County Commissioners was done without any input from the cities to be effected. Mayor Ufford said he and the Mayor of Carbondale had met with the Sheriff to discuss it but made no headway.

EXECUTIVE SESSION: Floyd McGuire made a motion seconded by Dale Fox for the Council to go into executive session for 10 minutes to discuss a personnel matter. Mtn. carried. The meeting was reconvened at 9:10 PM. McGuire made a motion to approve a \$40 per month raise for Ron Dean effective January 1. Olds seconded. Motion carried.

ADDRESSOGRAPH: Mayor Ufford reported the city had donated the old addressograph to the Osage County Historical Society. He said the city had been donated a newer one.

LAW ENFORCEMENT : Mayor Ufford reported he and Floyd McGuire had met with the Mayors of Carbondale and Scranton to discuss the possibility of combining law enforcement with the county and not have a law enforcement department as such. Ufford said Overbrook was represented because they wanted to keep apprised of what was going on. He said he was well pleased and proud of the Overbrook Law enforcement department. He said none of the other cities could even come close to Overbrook. We have a Chief of Police and three deputies on call at any time and also the Undersheriff and a Sheriff's deputy lives within the city limits. Ufford said we would lose a lot of control of our town and it was just another thing of self government we would have to give up. He said they also discussed combining the city courts.

FIRST RESPONSE: Mayor Ufford reported the Osage County Ambulance Service would house the ambulance here at least another year. He said the ambulance could now transport to the hospital. He also reported there was no charge for the first response unit to respond to an emergency. He said the way to contact the unit was to call the fire number.

Mayor Ufford reported the city budget is running close and he instructed all city employees to be sure to check with the clerk before making any purchase other than emergency purchases. In that case they are to let the clerk know as soon as possible. He also reminded the city employees to make out purchase orders.

Pernal Olds made a motion to adjourn the meeting and reconvene it at 7:30 P.M. December 18, 1985. Dale Fox seconded. Motion carried. The meeting ended at 9:35 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

MINUTES - ADJOURNED MEETING OF THE OVERBROOK CITY COUNCIL - December 18, 1985

MEMBERS PRESENT:

Davenna Jones
Dale Fox

Virginia Robertson
Mayor Calvin Ufford

MEMBERS ABSENT:

Perncl Olds

Floyd McGuire

OTHERS PRESENT:

Jerold Berger, Atty
Steve Jones, Atty
Ed Harmison

Pam Faust
Ron Dean

The adjourned meeting of December 14, 1985 was reconvened at 7:30 P.M. by Mayor Calvin Ufford. The clerk called the roll.

Mayor Ufford introduced Mr. Berger and Mr. Jones. Ufford explained the purpose of this meeting was to review the cereal malt beverage application for Pamela Faust dba Pam's Texaco. He noted there were two applications 1985 and 1986-- the '85 application would be good only for the remainder of '85. Mrs. Faust agreed to withdraw the '85 application. It was agreed by all present, the fee would be \$100 - \$50 for consumption on the premises and \$50 for sale in original and un-opened containers. (ordinance 91 section 1203)

Jones explained the council's position in the matter was, they were aware Mrs. Faust was eligible for a license but they did want to make it clear Bruce Faust could not sell beer and if he was on duty at the service station alone--no beer was to be sold.

One member questioned Mrs. Faust as to whether she had participated in any of the violations and she said she might have but it wouldn't happen again. The member asked her if she felt the laws were correct -- Faust said in some cases no, she did not feel it was right to have been able to buy beer at 18 and then be told no. Jones asked her if that would interfere and she said no. Jones asked her if she had anyone in mind to hire, she said not yet.

One member said this was something that should not be taken lightly. Another member felt the charges against Bruce had stemmed over a long period of time but nothing had been done but now that there has been a reprimand she should be given a chance and if it happens again they should never be given another chance.

Mayor Ufford asked that the license be displayed as set out in state statute (this had not been done before.) He also said he did not want them to just employ someone just for an interim of time while Bruce is there alone. The person selling would have to be permanent on the payroll.

Dale Fox made a motion to approve the application of Pamela Faust dba Pam's Texaco. Davenna Jones seconded with the stipulation that the first time there is any violation, the license be revoked permanently. Motion carried. 2 yes 1 no (Virginia Robertson casting the no vote).

Mayor Ufford said the Council voted for this application because they were sworn to uphold the law and carry out the law. If it had just been a moral thing they would not have approved the license. We cannot judge them.

Ufford stated in closing that he was instructing the city law enforcement officers to watch them closely.

Virginia Robertson made a motion to adjourn the meeting. Dale Fox second. Motion carried. The meeting was adjourned at 8:55 P.M.

the city or give the city an easement. In answer to the question regarding the sale of beer so close to a school, the clerk explained there is a 100 ft. limit pertaining to consumption on the premises but no limit for the sale of beer in unopened containers (section 12 of the criminal code).

One concerned landowner pointed out if she had wanted to locate next door to a Quick Trip, her family would have stayed in Topeka. She said they had looked around and felt Overbrook was a good choice because it was quiet, had a nice downtown and filled their needs.

Rosemary Topping, speaking on behalf of the Chamber of Commerce said she felt all concerns were valid and that no one was against progress at any time and she felt the whole situation should be weighed very closely. She also reported there had been a meeting last night of citizens concerned with progress and 29 out of 30 surveys turned in came back "we need new business." She said we can't always have things the way we want them but if this is the only site feasible, we still need the business. Mr. Cole reiterated, this was the only location they were considering.

Mayor Cole shared a letter from Dr. Hickman, Supt. of Santa Fe Trail School Dist. 434 which had been hand delivered. In essence it said the school board had discussed the property location and went on record unanimously as being against it.

Carl Maichel, present for another matter, said he was also putting in a service station/convenience store in conjunction with his restaurant and his hours probably would be 6 am to 10 pm. He said many children come to his establishment after school for ice cream. Mr. Cole assured the council no soft ice cream cones would be available at his store.

Ron Dean, Chief of Police reported in answer to Floyd McGuire's question in connection with the Casey's store in Carbondale, that the store there is approximately two blocks from the grade school but there was no appreciable change or increase in the flow of traffic. He said it did bring teens in from 3:15 to 4:30, then it more or less would die out. He said there really wasn't much of an increase even then.

Mayor Cole said this was not an easy decision but he felt if we were to grow this needed to be taken into consideration and he didn't feel waiting a month would make any difference. At this time Mayor Cole asked for a motion from the floor. He said if they were to proceed they needed a letter of intent agreeing to a 3.2 beer license and agreeing that a building permit would be issued to them, if not, then a motion not to allow either of these.

Calvin Ufford made a motion that a letter of intent be written to issue a cereal malt beverage license and building permit to Casey's General Store, Inc. The beer license with the contingency that the applicant or his agent is qualified as provided by law. Davenna Jones seconded. Vote - Calvin Ufford, yes, Davenna Jones, yes, Virginia Robertson, no, Floyd McGuire, no, Cliff O'Bryhim abstain.

Mayor Cole thanked everyone in attendance for their contributions, etc. He went on to say he would encourage everyone to get involved in their city government there are some ways you can have an effect on something that happens by being part of the city government. We need good people to serve.

Leo Cole said he wanted to thank everyone and he was sorry people here tonight had the attitude they had but when it is open and operating he felt they would be happy about it. Mr. Cole left at 8:31 pm.

Karl Maichel was present to ask if there were any rules or regulations as to the placement of a sign along the highway for his business. It was suggested he check with the Kansas State Department of Transportation.

Mr. Pabst, Cable TV was present to again discuss the addition of two new channels to the existing service. He said 38 persons had signed a petition. He said he thought the service would be ready to go by mid April or May. Floyd McGuire made a motion to add ESPN and CBN to the present channels available for an additional cost of \$1.00 plus franchise tax of 3%. Cliff O'Bryhim seconded. Motion carried.

Mayor Cole presented a cereal malt beverage license application for review (E's Smokehouse) Davenna Jones made a motion, seconded by Calvin Ufford to approve the issuance of the license. Motion carried, four yes, (Cliff O'Bryhim abstain).

Mayor Cole reported Helen Gerisch had requested permission for a craft group to park vehicles at the Jones Park parking lot all day Thurs, April 11. He said the group was to take a chartered bus to Kansas City. It was agreed by concensus.

Mayor Cole reported High Plains Sand (asphalt company) had requested an early bid on street surfacing. He said they were to do all the roads at Pomona Lake and if they were the successful bidder in Overbrook they could get the materials early and save money. Cliff O'Bryhim said he and Bruce Smith had gone over the streets to pinpoint those needing work. It was agreed letters would be sent to interested companies as soon as possible. Calvin Ufford suggested noting in the bid invitations that inasmuch as the city had several bad experiences with emulsion, the city would accept bids for cut-back method only.

In connection with the possible speed limit problem on 56 highway, it was agreed for Mayor Cole to write a letter to the Kansas State Department of Transportation, requesting a study be done.

Bruce Smith reported a problem with well #3. He said Mr. Youngman had pulled the motor and was in the process of repairing the damage. Smith also reported he had been in contact with Scranton's Manager in reference to parts from the old lift stations but their lift stations were different and it didn't look like they could use anything other than some 4 inch pipe. Calvin Ufford suggested keeping one air compressor for the new city shop. It was agreed by concensus.

The purchase of a new or used backhoe was again discussed. Bruce Smith had two preliminary bids but no final bids at this time. After a brief discussion Floyd McGuire made a motion that we set specs and bid dateline by next meeting. Virginia Robertson seconded. Motion carried.

Cliff O'Bryhim reported he had been approached about a possible motorcycle gang forming over by cemetary road and he had also been approached about some irish setters running loose.

Davenna Jones reported she had been approached by several persons who were dissatisfied with the way certain property looked around the city. She said there were several places where trash was piled out by the street and not cleaned up.

Calvin Ufford suggested Virginia Robertson talk to the Chamber of Commerce about someone touching up the painting on the township building.

Virginia Robertson reported they were trying to get a city reporter so Overbrook could again have some coverage in the Osage County Chronicle.

Calvin Ufford made a motion to adjourn the meeting. Davenna Jones seconded. Motion carried. The meeting was adjourned at 9:37 p.m.

Respectfully submitted,


Mildred J. Cannon
City Clerk

Approved _____

OVERBROOK CITY COUNCIL
SPECIAL COUNCIL MEETING
March 18, 1985

MEMBERS PRESENT:

Floyd McGuire
Calvin Ufford
Cliff O'Bryhim

Davenna Jones
Virginia Robertson
Mayor Bruce Cole

OTHERS PRESENT:

Representatives of concerned citizens and others

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

Mayor Cole explained this meeting was for the express purpose of resubmitting the question as stated at the March 13, 1985 regular Council meeting in connection with a letter of intent to Casey's General Stores, Inc. Mayor Cole explained due to a missinterpretation of an attorney generals opinion in reference to abstention votes, the vote of March 13 2 yes, 2 no and 1 abstain did not pass the motion. He said an abstention is the acquiescence of the will of the majority - goes with the majority portion of vote unless there is a tie then it doesn't count at all.

Mayor Cole asked if there was a petition to be presented. He was handed a petition containing 28 signatures 5 of which were not valid (were not residents of Overbrook) After due consideration the petition was made a permanent part of the nights proceedings. (see attached)

Mayor Cole again read the motion - a letter of intent be written to issue a cereal malt beverage license and building permit to Casey's General Store, Inc. Calvin Ufford said he would resubmit the motion exactly as read. Davenna Jones seconded. Mayor Cole polled the membership, Calvin Ufford-yes, Davenna Jones-yes, Cliff O'Bryhim-abstain, Floyd McGuire-no, Virginia Robertson-yes. The motion carried.

Davenna Jones made a motion to adjourn the meeting. Cliff O'Bryhim seconded. Motion carried.

The meeting was adjourned at 7:35 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved: -----

Special City Council Mtg. - Monday - Mar. 18
7:30pm - City Office

If Interested Please Come & Listen!!

We, as concerned parents & citizens of Overbrook, do not want a Casey's General Store to be built directly across the highway from the Overbrook Grade School. The reason is simple, it is too dangerous to have children of all ages crossing a very busy highway at an already extremely precarious area that has the following hazards imminent: 1) a large amount of traffic east & west on highway 56, 2) impaired visibility east & west having the sun directly in the drivers eyes, and most importantly, 3) the amount of traffic that does not slow their speed down going through that section. Increasing traffic in that area by having cars going in and out, stopping directly on the highway, would be very dangerous.

We are against the location of a Casey's store across from the Grade school, not that we want to stop a new business from coming to Overbrook. We would like to see city council table this issue for 30 days, to get the opinion of the city people.

Marcia Pool

Carolyn Merian
Donald Merian

Karen Hattuman

Gary Hattuman

Peggy Mendon

Manly Anderson

Calvin F. Moore

Dale D. Atwater

Larry E. Williams

Sam Williams

Angelina Giestad

Kathy Wentworth

Mary Wentworth

Carla Varen

Mary Graves

not legal
not legal
not legal
not legal
not legal

Donnie Keim

Donald L. Green

Gary M. Giddens

Ann Harkness

Barbara Davidson

REQUEST FOR SPECIAL COUNCIL MEETING

OVERBROOK, Kansas

March 18, 1985

The Honorable Mayor Bruce Cole DDS,

Mayor of OVERBROOK, Kansas

We, the undersigned, councilmen of the city of Overbrook Kansas, hereby respectfully request you to call a special meeting of the council to be held at the city hall, -- March 18, 1985, at 7:30 o'clock P.M., for the object and purpose of Revoting on the motion of March 13, 1985 in reference to a letter of intent to be written to issue a cereal malt beverage license and building permit to Casey's General Store, Inc.

Signed:

Robbie R. Ufford
Davenna Jones
W. D. Rayburn
Wayne Carter
Ed W. Miller

Council members

B Cole and
Wayne

MINUTES - Regular meeting of the Overbrook City Council - April 10, 1985

MEMBERS PRESENT:

Davenna Jones	Floyd McGuire
Virginia Robertson	Calvin Ufford
Cliff O'Bryhim	Pernal Olds
Dale Fox	Mayor Bruce Cole

OTHERS PRESENT:

Representatives from implement companies	
Representatives from asphalt companies	
Pam Williams	Charles Hamner
Carolyn Meerian	Max Friesen
Ron Dean	Bruce Smith

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 regular meeting March 13, 1985 and special meeting March 18, 1985 were reviewed. Davenna Jones made a motion that both sets of minutes be approved as written. Floyd McGuire seconded. Motion carried.

The outstanding warrants of the previous month were reviewed. Floyd McGuire asked if he could be reimbursed \$25.00 to cover expenses incurred in regard to the chief of police interviews. Cliff O'Bryhim made a motion, seconded by Virginia Robertson to approve all warrants including \$25.00 to Floyd McGuire. Motion carried.

BACKHOE - Mayor Cole asked that the bids for a new backhoe be opened and acted upon by the present council inasmuch as this project had been in the works for some time. Calvin Ufford opened the bids as follows:

Victor L. Phillips Co	Case 580SE	\$27,880)
Martin Tractor Co.	Ford 555A	23,000) all bids include trade-in
Coleman Implement, Inc.	Case 580SE	26,235)

(representatives were present from Coleman Implement and Martin Tractor)

Ufford asked another consideration before acting on the present bids. He said the city had been talking about the possibility of purchasing a tractor with a few hours with the same warranty and government discount as a new one. He said the warranty on a new machine would be one year but the city would probably only put 200 to 300 hours on the machine per year which wouldn't give time for problems to show up. He said Phillips was aware of this and had submitted two bids which he would not read if the other two companies wanted to bid this way also. All agreed they would like a chance to bid if something came up. The new bid opening date was set for May 8, 1985. The clerk resealed the Phillip's bid to be reopened May 8. (the bid was not read) Both were thanked for coming and left the meeting at 7:50 P.M.

SWEARING IN CEREMONY - The clerk administered the oath of office first to Mayor Cole. Then the oath of office was administered to councilmen elect Dale Fox and Pernal Olds. Virginia Robertson and Cliff O'Bryhim were commended for a job well done.

STREET SURFACING - Mayor Cole opened the street surfacing bids as follows:

<u>High-Plains Sand</u> - MC800 asphalt @.30 gal per sq yd - crushed rock 30 lb per sq yd	\$.60 sq yd
<u>Lawrence Asphalt</u> - RC 800 cut back @ .30 gal per sq yd - crushed rock 28 lb per sq yd	.595 sq yd
<u>Hamm Inc.</u> - RC 800 cut back @ .30 gal per sq yd - crushed rock 30 lb per sq yd.	.70 sq yd

After a brief discussion Floyd McGuire made a motion to accept High Plains bid of \$.60 per sq. yd. Pernal Olds seconded. Motion carried. 4 yea, 1 abstain (Dale Fox - he felt he was not well enough acquainted with the situation and did not feel comfortable with not accepting low bid)

The representative from Lawrence Asphalt asked why the low bid was not chosen - McGuire said that it was nothing against his company but High Plains had done an excellent job last year and he saw no reason to change considering the small difference in the bids. It was also noted the difference in rock per square yard could make more difference than \$.005. It was also noted the city is not obligated to accept low bid.

PRESIDENT OF COUNCIL - Mayor Cole asked for nominations for President of the Council. Davenna Jones made a motion to elect Calvin Ufford as President of the Council. Pernal Olds seconded the motion. Motion carried. 4 yea, 1 abstain (Ufford)

CASEY'S GENERAL STORE - Pam Williams and Carolyn Meerian were present to again discuss Casey's General Store. Williams asked if she could have a copy of the city's letter to Casey's. Mayor Cole agreed. He also said she could have copies of letters from Ken Foth, Area Engineer for the Department of Transportation regarding access for driveways etc., and Fred Terry, Traffic Engineer DOT regarding the city's request for a traffic study. Cole explained a study had been done some time ago in connection with the boys crossing the highway to practice football at the Christian Church.

Williams also wanted the city to clarify the so called letter of intent. She said they had been told over and over there is nothing legal and binding - it was just a letter of intent. What she didn't understand was how the city could tell Dr. Hickman that it was approved and tell her it was letter of intent. Mayor Cole explained it was just a matter of terminology. The letter to Dr. Hickman was written as a courtesy inasmuch as the school board had taken the time to discuss and vote on it. He also explained the next step would be to draft an ordinance listing the legal description of the property for the purpose of annexation so it would go on the tax rolls. He said it was essentially where it was last month.

WATER - Bruce Smith reported well #3 is still down. Davenna Jones said she would like to congratulate Calvin and Bruce for getting the water break fixed so fast.

SCHOOL CROSSING - Ron Deans suggested the timing be changed on the school flasher signs. Mayor Cole suggested Dean check with Mr. Marshall.

SAFETY VESTS - Dean asked permission to purchase one more safety vest. It was agreed by concensus.

TRAFFIC FINES - Dean suggested the fine for illegal driving be raised. He said it was now \$50.00 but surrounding communities are charging \$150.00. He said there would be less repeating. Council agreed Dean should speak to Judge Coursen in regard to the matter.

STANDARD TRAFFIC ORDINANCE - Floyd McGuire made a motion, seconded by Pernal Olds to approve Ordinance #124 Standard Traffic Ordinance for Kansas Cities. Motion carried.

SAFETY AROUND SCHOOLS - Safety around the schools was discussed. Pernal Olds said he felt something should be done about the students using the streets by the Middle School as their track. Dale Fox suggested a study be done in connection with using a portion of the new park area to put in a track for the students that could also be used by area citizens to run etc. It was agreed the Recreation Commission should be made aware of the possibility.

TRASH PICKUP - Dale Fox reported he had been contacted by Carol Anno about a trash hauling bill she had received for items put out when she moved. She did not feel it was fair. Mayor Cole said he had seen what she had put out and he did not think the amount was out of line (it was noted the bill was sent by Greene Sanitation Service and not the City of Overbrook). It was suggested getting both parties together to discuss the problem.

WATERWAY - LAGOON PROJECT - Calvin Ufford suggested having Carl Simpson (sub contractor on the sewer project) build a waterway at the lagoon site as was promised to Jerry Coffman. He said it would cost approximately \$300 or less. Pernal Olds made a motion seconded by Floyd McGuire for the city to go ahead and have the work done. Motion carried.

Floyd McGuire made a motion to adjourn the meeting. Dale Fox seconded. Motion carried.

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

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved: _____

MINUTES - Regular meeting of the Overbrook City Council - May 8, 1985

MEMBERS PRESENT:

Floyd McGuire Davenna Jones
Calvin Ufford Dale Fox
Pernal Olds

MEMBERS ABSENT:

Mayor Bruce Cole

OTHERS PRESENT:

Bruce Smith Ron Dean Max Friesen

The meeting was called to order by Council President Calvin Ufford. The clerk called the roll.

RESIGNATION: The clerk read a letter of resignation from Mayor Bruce Cole. It was agreed by concensus the resignation not be accepted until the June meeting.

MINUTES: The minutes of the April 10, 1985 meeting were considered. Pernal Olds made a motion to accept the minutes as written. Floyd McGuire seconded. Motion carried.

WARRANTS: The outstanding warrants of the previous month were reviewed. There was a question about warrant no. 3277 to Coffman, Jones and Gilliland - part of the bill was for calls to and from private citizens in reference to Casey's. It was agreed the clerk should send a note with the warrant asking Mr. Jones to send a separate bill any time there are unauthorized calls from private citizens. There was also a question about warrant 3282 (aqua ammonia). It was decided to withhold approval until Bruce Smith could identify the use. Davenna Jones made a motion seconded by Pernal Olds to approve all warrants as presented with the exception of No. 3282. Motion carried.

BACKHOE: Calvin Ufford opened the sealed bids for the backhoe. The Council was reminded that last meeting the new backhoe bidders were given an opportunity to submit bids for a used backhoe with a new machine warranty. The bids were as follows:

PHILLIPS - Case	new	\$27,880	used	\$26,750 (126 hrs)	demo	\$25,750
MARTIN - Ford/both	new	23,000 (April bid)		24,500 (May bid)		
COLEMAN - Case	new	26,235		-0-		

FORD, at additional cost, had available a 3 yr parts and labor and 3 yr less 10% warranty.

Bruce Smith said in comparing the machines, he liked the Case better. He said he had a problem with the doors on the Ford machine. He was afraid of window breakage because the doors would not fold back. Calvin Ufford made a motion that the council accept the bid from Coleman Implement at \$26,235 with the understanding that it has a 12 month, no hour limit and two year power trane warranty. If not, the Phillips option 3 bid for their demo at \$25,750 be accepted. Floyd McGuire seconded. Motion carried.

SEWER PROJECT: Calvin Ufford reported he had talked with Jack Kramer about the slow progress at the new lagoon site. Kramer had suggested not setting a fine yet and not granting another extention. His reason being BRB doesn't know if the city will charge \$150 per day or not. Kramer also said now that the project is in penalty time, his fee would be over and above the contract. Floyd McGuire made a motion that the matter be tabled until next meeting. Pernal Olds seconded. Motion carried.

WATER: Bruce Smith clarified the use of the aqua ammonia. He said it is the chemical used at the wells to arrest rust. Davenna Jones made a motion to approve warrant 3282 for payment. Dale Fox seconded. Motion carried.

CASEY'S: Calvin Ufford brought the council members up to date in reference to Casey's General Stores. He read a letter from Topeka attorney Paul Post and also Steve Jones' reply. Ufford noted a letter asking for annexation had been received but we did not have a copy of the walkway easement. After a brief discussion, Dale Fox made a motion that the matter be tabled until we can make sure the walkway is included. Pernal Olds seconded. Motion carried.

SCHWANKE TRAILER: Ron Dean discussed the problem of the trailer by Schwanke's car wash. He said Schwanke had been notified and he would keep the council apprised of further developments.

SPEED ZONE: Dean reported he had been working with the Highway Patrol to set up a speed zone on Highway 56 as an alternative to changing the speed limit. He said they could now use a stop watch to time vehicles, it would give a little more strict enforcement.

TAVERN OWNER'S LIABILITY: Dean reported he had notified the owners of local taverns that they would be held liable for problems outside the taverns arising in connection with intoxicated persons breaking the law regardless and if necessary the owner's name would be included in the arrest report.

SAFETY VEST: Dean asked for authority to have Tony's safety vest sized for Ed Harmison to use. It was agreed by consensus.

WATER TOWER: Bruce Smith reported the west water tower had been inspected by Midwest Tank. He said they spotted a few areas but found no major problem. They did report that the city should plan to have the tower painted in a couple of years.

USE OF CITY EQUIPMENT: Calvin Ufford reported he had received a call from an individual wanting to use the city mower. Ufford said not only was it illegal but he felt it should be a city policy that no one was to use city equipment other than city personnel. It was agreed by consensus.

TOP SOIL: Floyd McGuire reported several people had contacted him about top soil from the lagoon area. Ufford said the haulaway soil was clay etc, not top soil. He suggested for small loads they use the dirt east of the park.

PARTTIME SUMMER HELP: Dale Fox inquired if there was going to be any money available for parttime help during the summer. Ufford said no.

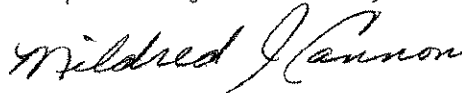
TRASH COLLECTION: BIBLE CHURCH: The clerk reported Don Keim had questioned the addition of individual trash collection to the church trash collection fee. She explained the church had an apartment in the basement and periodically they would allow individuals to live there. When the clerk noticed a marked raise in water usage at the church, she would check it out and if someone was living there she would charge individual trash collection for the apartment. It was the consensus

that both charges were just and should be left as is.

Floyd McGuire made a motion to adjourn. Pernal Olds seconded. Motion carried.

The meeting was adjourned at 9:40 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

Approved _____

REQUEST FOR SPECIAL COUNCIL MEETING

OVERBROOK, Kansas

May 8, 1985

The Honorable Mayor Bruce Cole,

Mayor of Overbrook, Kansas

We, the undersigned, councilmen of the city of Overbrook

Kansas, hereby respectfully request you to call a special meeting of the council to

be held at the Shirley's Cafe ~~city hall~~, -- May 8, 1985, at 12:00 noon ~~10'clock~~ A.M., for the

object and purpose of Cliff Fischer to present

Christ' Outpost, Inc. particulars

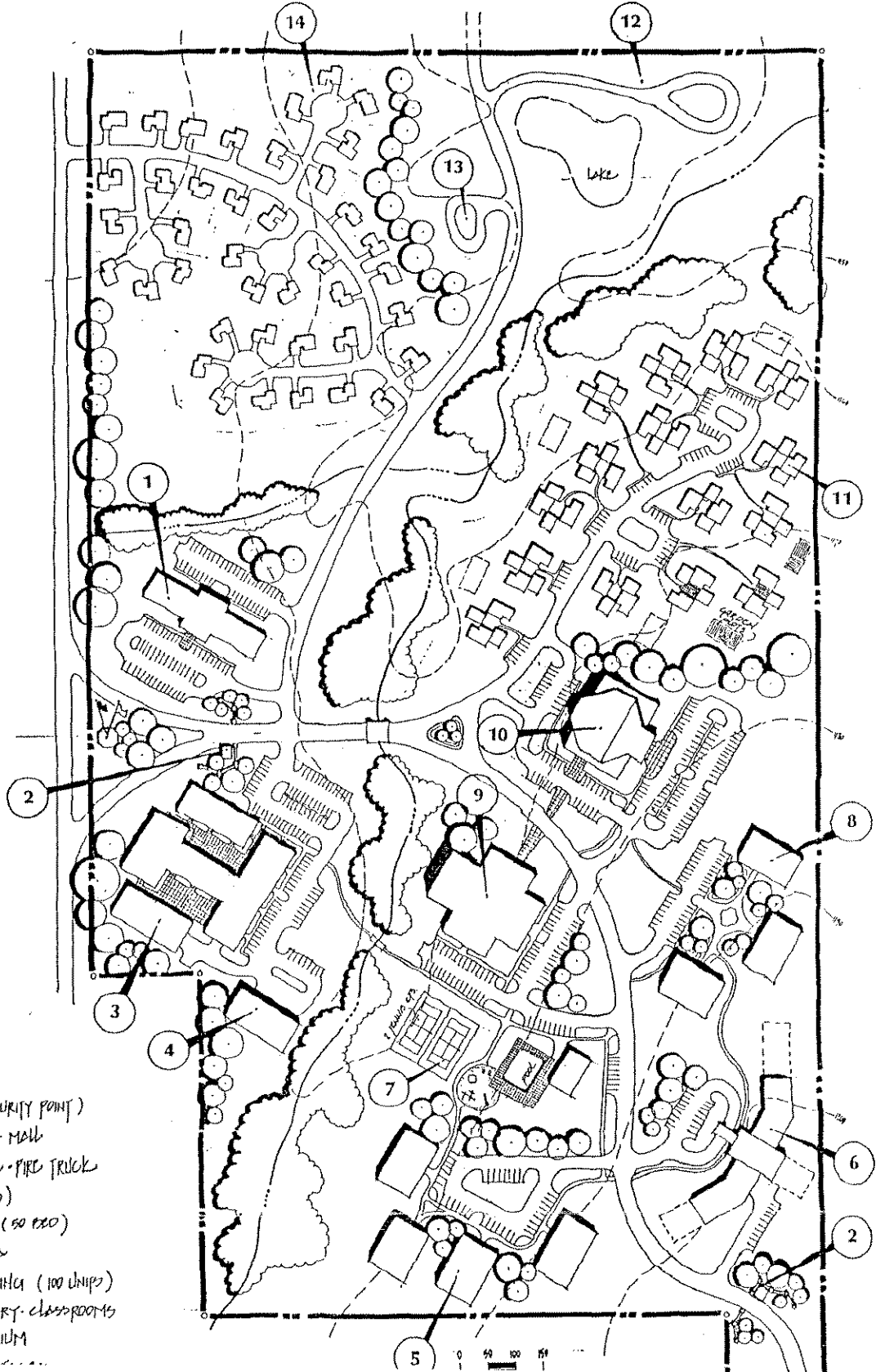
Signed:

William R. Ufford
[Signature]
[Signature]
[Signature]

Council members

christ's outpost

CHRISTIAN RETIREMENT COMMUNITY — OVERBROOK, KANSAS —



FACILITIES

- ① ADMINISTRATION
- ② GATE HOUSE (SECURITY POINT)
- ③ SHOPPING CENTER - MALL
- ④ MAIN F. AMBULANCE - FIRE TRUCK
- ⑤ DORMS (100 UNITS)
- ⑥ NURSING HOME (50 BED)
- ⑦ RECREATION AREA
- ⑧ PERMANENT HOUSING (100 UNITS)
- ⑨ CAFETERIA - LIBRARY - CLASSROOMS
- ⑩ CHAPEL - AUDITORIUM

MINUTES - Special meeting of the Overbrook City Council - May 8, 1985

MEMBERS PRESENT:

Floyd McGuire	Davenna Jones
Calvin Ufford	Mayor Bruce Cole
Pernal Olds	

MEMBERS ABSENT:

Dale Fox

OTHERS PRESENT:

Cliff Fischer	Larry Coffman
John Jewell	Lee Flowers

PURPOSE OF MEETING-DISCUSS PROPOSED CHRIST'S OUTPOST PROJECT

Cliff Fischer acted as spokesperson for the operation. He said he had requested this meeting with the city council to bring them up to date on the proposed operation. The complex will be built on a 70 acre tract north of the city. Construction will be done in three phases; 1) permanent housing(including formal dwelling units duplex, tri-plex, cluster and dorm structures); 2) class room structures for adult education; and 3) shopping area and trailer park (not permanent hookup). The main entrance will be across from the Methodist Church. They plan to begin with the north third which will deal with permanent housing and will be built in such a way that if only 75 people are interested and no one else comes, it could stop there and go on later without problem.

A nationwide survey has been done with a tremendous response from 12 states and six world-wide evangelist organizations. This summer a greater market study will be done.

He said the big question now is, do they remain outside the city and try to put in their own sewer etc or do they come into the city.

He said the rural water district is interested in furnishing the water. The big problem would be sewers. He said the state was interested in the project using the existing city lagoons if the population of the project stays 200 or less but the corporation's projected population figure might well run from 400 to 600 at one time. He assured the members the corporation would put in sewers, streets, etc and turn them over to the city when finished if the city is interested.

The main purpose for the meeting, according to Fischer, is to assure the council that Christ's Outpost is not coming here for a free ride or for the city to spend a lot of money.

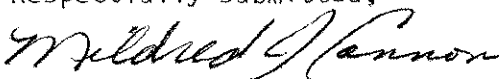
He said they would need tremendous support from the city.

The Council agreed by concensus that they would be willing to work with the outpost people in any way possible.

Calvin Ufford made a motion to adjourn. Davenna Jones seconded. Motion carried.

The meeting was adjourned at 1:02 P.M.

Respectfully submitted,


Mildred J. Cannon, City Clerk

Approved _____

MINUTES - Regular meeting of the Overbrook City Council - June 12, 1985

MEMBERS PRESENT

Calvin Ufford
Pernal Olds

Davenna Jones
Dale Fox

MEMBERS ABSENT:

Floyd McGuire

OTHERS PRESENT:

Bruce Smith

Ron Dean

Max Friesen

The meeting was called to order by Council President Calvin Ufford.
The clerk called the roll.

RESIGNATION: Dale Fox made a motion to accept Mayor Bruce Cole's resignation which was received at May 8, 1985 meeting. Pernal Olds seconded. Motion carried.

SWEARING IN CEREMONY: The Clerk administered the oath of office to Calvin Ufford as Mayor.

APPOINTMENT TO VACANT COUNCIL POSITION: Pernal Olds made a motion to appoint Virginia Robertson to fulfill Calvin Ufford's unexpired term as Councilperson as discussed at May 8, 1985 meeting. Davenna Jones seconded. Motion carried.

MINUTES: The minutes of the May 8 regular meeting and May 8 special meeting were considered (Mayor Ufford explained that Cliff Fischer had not requested a special meeting but inasmuch as there was a majority of the council present, it should be termed a special meeting.) Dale Fox made a motion to approve. Pernal Olds seconded. Motion carried.

WARRANTS: Davenna Jones made a motion to approve. Pernal Olds seconded. Motion carried.

CHRIST'S OUTPOST/WATER: Mayor Ufford reported he had contacted several members of the RWD in reference to the City's acquiring additional water for Christ's Outpost if necessary. He explained he was told water was available but there would be an additional debt service fee of \$685 per month (same as the city) They said they could make another 40 gallon per minute available and the cost would still be \$1.50 per thousand gallon. The Council discussed meter hook-up etc., and also the possibility of creating special assessments for the anticipated community.

TREE REMOVAL: Bruce Smith reported Mr. Barber had requested the city remove one dead tree from the parkway beside his house and also top another. After a brief discussion, it was the consensus of the Council to remove the dead tree but not do any pruning.

LIFT STATIONS/RECENT RAINS: Bruce Smith reported the new lift stations could not keep up with the heavy rainfall. Ron Anderson had complained. Smith suggested maybe smoking the sewer lines.

RURAL HOOK-UP/WATER: It was reported Don Hodges had requested permission to hook onto the city water East of town. The Hodges property is located 1/4 mile North of the City's North well. It appeared his cistern had gone bad and the Rural Water District water was 1½ miles away. After a brief discussion Davenna Jones made a motion that the City not allow rural hook-up as long as water is available from the Rural Water District. Dale Fox seconded. Motion carried.

WATER LEAK/GUFFEY: The Clerk reported there had been a major leak at the Guffey property East of Overbrook and Guffey had requested permission to spread the usage over an extended period of time to fall within the 12,500 gallon allotted free per month. Mayor Ufford suggested disallowing Guffey's suggestion and billing 55¢ per 1000 to reimburse the city the actual cost of pumping. After a brief discussion, Dale Fox made a motion that Guffey be billed to reimburse the city for pumping costs only for this particular water break (55¢ per 1,000 gal). Olds seconded. Motion carried.

NEIGHBORHOOD WATCH: Police Chief Dean reported he would like to start a neighborhood watch program in Overbrook. He said he could acquire signs from the KGB to place at each entrance to town for a cost of approximately \$12.50 each. He said he would also need one or two engraving tools (\$21.50 each) for households to use to code their personal property. It was agreed by consensus that the watch program was a worthwhile project and permission was granted to purchase one engraver and the necessary signs. (several present offered the use of their personal engravers also).

HAIL DAMAGE: Dean reported hail damage to the patrol car. He had acquired two bids (\$1232 and \$1320). It was noted the city had \$500 deductible insurance. It was agreed to turn in the bids and check with Bruce Anderson or Don Heberling to possibly do the work.

BRB/SEWER PROJECT -PENALTY: Mayor Ufford reported he had talked with Jack Kramer to express the City's dissatisfaction with the lack of progress at the lagoon site. After discussing whether to penalize them at this time, it was the consensus of the council to pay no more payments until the job is completed and at that time a decision would be made about penalties.

EXECUTIVE SESSION - SALARIES: Dale Fox made a motion that the Council go into executive session at 9:10 P.M. for 20 minutes to discuss annual salary raises. Pernal Olds seconded. Motion carried. The meeting was reconvened at 9:30 P.M. Mayor Ufford read the following recommendations:

5% raise - Bruce Smith, Millie Cannon, Ed Harmison and Bill Warrington

\$5.00 per month - Max Friesen

\$60.00 per month plus hospitalization - Ron Dean

Dean to be considered for another raise in 6 months.

Davenna Jones made a motion to accept the recommendations as stated above. Pernal Olds seconded. Motion carried.

1986 BUDGET: It was suggested the budget remain the same as 1985 with the following changes:

Raise the Liability Insurance 1 mill
Lower the Street Maintenance 1 mill

LIBRARY BOARD: The Library Board recommended the following appointments:

Meridee Graham - 2 yrs to fulfill Carolyn Meerian's unexpired term.
Barbra Davidson - 4 years - full term

Dale Fox made a motion seconded by Davenna Jones to appoint the members per the Library Board recommendation. Motion carried.

ZONING BOARD OF APPEALS: Mayor Ufford recommended reappointment of Bob Shepard for 1 year. Dale Fox made the motion seconded by Pernal Olds to appoint Bob Shepard for one year. Motion carried.

PURCHASE ORDERS: Mayor Ufford suggested all city employees fill out purchase order forms before making any purchases.

MILEAGE REIMBURSEMENT: The Clerk reported the new IRS rules were anything over 20½ cents per mile must be reported as income. She said the county and state had reduced their reimbursements for mileage to 20¢ per mile. It was agreed by concensus.

DUMPSTERS - POOL/PARK: The clerk reported Greene Sanitation had requested permission to move one dumpster from the school to the pool for the summer. It was agreed by concensus. She said Greene had been contacted by Mrs. Chet Lee to place a dumpster at the park. He said it was not possible - his truck is not allowed in that area. He said in the past they were allowed to use the one at the middle school ground. It was agreed Mrs. Lee would be notified.

COUNCIL POSITIONS: Mayor Ufford appointed the following positions to the members:

Dale Fox - water/sewer
Davenna Jones - supervise city office
Pernal Olds and Floyd McGuire - streets, etc.
Virginia Robertson - Liaison to Christ's Outpost

CHECK SIGNERS: Dale Fox made a motion to appoint Mayor Calvin Ufford as official check signer along with the clerk and treasurer previously appointed. Pernal Olds seconded. Motion carried.

PASSENGERS/PATROL CAR: Mayor Ufford reported recently several EMT's from the fire department rode in the patrol car to an accident just outside town. Ufford in checking with the insurance company found passengers would be covered only a few thousand and all other would come under the public official's liability policy. It was agreed by concensus only authorized personnel would be allowed to ride in the patrol car. Ufford reported the EMT's are going to ask the fire board to let them use the green truck as an emergency vehicle.

RWD RAISE IN RATES: Mayor Ufford read a letter from RWD #5 stating the rates would be going up 10% effective June 20. There was some discussion as to the possibility of raising the city rates to coincide with the RWD raise. The matter was tabled until more information could be obtained.

PRESIDENT OF COUNCIL: Davenna Jones Made a motion to nominate Pernal Olds as president of the council. Dale Fox seconded. Motion carried.

MISC. BUSINESS: Dale Fox said he had received a complaint from a citizen who had received a letter notifying him to mow his weeds. Fox said the citizen felt it would have been better to come to him in person. The clerk explained Police Chief Dean had tried to contact each person but for the notification to be legal it had to be sent by certified mail. She also noted this particular letter was a copy only of a letter sent to the tenant.

Davenna Jones made a motion that the meeting be adjourned. Pernal Olds seconded. Motion carried.

The meeting was adjourned at 10:20 P.M.

Respectfully submitted,

Mildred J. Cannon
City Clerk

Approved: 7-10-85

MINUTES - Regular meeting of the Overbrook City Council - January 9, 1985

MEMBERS PRESENT:

Cliff O'Bryhim	Davenna Jones
Floyd McGuire	Virginia Robertson
Calvin Ufford	Mayor Bruce Cole

OTHERS PRESENT:

Tony Hazen
Max Friesen

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

The Clerk administered the oath of office to Virginia Robertson as Councilmember to fill the unexpired vacancy.

The minutes of the December 12, 1984 meeting were reviewed. Cliff O'Bryhim made a motion, seconded by Davenna Jones to approve the minutes as written. Motion carried.

The outstanding warrants of the previous month were considered. Calvin Ufford made a motion to approve the payment of all warrants. Davenna Jones seconded. Motion carried.

Police Chief Hazen commended Bruce Smith for a good job of clearing the streets after the last snow. Cliff O'Bryhim reported several residents had approached him to ask that the snow pile in front of city hall be removed.

Chief Hazen reported several dogs had been picked up. He also reported the CPR school started December 15.

Chief Hazen asked the Council to consider some form of compensation for Bill Warrington for attending law enforcement training on his own. After a brief discussion Calvin Ufford made a motion to raise Warrington's salary 50¢ per hour (not to conflict with his annual raise) as compensation for attending the law enforcement training school. Cliff O'Bryhim seconded. Motion carried.

Mayor Cole presented two game machine/juke box licenses for approval. (Simmon's Cafe and Jack's Cafe) Calvin Ufford made a motion, seconded by Davenna Jones to approve both licenses. Motion carried.

Cliff O'Bryhim made a motion, seconded by Calvin Ufford to designate First Security Bank and Kansas State Bank as official city depositories and Bruce Cole, Max Friesen and Mildred Cannon as official check signers. Motion carried.

In answer to one council member's question as to the outcome of the Schendle Pest Control problem, the Clerk explained she had talked with Don Martin and he had not been aware that no inspection had been done -- he assured her it would be taken care of in the very near future.

Calvin Ufford reported Kenneth Greene had discussed the possibility of the Osage County Land Fill raising their fees. He said Greene was wondering if representatives from the cities might agree to meet with the county commissioners.

Tony Hazen asked the Council's feelings on starting a property ID program as a public service type thing. He said it was being done in Topeka. The Council agreed by concensus.

Davenna Jones made a motion to adjourn the meeting. Calvin Ufford seconded. Motion carried.

The meeting was adjourned at 8:40 P.M.

Respectfully submitted,



Mildred J. Cannon
City Clerk

OVERBROOK CITY COUNCIL
SPECIAL COUNCIL MEETING

March 5, 1985

INTERVIEW APPLICANTS
CHIEF OF POLICE

MEMBERS PRESENT:

Calvin Ufford
Virginia Robertson
Davenna Jones

Floyd McGuire
Cliff O'Bryhim - 7:30 P.M.
Mayor Bruce Cole

OTHERS PRESENT:

Tony Hazen

The meeting was called to order at 7:00 P.M. by Mayor Bruce Cole.

Salaries were discussed. It was agreed to stay within \$1,000 to \$1,200 per month salary range plus fringe benefit Blue Cross/Blue Shield family plan. KPERS will also be available after one year of service. It was also agreed the new employee would be placed on the customary 90 day probation. It was agreed the employee would work 44 hours per week and uniforms and equipment with the exception of footwear and gun/holster would be provided by the city. The police phone would be located at the employees home.

Applicants interviewed were those three receiving the highest scores on the written test.

Ronald Wayne Dean
Robert Roy Swanson Slawson
Jeffrey W. Crocker

After due consideration the council agreed to hire Ronald Wayne Dean at a salary of \$1,100 per month. It was agreed for Mr. Dean to move to Overbrook in a reasonable time.

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

The meeting was adjourned at 9:10 P.M.

Respectfully submitted

Davenna Jones
Acting City Clerk

MINUTES - Regular meeting of the Overbrook City Council - February 13, 1985

MEMBERS PRESENT:

Calvin Ufford
Floyd McGuire

Davenna Jones
Virginia Robertson
Mayor Bruce Cole

MEMBERS ABSENT:

Cliff O'Bryhim

OTHERS PRESENT:

Robert Pabst, Cable TV
Nathalee Linden, Chamber of Comm.
Charles Hamner
Jack Kramer
BRB Contractors, Inc. reps.
Max Friesen

Karen Halterman
Carolyn Meerian
Kenneth and Mildred Greene
Mrs. Patrick Neil
Ed Harmison
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 January 9, 1985 meeting were reviewed. Floyd McGuire reminded the clerk he had not attended the meeting and his name should be stricken from the record. Davenna Jones made a motion, seconded by Calvin Ufford to approve the minutes as written with the aforementioned deletion. Motion carried.

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

Nathalee Linden, president of the Overbrook Chamber of Commerce was present to invite the governing body to a community participation meeting Tuesday March 12 at 7:30 P.M. at the community room of the Kansas State Bank. She said the purpose of the meeting was to discuss ideas to promote the Overbrook image for the 1986 Centennial. She said representatives from all organizations around Overbrook were invited to participate. They would like to promote something that will go on after the centennial. Also present from the Chamber of Commerce was Charles Hamner. Mayor Cole thanked them for coming and assured them the Governing Body would be represented. They left at 7:38 P.M.

Robert Pabst, President of Cable TV requested premission to add two new channels (ESPN/Sports and CNB/Christian Broadcasting) to the existing service for a total additional cost of \$1.00 per household per month. He also said there were some new rules and regulations governing cable, making it possible to pass the franchise tax on to the customer. Several members felt there should be customer input before making a decision. The clerk was instructed to place an article in the newspaper asking public opinion on the addition. Calvin Ufford made a motion, seconded by Virginia Robertson to table the matter until the regular March meeting. Motion carried.

Karen Halterman, Chairman, Library Board and Carolyn Meerian, Board member were present to again request the use of the North section of the East wall of the Council room for book shelves. They explained the one we gave last month just wasn't enough room. Halterman said the Board guaranteed they would not ask for any more space and the space requested would be only temporary until a solution to their problem could be found. After a brief discussion, Floyd McGuire made a motion, seconded by Virginia Robertson to allow the Library to place shelves on

the North portion of the East wall of the council room. Yes votes: Floyd McGuire and Virginia Robertson. No votes: Calvin Ufford and Davenna Jones. Mayor Cole cast the deciding yes vote. Motion carried. Calvin Ufford challenged the Library Board members to get something going and all members of the council would support it in any way they could. They were thanked for coming and left at 8:09 P.M.

Jack Kramer was present along with representatives from BRB Contractors, Inc. to request an extension of time in which to finish the sewer project. They explained they were 75% finished with the lift stations but the lagoon would be a problem to finish within the existing time frame due to adverse weather conditions. Kramer suggested a 60 day extension from the original February 17 deadline. It was explained by Calvin Ufford that, even though the weather conditions were extremely bad, the contractor had been working on the lift station. It appears the old lift station was having serious problems and it would have cost the city the price of new parts, etc. if they had not been able to get the new lift station on the line. After further discussion, Calvin Ufford made a motion, seconded by Davenna Jones to extend the completion date from February 17, 1985 to May 1, 1985. Motion carried. All representatives present said they appreciated the support. They were thanked for coming and left at 8:25 P.M.

Mayor Cole reported there had been a request for the City to clear the cemetery roads of snow. There was some question as to the city's obligation and also the problem of liability. Bruce Smith had reported some of the head stones were very close to the road and he was concerned about damage. Max Friesen explained he had requested this because the county road machine could not get under the trees, etc. One member suggested the cemetery board get the trees trimmed to a height that the machines can navigate safely. It was suggested until the legal liability was cleared up, the city would take care of it on an emergency basis only. The clerk was instructed to contact the League of Kansas Municipalities as to what our responsibilities are or what legal implications there might be. Calvin Ufford made a motion, seconded by Virginia Robertson that if an emergency comes up before the city has legal advice it will be handled on a one to one basis. Motion carried.

Mrs. Patrick Neil was present to ask exactly where she is to place her trash cans. She explained one occasion when Greene Sanitation had neglected to pick up her trash and she called them back. When Greene emptied the cans they were left on the street. (it appears the cans have been by the alley for many years and no one has had a problem with it) She said her son called them down about it. Her feelings were not only was there the problem of possibly having the cans damaged, but it was also dangerous to vehicles. Mr. Greene agreed with everything she said. He explained the Neil boy had been very rude. He also explained his man had to go waist deep in the snow to get the trash and he hoped by leaving the empty can at the edge of the street Neil's would place them there next time for pick up. Mrs. Neil also complained Greene did not replace the lids, they were tossed on the ground. Calvin Ufford said actually this was a good thing, that way the cans can air out and dry thus they will last longer. Both parties agreed there really was no problem and when the snow melts everything would be ok again. Mrs. Neil was thanked for coming and left at 9:06 P.M.

Kenneth Greene asked the council to consider renewal of the 1985 trash hauling contract for two years in lieu of one. He explained the bond/insurance companies did not want to do business on less than two year contracts. Davenna Jones made a motion, seconded by Calvin Ufford to grant Greene Sanitation a two year contract in lieu of the usual one year. The contract time to run from July 1, 1985 through July 1, 1987. Motion carried.

Mayor Cole reported the Fair Association had approached him to inquire if the city could mow around the buildings and swings at the fair grounds. It seems there has been some problem finding people to do it. Calvin Ufford noted our mower would not be able to manipulate the areas they need mowed. It was agreed by concensus not to mow the fairgrounds.

Applications for the police chief position were discussed. It was agreed the pay scale would be set between \$1,000 and \$1,300 plus benefits per month commensurate with experience and qualifications. It was also agreed a written test would be given all candidates. (Test form acquired from the Ottawa Kansas police department) It was also agreed that only the top scoring candidates would be interviewed. Interviews will be given as soon as testing is finished.

Possible purchase of a new backhoe was discussed. It was agreed for Bruce Smith to go ahead and check into price ranges etc.

Floyd McGuire asked the council's permission to purchase a 'Stun Gun' for the police department @ approximately \$100 including battery and charger. He explained it was safer than a nite stick or gun. It was agreed by concensus to go ahead and purchase the gun.

Calvin Ufford reported Fred Marshall had suggested the city and fair board share in the cost of erecting a new building. Marshall said the board would use it only three or four days per year. The council by concensus did not feel it was a good idea.

Calvin Ufford presented two bids for the new storage building/garage.

NORTHBROOK	\$9,278
OVERBROOK	9,331

Calvin Ufford at this point abstained from further discussion due to conflict of interest. Floyd McGuire made a motion to approve the Northbrook bid. Virginia Robertson seconded. Motion carried. yes votes - three -- one abstain.

Floyd McGuire made a motion to adjourn. Virginia Robertson seconded. Motion carried.

Meeting adjourned at 10:58 P.M.

Respectfully submitted


Mildred J. Cannon
City Clerk

Approved _____

MINUTES - Regular meeting of the Overbrook City Council - March 13, 1985

MEMBERS PRESENT:

Davenna Jones	Floyd McGuire
Virginia Robertson	Calvin Ufford
Cliff O'Bryhim	Mayor Bruce Cole

OTHERS PRESENT:

Representatives from concerned landowners (S. circle, Frieruble Addn)	
Leo Cole - Rep. Casey's General Stores	
Max Friesen	Bruce Smith
Rosemary Topping	Tony Hazen
Pernal Olds	Ron Dean

The meeting was called to order at 7:30 P.M. The roll was called by the clerk. The minutes of the February 13, 1985 regular meeting and March 5, 1985 special meeting were reviewed. It was noted on the minutes of the special meeting, Robert Slawson's name was misspelled. Davenna Jones made a motion that the minutes be approved as written with the spelling change. Virginia Robertson seconded. Motion carried.

The outstanding warrants of the previous month were reviewed. Cliff O'Bryhim made a motion seconded by Floyd McGuire that all warrants be honored. Motion carried.

Leo Cole, representative for Casey's General Stores, Inc. was present to request permission to locate a Casey's General Store on the north side of Highway 56 just West of the Holzhter property.

Mr. Cole explained Casey's is a Des Moines based operation. There are approximately 24 located in Kansas, 110 in Missouri and 475 nationwide. He said the hours would be 7 am to 11 pm, seven days a week. He said a few of the commuter community stores stay open 6 am to 12 pm. He said their policy is to keep the lots clean and there would be no porno or video games. He also said it would not be a hangout for kids. He said the manager and employees would be local and they would employ five to eight people according to generated business. He said they like to become as much a part of the community as possible. The store size would be 1800 sq. ft. (36X50) basically metal construction with synthetic brick veneer front. It would be all electric and the drive would be seven inch thick concrete. There would be two doors in front and none in the back (one for deliveries and one for customers). Mayor Cole thanked him for his presentation and asked if anyone present had any questions or comments.

Bruce Anderson, as a member of Santa Fe Trail School District #434 school board, was interested in child safety after school. He wanted to know what could they do for the children's protection. Mr. Cole assured him his company would do anything they could. Cole also asked if there was a school crossing guard and if the school was self contained at lunch time. Anderson said yes.

Cliff O'Bryhim noted one major concern during the summer was the children crossing to and from the pool.

Several concerned land owners spoke of their prime concerns such as would the cross walk stay and would the existing fence be kept in place. Also of concern to the landowners was sale of beer so close to a school, motorists speeding in the area, and children participating in their usual horseplay so close to the highway. In answer to the walkway and fence, Mr. Cole assured the people his company would be happy to either deed the portion of land to