

## MEMBERS PRESENT:

J.A.Cordts	Floyd McGuire
Carolyn Meerian	Dennis Graves
Dale Fox	Mayor Richard Hamit

## OTHERS PRESENT:

Bob Greenfield	Bruce Smith
Bod Shepard	Cheryl Brown
Mark Daniels	Killie Cannon
Max Friesen	

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. There was a quorum present.

MINUTES: The minutes of the May 8, 1991 regular meeting were reviewed. Carolyn Meerian made a motion, seconded by J.A.Cordts, to approve the minutes as written. Motion carried. 4-0

WARRANTS: Warrants No. 6968 through 7042 were presented for payment. Floyd McGuire made a motion, seconded by Dennis Graves to approve all warrants. Motion carried. 4-0.

AUDIT REPORT: Bob Greenfield of Greenfield and Davidson, Chartered was present to review the annual audit report. He noted everything went smoothly as usual with no recommendations.

ANNEXATION/SHEPARD: Bob Shepard was again present in reference to the possible annexation of a parcel of ground he owns southeast of town. He handed out survey maps and request for annexation. He noted the street south of the property known as 'cemetary road' is a private road and his attorney had advised that if he put in the street, he should make it a dead end, but if the city puts in the street they might have a better chance of tying on to the cemetary road.

A lengthy discussion was held as to whether the city should take the utilities to the property line and Shepard take them on in as other additions had done in the past or just what route to go. Shepard said if the city didn't furnish the utilities all the way he did not wish to annex the portion outside the city and he also wished to unannex the portion inside the city. It was also noted, if Shepard did not annex, the proposed street would be outside the city limits.

Carolyn Meerian made a motion to table the matter until an investigation into the city's obligation could be done. Dennis Graves second. Motion carried. 5-0

BALL ASSOC/TELEPHONE: Jim Duncan representing the Overbrook Ball Assoc. was present to request a phone be installed at the concession stand at Jones Park. He noted there had been numerous incidents where a phone was required but none was available. He said if the city could pay for the installation and the basic phone service, the Ball Assoc. would be responsible for all long distance charges. After a brief discussion, Floyd McGuire made a motion, seconded by J.A.Cordts for the city to have a phone installed at the concession stand at Jones Park with the stipulation that the city would pay all charges with the exception of any long distance calls - those to be paid by the ball association. Motion carried. 5-0.

MISC: Cheryl Brown thanked the council on behalf of herself and the city clerk for the new verticle blinds. Both said they made working conditions much better.

MISC-CONTINUED: Councilperson Meerian requested that the city spray the school access walkway between Frieruble Addn and 56 Highway for weeds. She said the weeds were growing through the gravel. Smith said he would take care of it right away.

Bruce Smith reported the seasonal maintenance employee was working out very well.

Smith reported he had talked to a representative from IRM about the street work on the corner of Maple and Highway 56. The cost for asphalt would be approximately \$16,500 plus an engineering fee for the city engineer of approximately \$1,000. Smith also said he had contacted the state to ascertain who is responsible for what area, but had heard nothing as yet. The matter was again tabled.

EXECUTIVE SESSION/ANNUAL SALARY REVIEW: At 8:27 PM Dennis Graves made a motion, seconded by Dale Fox that the council go into executive session for 30 minutes to review salaries. Motion carried 5-0. The meeting was called back to order at 8:02 PM. Dale Fox made a motion, seconded by Dennis Graves to approve salary increases for the city maintenance, chief of police, two part time law enforcement officers, city clerk, assistant clerk and cleaning lady/of approximately 3 per cent and municipal judge \$25 per month. Motion carried 5-0.

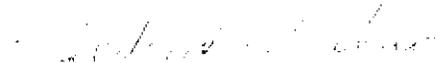
1992 BUDGET DISCUSSION: The clerk discussed ways to lower the 1992 budget. It was agreed by consensus that the three mills set aside in 1991 for capitol improvement be used toward the purchase of a patrol car in the future. It was also agreed by consensus to set aside one mill per year until enough is accumulated to purchase a new patrol car, possibly in 1994.

FIREWORKS DISPLAY: Dale Fox and Mark Daniels discussed the pending Fourth of July celebration. Daniels said the garage sale held by the fire department had netted \$121. It was also noted the Community Improvement Council had approved a donation of \$100. Fox said at this point he had collected donations from three merchants with donations promised by others. Fox said the biggest problem was the liability insurance. Daniels said the firemen did not want to participate without insurance. After a brief discussion, Carolyn Meerian made a motion, seconded by Dennis Graves, that the city pay the \$500 fee for liability insurance with the stipulation that if donations allow, the city be reimbursed as much as possible. Motion carried 4 yes 1 no (J.A.Cordts voted no, noting his reason as, he is all for the celebration but did not think this would be spending the tax payers money wisely).

MISC: Mark Daniels asked the council if they would give some thought to establishing some type of fire code for the city. He said the State of Kansas had adopted the 'Life Safety Code' which was a very good one. He said he had a copy if anyone wanted to read it.

Floyd McGuire made a motion to adjourn. Carolyn Meerian seconded. Motion carried. The meeting was adjourned at 9:55 PM.

Respectfully submitted,



Mildred J. Cannon  
City Clerk

APPROVED \_\_\_\_\_

## MEMBERS PRESENT:

Dale Fox  
J.A.Cordts  
Dennis Graves

Carolyn Meerian  
Mayor Richard Hamit

## MEMBERS ABSENT:

Floyd McGuire

## OTHERS PRESENT:

LRM, Inc - Rep.  
JoAnn Allen  
Kenneth Greene  
Joe Greene  
Bruce Smith

Students from American Govt.  
Class - Santa Fe Trail HS  
Mildred J.Cannon  
Cheryl Brown

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. There was a quorum present.

Mayor Hamit welcomed the American Govt. students from Santa Fe Trail HS.

MINUTES: The minutes of the April 10, 1991 regular meeting were reviewed. Dennis Graves made a motion, seconded by Carolyn Meerian to approve the minutes as written.

WARRANTS: Warrants No. 6916 thru 6967 were presented for payment. J. A. Cordts made a motion, seconded by Dale Fox to approve all warrants. Motion carried.

STREET SURFACING BIDS: Mayor Hamit opened sealed bids from High Plains Sand, LRM, Inc. and Shears' Sons. Dale Fox made a motion, seconded by J.A. Cordts to accept the low bid from LRM, Inc. Motion carried.

Also discussed was the possibility of installing concrete at the corner of Maple and 56 highway. Bruce Smith was authorized to contact the appropriate representative with the State Highway Dept and also contact Jack Kramer of Kramer Engineering. The council also requested he obtain estimates from various street companies. The matter was tabled.

COMMUNITY IMPROVEMENT COUNCIL REPORT: JoAnn Allen, Chairperson of the CIC was present to request Mayor Hamit to proclaim the week of June 10 thru 16 as business recognition week. She said Governor Finney had requested it. It was agreed by concensus.

Allen also reported the CIC had come up with the idea of a golf tournament to raise money to put into community improvement. The tournament will be held in June. She also said they were very enthused about the July Fourth project. She said their main objective was to put pride back into the community.

BOARD OF ZONING APPEALS APPOINTMENT: Mayor Hamit asked to appoint Mark Daniels to the Board of Zoning Appeals. Dale Fox made the motion to approve the appointment. Carolyn Meerian seconded. Motion carried.

SOLID WASTE CONTRACT: Only one bidder was present to bid on the solid waste collection. Mayor Hamit opened the sealed bid from Osage Waste Disposal and read it to the council. He noted there were no changes other than the one yard dumpster. After a brief discussion Dale Fox made a motion, seconded by Dennis Graves to accept the contract from Osage Waste Disposal. Motion carried.

EMPLOYEE APPOINTMENTS: The following employees were reappointed:

Dennis Graves made a motion to reappoint Ron Dean as Chief of Police. Carolyn Meerian second. Motion carried.

J. A. Cordts made a motion to reappoint Bruce Smith as Maintenance Supt. Dale Fox second. Motion carried.

Carolyn Meerian made a motion to reappoint Mildred Cannon as City Clerk. Dale Fox second. Motion carried.

J. A. Cordts made a motion to reappoint Cheryl Brown as Assistant City Clerk. Dennis Graves second. Motion carried.

Dale Fox made a motion to reappoint Max Priesen as City Treasurer. Carolyn Meerian second. Motion carried.

Dennis Graves made a motion to reappoint Larry Coursen as Municipal Judge. Dale Fox second. Motion carried.

Dale Fox made a motion to reappoint Ed Harmison as Deputy Law Enforcement. Carolyn Meerian second. Motion carried.

Carolyn Meerian made a motion to reappoint Billy Warrington as Deputy Law Enforcement. Dennis Graves second. Motion carried.

CITY MAINTENANCE REPORT: Dale Fox was appointed to supervise the cleaning out of drainage ditches and the installation of new tubes where necessary. Reseeding was also discussed. It was agreed that the city would reseed with whatever seed available and if someone wanted a specific type grass they would have to take care of it themselves. It was noted the tubes would be replaced at city expense as an ongoing project with the worst ones being done first.

DRAPERIES: The clerk presented estimates for draperies and/or verticle blinds for the city hall and the municipal court room. She reported she had called three companies but had received estimates from only two-Draperies by Dorothy and Accent Interiors. She had swatches of material available for the council to look over. After a brief discussion Dale Fox made a motion seconded by Carolyn Meerian to approve the estimate from Accent Interiors for vertible blinds. Motion carried. It was noted the blinds would be fiberblass with vinyl coating.

UTILITIES OUTSIDE CITY LIMITS: Mayor Hamit reported the clerk had researched past minutes and had come up with several times the city had set a precedent in regard to water service outside the city limits. He noted at one time the city had said they were not in competition with the rural water districts and the only time they would allow water service outside the city limits would be when it was not feasible to go on rural water district. Also it was noted in the past the council had said they would not furnish service for agri-business or commercial ventures outside the city limits. He said the league of Kansas Municipalities strongly advised against allowing services outside the city limits because the city would have no recourse if there was a delinquency. He said the league also strongly advised not to allow sewer service outside the city limits even though there was no statute against it.

ENTERPRISE ZONE: Mayor Hamit had a letter from Mr. Richard Caplan and Assoc. in reference to enterprise zoning. In the letter Mr. Caplan stated it would cost the city approximately \$1,000 to 1) assess the feasibility \$150, 2) determine direct benefit and cost to the city \$150 and 3) to prepare complete application to the state of Kansas \$700. Steve Jones, city attorney said he did not feel it was a great advantage to the city. He said from the letter, he understood it would cost \$150 to find out if it was worth while to go further. The matter was tabled until it is necessary if at all.

MISC: Dennis Graves asked if the ice cream vendors needed a permit. After a brief discussion, it was noted the same problem came up last year and yes they did need a permit.

Mayor Hamit reported Kay O'Bryhim of the CIC had notified the clerk that if the city purchased the paint they had volunteers to paint the inside of the bath house and concession stand at the pool. It was agreed by concensus that the city would furnish the paint.

Dale Fox reported the Fourth of July celebration plans were well under way. He said the fire department was having a fund raiser and that he was going to talk to the Community Improvement Council at their May meeting. He said all donations would be cheerfully accepted.

J. A. Cordts reported a manager for the pool had been hired and the three life guards had passed their training classes. He noted the manager had already had her training.

Dale Fox made a motion to adjourn the meeting. Dennis Graves second. Motion carried. The meeting was adjourned at 9:50 PM.

Respectfully submitted,

Mildred J. Cannon  
City Clerk

APPROVED \_\_\_\_\_

## MEMBERS PRESENT:

Dale Fox	Dennis Graves
Floyd McGuire	Cliff O'Bryhim
J.A.Cordts	Mayor Richard Hamit
	Carolyn Meerian

## OTHERS PRESENT:

Steve Jones	Max Friesen
Pat Walsh	Cheryl Brown
Larry Coursen	Millie Cannon
Students from American Govt. Class Santa Fe Trail HS	
Ed Harmison	Ricki Slecta
Mark Daniels	

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. there was a quorum present.

MINUTES: The minutes of the March 13, 1991 regular meeting were reviewed. Dale Fox made a motion, seconded by Dennis Graves to approve the minutes as written. Motion carried.

WARRANTS: Warrants No. 6864 through 6915 were presented for payment. J.A. Cordts made a motion, seconded by Cliff O'Bryhim to approve all warrants. Motion carried.

SWEARING IN CEREMONY: The clerk administered the oath of office to council persons elect, Carolyn Meerian, Dennis Graves and Floyd McGuire. Outgoing councilman Cliff O'Bryhim was thanked for a job well done.

RESIGNATION/BOARD OF ZONING APPEALS: Mayor Hamit presented a letter of resignation from the Board of Zoning Appeals from Carolyn Meerian. Dale Fox made a motion, seconded by Dennis Graves to accept the resignation. Motion carried. Mayor Hamit asked the council to help in finding a replacement for Meerian. Meerian was thanked for doing an excellent job as Chairman of the Board.

CITIZENS COMPLAINT/ANIMALS AT LARGE: Rickie Slecta was present to complain about animals at large (dogs) that had torn up recently planted flowers and shrubs in her yard and also neighbor's yards. She noted also, one animal had found a way to scratch her storm door open and had entered her home causing some destruction. She also went over other problems the animals at large had caused her. She said she was very unhappy with the way the law enforcement people had handled the situation. Mayor Hamit asked if she had ever come into city hall to sign a formal complaint. She said no, but she had talked to the city clerk who in turn had called the law enforcement people. She did say she would be happy to sign a formal complaint. After a lengthy discussion, Mayor Hamit said he would prefer to discuss the matter when Police Chief Dean could be present. Slecta was thanked for coming. Mayor Hamit noted she would be kept posted.

ANNEXATION/ENTERPRIZE ZONE: Larry Coursen was present to request possible annexation of a piece of real estate just south of the NAPA store. Pat Walsh, Attorney, acted as spokesperson for Coursen. He said Mr. Coursen has been working on a deal to acquire some property between the NAPA store and the American Legion Hall. He said Coursen was basically interested in the possibility of opening up a storage facility and/or car wash. In dealing with the financing he said they would need to know if the city would be willing to annex the property into the city or if they didn't want to annex, would they be willing to provide water to the property? It was noted the American Legion Hall has a private water line across the property

and is metered at First and Maple. The subject was discussed at length. Mayor Hamit felt this was something that needed looking into. Also discussed was attaching onto the sewer line. It was agreed this also needs looking into.

Walsh said one reason they were interested in annexation was the possibility of the city declaring an Enterprise Zone. He explained the benefits of the enterprise zone were; the state would agree to waive sales tax on any renovation of a business, expansion of a business or a new business coming in. He said it would also give employment tax credits to the person that is employing people for a business in the enterprise zone. Mr. Walsh went on to explain the details connected with qualifying for this program. He said it would have no effect on property tax. After a lengthy discussion, the council agreed to look into the program. The council agreed by consensus that they are willing to annex if Coursen provides a written request along with a legal description of the property. It was noted there would be no problem with hooking onto the water and sewer if the property was annexed. Walsh and Coursen were thanked for coming and left at 8:25. Jones left at 8:30.

**LIBRARY BOARD APPOINTMENTS:** Mayor Hamit asked the council to affirm the appointment of Coni Fenton for a second four year term and Scoot O'Bryhim for a four year term replacing Shirley Karr. A motion was made by J.A.Cordts and seconded by Floyd McGuire. Motion carried 5-0

**AUDIT CONTRACT:** Mayor Hamit presented an audit contract from Greenfield and Davidson, CPA in the amount of \$4800. J.A.Cordts made a motion, seconded by Dale Fox to approve the contract. Motion carried.

**HEALTH INSURANCE/EMPLOYEE:** New health insurance rates were again discussed. It was noted the employees were again eligible for a blue cross group contract inasmuch as 100% of the eligible employees will either be on this program or are on a group plan elsewhere. The clerk presented plans for various deductibles, ranging from 200/400 to 1000/2000. It was noted there was only \$50 difference. The rate for the 200/400 deductible was \$302.07 for a family plan. Reimbursement to the employees who are on another group plan was discussed at length. It was noted that under the insurance section (b) of the City Personnel Policy, adopted by the city council August 1, 1988, "If coverage is not desired, the city will reimburse said full-time employees 100% of premium and part-time class I employees 75% of premium!" Floyd McGuire made a motion to accept the 200/400 policy and to reimburse the clerk 75% as noted in the personnel policy. Dale Fox second, noting he had done this to open it for discussion. After a lengthy discussion of the pro's and con's of the reimbursement policy, a vote was taken. The motion carried unanimously. The clerk noted due to the change, the premium for each was \$101 less than the previous policy. It was also noted that the reimbursement policy had been implemented by the council for the maintenance superv. in 1983.

**FIRE DEPT. REPORT:** Ed Harmison along with Mark Daniels was present to discuss problems with various fire hydrants around the city. One problem Harmison said was there are two hydrants on the west side of town that were not painted the appropriate color. He said they found several that did not extend high enough above ground and several that were hard to open.

Harmison reported there had been a hazardous material situation in the area of the alley on 56 Highway between Maple and Walnut Streets. He said there were two residents and two fire fighters taken to the hospital to be checked after the fluid sprayed on them. The light company, after doing a study, found the liquid to be 50.2 parts per million PCP. He said 50 parts per million was considered on the border to unsafe. He said everything apparently has been taken care of now but if there is any more damage, KPL will take care of it.

He said he was proud of Osage County Fire District No. 4, since they have more

qualified EMT personnel than the county ambulance service. Those who have qualified as EMT-1 (qualified to give IV off doctor's orders from hospital along with that type service) are himself, Kendall Anderson and Mark Daniels.

He reported CPR classes had been given to 128 students in the last 60 days.

Harrison then reported on the law enforcement department in the absence of Police Chief Dean. He asked when the city would be in the market for a new patrol car. He said the 89 model has 30,000 miles on it and the 83 model has 107,000 miles on it. He wondered if maybe the council would want to replace it while it still had some equity in it (he said the value is in the neighborhood of \$200). The matter was tabled.

Mayor Hamit asked Harrison what was the policy on picking up dogs. He wanted to know if it is only when a person signs a complaint or when the patrolmen sees one run at large that might be dangerous. Harrison said by the time he stops and gets out of the vehicle to catch the dog, it is usually gone. The clerk reported the city hall gets calls periodically but not signed complaints. She said she contacts either Ron or Bruce and one of them goes out right away and checks the situation out. She said usually the biggest problem is by the schools. Tranquilizer guns and transporting kennels were also discussed.

WATER DEPARTMENT REPORT: Bruce Smith brought up the subject of replacing the maintenance truck. He said it is 10 years old and has 94,000 miles on it. After a brief discussion the council agreed a new one was in order. Smith was instructed to wait until the new vehicles come on the market in the fall and then get estimates on a new last years model. The matter was tabled.

Smith reported the wells are all functioning in good shape and the west tower has been repaired.

MISC: Smith reported the ball diamond at Jones park, which was discussed at an earlier meeting, was almost ready for use. He said the ball association had purchased four loads of river silt which was delivered today. He said he assumed they were still going to put up a back stop.

Smith reported he had checked into other prices for gravel removal as discussed at an earlier meeting. He said the one company he talked to sent an estimate of \$3500. Rental of the parking lot sweeper at \$180 per day was again discussed. It was agreed by consensus for Bruce to rent the machine for two days.

Smith requested guidelines in hiring a helper for the summer. Several members of the council discussed items they felt were of primary importance such as work on the drainage ditches, mowing etc. It was agreed Smith was to use the employee as he sees fit with emphasis being on mowing and cleaning out the drainage ditches and tubes. The council agreed by consensus for Mayor Hamit and Bruce to handle the interviews and go ahead and hire on if they felt they were qualified. It was agreed by consensus to set the pay rate at \$5.00 per hour. The work week would be 40 hours. Length of employment would last only through the summer season.

Smith reported on a convention he had attended recently, which was sponsored by the Rural Water Assoc. at Salina. He said they emphasised the promotion of how to save water such as changing the heads of showers, faucets, etc.

Dennis Graves noted there were some chuck holes in the streets, especially one at

corner of Maple and Market by the video store. Smith said that one was from a break. Graves wanted to know what could be done to build up the valves in the streets. Bruce said the parts were on order and should be in soon.

**FIREWORKS:** Dale Fox reported he had been in contact with a fireworks company that could furnish a very nice display for approximately \$650 (mostly aerial). He said he had been in contact with Fire Chief Ed Harmison, and the fire department had been thinking about doing something like this themselves. He asked if the city could pay for it with a city draft to alleviate all red tape. Then the city could be reimbursed from donations. The company provides the fireworks and the things to shoot them off. If all goes over well, possibly in the future, the fire department and others could work together and it could be done again. He said if the city would agree to pay approximately \$650 he would personally go to the local business' and maybe the day of the program they could take up donations to reimburse the city. He went on to discuss other aspects of help that he felt would make it go over very well. He said he would like to get a commitment tonight. J.A. Cordts noted the insurance would cost \$500. He said the spectators would have to be at least 1000 ft away, also there would have to be an EMT and fire truck stationed at the area. Fox wanted to know if the council felt it was necessary to have that kind of insurance to do this. He wondered if the city would even be liable. Mayor Hamit said he felt sure if the city writes the draft, they are liable. Cordts felt it would be better to keep the city out of it. Fox felt it would go down the tube if the city didn't get involved. Harmison said he didn't feel the \$1150 was that bad and he felt with the community behind it, they should be able to raise the money. Fox said he would report back to the council in May. The matter was again tabled.

Dale Fox made a motion, seconded by Carolyn Meerman to adjourn the meeting. The meeting was adjourned at 10:00 PM.

Respectfully submitted:

Mildred J. Cannon, City Clerk

APPROVED \_\_\_\_\_

## MEMBERS PRESENT:

Dale Fox  
Cliff O'Bryhim

J.A.Cordts  
Mayor Richard Hamit

## MEMBERS ABSENT:

Floyd McGuire

Dennis Graves

## OTHERS PRESENT:

Manie Minford  
Kenneth Greene  
Bruce Smith

Max Friesen  
Cheryl Brown  
Mildred J.Cannon

The meeting was called to order by Mayor Richard Hamit at 7:40 PM. The clerk called the roll. There was a quorum present.

MINUTES: The minutes of the February 13, 1991 regular meeting were re-viewed. Dale Fox made a motion, seconded by Cliff O'Bryhim to approve the minutes as written. Motion carried.

WARRANTS: Warrants No. 6820 through 6863 were presented for payment. J.A. Cordts made a motion, seconded by Cliff O'Bryhim to approve all warrants. Motion carried.

OVERBROOK BETTERMENT COMMITTEE: Manie Minford was present as spokesperson for the Overbrook Betterment Committee. She asked the council if they had made a decision as to whether or not they wished the betterment committee to proceed with plans in connection with placing the city hall building on the State Historical Register. She said first she would like to make a statement to the effect that the betterment committee is interested in promoting things they feel are for the betterment of Overbrook and although they have limited funds and personnel, they have been able to accomplish many things along this line. She said they were only interested in going ahead with this project if the city was in agreement. She said they felt it was a worthwhile project. She noted they already had approval from the owners of the second floor and all they need now is permission from the city to go ahead. She noted if the building is accepted by the Historic Preservation Society and there was any restoration to be done or repairs to keep the building in it's historical form, there was grant money available on a 90/10 basis. 90% from the grant and 10% from the building owners. She said the contact people would be Marilyn Land, Jeanne McDowell and herself. She said the only minor problem might be if the Ridgeway Lodge for any reason folded. That portion of the building would automatically become the property of the grand lodge. She said she would discuss this possibility with the Historic Preservation people.

Max Friesen said as a tax payer, he would like to encourage it. He said he spent 30 years working in this building and would hate to see anything happen to it. He also noted there was major work needed in the area of the facade on the front of the building. A motion was made by Dale Fox and seconded by Cliff O'Bryhim to allow the betterment committee to pursue the project. Motion carried.

OVERBROOK BALL ASSOC: Bruce Smith was present to speak for the Overbrook Ball Assoc. in place of Jim Duncan. He said primarily they were in need of more area for practice. She said when the ball games start there is no place for the younger people to practice. He said they were in hopes that somewhere down the line a place could be developed into a permanent fixture. He said they needed something around 60 to 70 ft for infield practice. Bruce said he thought there was room at the park north of the shelter house area and east of the drive. Councilman Fox suggested the possibility of using the old diamond area at the fair grounds. Max

Friesen, as member of the Fair Assoc. noted that area is committed for functions throughout the summer such as the demolition derby. It was agreed by consensus if there was room available, to let them use the area of the park previously suggested. It was also suggested that the ball association meet with the fair board to discuss the possible use of an area on the fair grounds, possibly on the far side of the barns or behind the building they had torn down. Bruce said he would discuss it with the ball association.

SHEPARD'S REQUEST TO INSTALL GRAVEL STREET: Bruce Smith reported he had checked with Kramer Engineering in connection with Bob Shepard's request to put in a gravel road for a housing addition he contemplates building. Kramer said it should be no less than 6 in. of rock for the surface to work with as a road. The area would have to be graded up, AB3 rock laid and rolled in. Shepard had stated he would put in everything but the black top. One member said if the city was going to annex or take the street over in the future, they should make sure it is done right. The clerk said she had contacted the city attorney and his advice was, council should make sure to get it very clear as to who is going to keep the gravel road up until the point that the city accepts it for surfacing. He said to get it clear and in writing. The council went on to discuss utilities. It was agreed when Shepard comes before the council again to have the property annexed, all things discussed tonight would be reviewed with him. The subject was tabled.

WATER/SEWER DEPT. REPORT: Bruce Smith reported he had checked around town and the only areas he could locate that were in need of additional fire hydrants were in the area of the 100 block of Cedar and one in the area of the meat processor on First Street. The clerk assured the council there was money in the budget for the project. The council agreed by consensus for Smith to go ahead and install hydrants in both areas.

Fire protection in the area of the Methodist Church was discussed. Smith reported there were two hydrants in the vicinity, one at Tenth and Maple and one at the west end of Tenth. One member suggested the possibility of the church checking with the Rural Water District to find out if they would or could install one at the north edge of the property.

Smith also reported there was more work to be done in connection with the hydrant he had installed at Seventh and Locust. He said he needed to install another block of 4 inch line in lieu of the 2 inch line presently there.

In connection with the two wells previously discussed, Smith said the problem with the new motor at well 3 had been taken care of and was now working properly. He said there was still some problem with well 2. He said it appears now they will have to install a new motor and pump. He said they tried to clean up and use the old one but it only worked a day or two and then went out again. He said they were working on it now.

Smith said he had been in contact with the water tower people and they said they would work on the west tower within the next couple of weeks.

STREETS: Smith reported several residents had asked him if there was any possibility of removing some of the loose gravel from the streets. He said he had added gravel during an icy period and that really accumulated. He said the only place he had talked to was Sunflower Rents in Topoka. They have a parking lot machine -- 4 ft., self-propelled, hopper catching device that rents for \$180 per day. He said he had not checked with any of the street companies yet. After a brief discussion, Smith was instructed to do some more checking. The subject was tabled.

MISC: Smith requested permission to attend a Rural Water District Seminar in Salina. After a brief discussion, J.A.Cordts made a motion, seconded by Cliff O'Bryhim to authorize Smith to attend the seminar with the city picking up the cost of the registration fee and motel for one night. Motion carried.

Mayor Hamit asked  
in front of the Co-op ;  
the cement well in it  
Leo Lang and it would  
into the box recently

the grates on Maple  
falling in, basically  
said he had contacted  
cross Market and flow

Councilman Fox as  
he had ordered parts a  
he would have to use t  
meter setter.

Stadlers. Smith said  
ver arrived. He said  
splicing in a new

The clerk asked p  
municipal court room.  
years old. It was agr

ies for the city hall and  
were approximately 25

911 SERVICE: The  
with Overbrook being o  
on 911 but it was in Douglas County. She said at this point the dispatcher would know the call was coming from Overbrook but would still refer the call to the Douglas County Sheriff who would in turn refer the call to the Osage County Sheriff Dispatcher. She said she was told by the end of the year, there would be what is called 'Enhanced 911' installed which would give everyone better service. She was told on Enhanced 911, when a call comes in to the 911 dispatcher, a map board will light up at the exact location of the call thus making it easier for the emergency people to locate the residence or business more timely.

one calls in connection  
x indeed was connected

SWIMMING POOL REPORT: J.A.Cordts, Council liaison for the swimming pool, reported he had been in contact with Connie Fenton, pool supervisor in connection with new pool employees. He said in lieu of the city paying all the training fees at one time, he felt there should be a definite policy implemented. It was noted the city had paid for the training fees last year and only one person came back. It was also noted the training was good for three years. After a brief discussion the council agreed the city would pay 50% of the training fee the first year and 50% the second year if the employee comes back to work for the city. Reimbursement would be made only if the person passed the course.

Salaries for 1991 were set as follows: Manager 4.25 per hour, Senior guard \$3.75, first year guard \$3.50, basket keeper \$2.75, head lesson instructor \$5.00 assistant lesson instructor \$4.50, and supervisor \$25 per week. It was noted the supervisor and instructors would not receive a bonus. It was also agreed by consensus the supervisor would oversee hiring, coordinate lessons, make deposits daily and generally oversee pool activities. The city clerk would take care of all bookkeeping and payroll.

FOURTH OF JULY CELEBRATION: Dale Fox suggested, after talking to the fire chief, that there be a formal Fourth of July Celebration. He suggested fire works, picnics, possibly ice cream social and anything else that could be initiated to make it a real celebration. He also suggested maybe having craft stands and maybe the fair assoc. would like to have a food sale. He said he thought if the city sanctioned it that would give it a good kick off. He said he would be happy

to spearhead the operation along with the fire department and anyone else that would be interested in helping out. He said they would like to make it as big as possible, not just for the troops returning from Desert Storm but for all veterans. He asked if the city could donate something to get it started. The clerk suggested he get a ball park figure for the fireworks, etc and come back to the council that way they would know how much he was going to need to get it off the ground. The Council agreed by concensus for Fox to be the liaison between the city, fair assoc, fire department, etc.

MISC: J.A.Cordts reported he had been approached by a citizen who was concerned as to why the city patrol car was seen in Topeka. The clerk said the police chief many times had to go to the KBI on business and also Mayor Hamit noted he had given permission since it was job related. The clerk also noted he had to stop at Hypermart to pick up a telephone for the police station.

Mayor Hamit reported he had talked to the high school about a banner to welcome home the 190'lh, to be hung on the township building. The clerk was instructed to send a thank you letter.

J. A. Cordts made a motion, seconded by Cliff O'Bryhim to adjourn the meeting. Motion carried. The meeting was adjourned at 9:50 PM.

Respectfully submitted,

Mildred J. Cannon  
City Clerk

mjc

approved \_\_\_\_\_

## MEMBERS PRESENT:

J.A.Cordts	Floyd McGuire
Dale Fox	Mayor Richard Hamit
Cliff O'Bryhim	

## MEMBERS ABSENT:

Dennis Graves

## OTHERS PRESENT:

Manie Minford	Larry Woodson
Jeanne McDowell	Ed Harmison
Marilyn Land	Bruce Smith
Bob Shepard	Max Friesen
Cheryl Brown	Millie Cannon

The meeting was called to order by Mayor Richard Hamit at 7:30 PM. The clerk called the roll. There was a quorum present.

MINUTES: The minutes of the January 9, 1991 regular meeting were reviewed. J.A.Cordts made a motion, seconded by Cliff O'Bryhim to approve the minutes as written. Motion carried.

WARRANTS: Warrants No. 6766 through 6819 were presented for payment. Cliff O'Bryhim made a motion, seconded by Floyd McGuire to approve all warrants. Motion carried.

OVERBROOK BETTERMENT COMMITTEE: Marilyn Land, Chairperson, Jeanne McDowell and Manie Minford, members of the Overbrook Betterment Committee were present to request permission to pursue placing the city hall building on the State Historical Register. Minford acted as spokesperson. She explained Earl ~~Hough~~<sup>Hugh</sup> (Overbrook native) had started working on the project but inasmuch as he is not a resident of the city he could not follow through with it. Only a resident can do it. He asked the betterment committee if they would be interested in continuing with the project. She said the committee had agreed and had gone ahead and contacted the Historical Preservation Dept. She said their initial reason for coming before the council was to request permission to go ahead with the project. She noted there are a number of residents interested in it and that the Ridgeway Lodge (upstairs) had already given their permission for the committee to proceed. She gave a brief history of the building noting that it is the only downtown building that has retained its historical form. She also noted the building was included as a part of the Centennial Logo.

Minford presented a letter from the Kansas State Historical Society explaining what had to be done (attached). She noted that if indeed the building was accepted, any building permit application for any building within a 500 foot radius of the city building would have to be approved by the Historical Preservation Dept. This would take in almost all of the business district. Minford said she understood the Society representative to say, if an application was turned down, it would go back to the city council and they would have final say. The subject was discussed at length after which Floyd McGuire made a motion, seconded by Dale Fox to give the Betterment Committee permission to proceed with the project as stated above. The motion was discussed at length. One member felt the people within 500 ft should be contacted to see if anyone objects to the requirements inasmuch as it will effect their property. It was also suggested that something might be put in the paper about it. The motion was then voted on and was defeated. 1 vote yea (McGuire) 3 votes nay (O'Bryhim, Fox, Cordts). Minford was asked to get something in writing from the Historical Society in reference to their policy. The matter was tabled to the March meeting.

REQUEST FOR ANNEXATION/INSTALL STREET: Bob Shepard was present to request the city give consideration to extending Ash Street south to the cemetery road. He said part of the property is in the city limits and part of it would have to be annexed. Shepard said he would like to sell lots for new homes and he would be willing to install a gravel street but could not afford to put in a blacktop one. One member noted others had been turned down recently when they requested a street and that property had been in the original city and had retired many bonds etc. Shepard's idea to install a gravel street was discussed at length. One member noted he hated to turn down new construction. Another member said if it is graveled it would eventually fall to the city to pave it anyway. It was also noted if only one house was built it wouldn't be feasible. Shepard had said he had tentatively sold one lot. He also said he didn't intend to have it platted. He just intended to have it surveyed and then sell one lot at a time. Utilities to the lots was also discussed. The Mayor said he was still concerned about the road, he said he didn't want the city to be set up to have to maintain a mud bog. He felt some boundaries needed to be set in reference to this. He said he didn't want the city to have to go in and rebuild this road for two or three years before it is sealed. It will be necessary to decide who is going to do that.

Bruce Smith was instructed to obtain whatever information is necessary in connection with the road building and also to get estimated costs for water and sewer service to the area. The subject was tabled to the March meeting.

HOUSING COMMISSION REAPPOINTMENT: Mayor Hamit asked that Morris Wilson be reappointed to the Housing Commission. Dale Fox made the motion, seconded by Floyd McGuire to reappoint Morris Wilson to a four year term on the Housing Commission. Motion carried.

CLERK REPORT: The clerk reported Rae Johnson had requested a MPH reduction sign be placed on the county road north of the city limits. She said she did not feel it was right to drop from 55 to 30 without notice. The clerk was instructed to write to the proper authorities, noting this is a violation and should be taken care of right away.

The clerk brought up the subject of dog tags. The matter was tabled to the November meeting.

CITY MAINTENANCE REPORT: Bruce Smith reported wells 2 and 3 had been repaired but there was still some problem with them. He thought it would be fixed right away.

Smith reported in checking out another item, it came to his attention that fire hydrants should be installed at several locations. He said they were beyond the 300 ft limit for adequate fire protection. He was instructed to check out all areas of town and get back with the council at the March meeting. It was noted the fire hydrants would be installed wherever necessary.

Smith requested permission to purchase a new push lawnmower. He was instructed to get prices and present them to the council at the March meeting for review.

POLICE REPORT: Ed Harmison gave the police report in the absence of Police Chief Dean.

Harmison reported Douglas County now has put in the 911 emergency number. He said it takes in the 665 prefix in the west portion of Douglas County which also means it takes in Overbrook. The subject was discussed at length. The clerk was instructed to check into all aspects as to whether we are to use the number, if it would take longer to get emergency service if we do, etc. The subject was tabled to the March meeting.

MAYORS REPORT: Mayor Hamit reported he had received a letter from the After Prom Party sponsors requesting a donation. He noted the council had approved \$100 last year. Dale Fox made a motion, seconded by Cliff O'Bryhim to approve the donation of \$100 to the After Prom Party. Motion carried.

Mayor Hamit reminded the members that the Community Improvement Council meeting would be February 14. He also announced the Osage County Economic Corp meeting would be February 21 at Merlin's Place in Osage City for dinner and the business meeting would be at the board room of Kan-Build Corp.

He also reported he had received a communication from the Kansas Community Leadership Organization extension service of Kansas State in reference to a leadership training program. He said anyone wishing to attend, let the clerk know.

ADJOURNMENT: Floyd McGuire made a motion, seconded by Dale Fox to adjourn the meeting. Motion carried. The meeting was adjourned at 9:15 pm.

Respectfully submitted,

Mildred J. Cannon  
City Clerk

mjc

APPROVED \_\_\_\_\_



# KANSAS STATE HISTORICAL SOCIETY

CENTER FOR HISTORICAL RESEARCH

120 West Tenth • Topeka, Kansas 66612-1291 • 913-296-3251

KANSAS MUSEUM OF HISTORY

8425 South West Sixth • Topeka, Kansas 66615-1099 • 913-272-8681

February 11, 1991

Manie Minford  
Overbrook Betterment Committee  
221 Walnut  
Overbrook, Kansas 66524

Dear Manie:

Thank you for your visit last week regarding the eligibility of the Overbrook City Hall and Ridgeway Lodge No. 62 A.F. & A.M. for the Register of Historic Kansas Places. The building appears eligible for listing on the Register of Historic Kansas Places and I would encourage the Overbrook Betterment Committee to pursue such a listing.

To develop the social history for the Overbrook City Hall and Ridgeway Lodge No. 62 A.F. & A.M. your committee will need to answer the following questions and address the following issues.

- 1) Briefly discuss the history of Overbrook. When was Overbrook founded and why. Describe downtown Overbrook in 1897- what businesses were there?
- 2) Discuss the history of the Kansas State Bank from its founding to its present state. Who was involved in the founding of the bank and who was active with the bank in 1897, when the building was constructed?
- 3) Discuss the history of the Ridgeway Lodge No. 62 A.F. & A.M. from its founding to its present state. Discuss the lodge's involvement with the building.
- 4) Who actually constructed the building? Who supplied the materials for the building? Who designed the building?
- 5) Provide older photographs of the bank, interior and exterior.

To accomplish this research, I would suggest that the committee first look at all secondary source material dealing with Overbrook's history. These sources are available at the local library and at the Kansas State Historical Society. From there,

Minford (2)

search the newspapers from the construction period. These newspapers are available on microfilm at the Kansas State Historical Society. From there, contact the Kansas State Bank to review their historical records.

This information should be compiled into an essay format. Specific documentation for all facts and figures is important, so remember to footnote and to develop a bibliography.

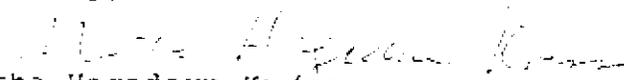
Once the essay is compiled it should be sent to me for my comments and evaluation. When I feel that enough information has been compiled to justify the significance of the building for registration purposes, I will schedule a site visit to photograph the building, and will schedule the building for the next possible State Review Board meeting for register consideration.

Once the building is listed on the Register of Historic Kansas Places, it becomes eligible for 90/10 maintenance grants through the Heritage Trust Fund, a program that is administered through our office. Additionally, once the building is listed on the register it falls under the review protection of the Kansas State Historic Preservation Law. This law is triggered when a permit is requested for a project that directly or indirectly effects a state or national register building. Before the permit can be granted, our office must provide an opinion as to the impact of the project on the register property. If there is a negative impact, our office will work with the project sponsor in an effort to mitigate all negative effect.

The intent of register listing is to protect historic properties from demolition and alterations. The Heritage Trust Fund and the Kansas State Preservation Law are effective tools that can be used in the direct preservation of register properties.

I am very pleased that Overbrook has expressed an interest in the registration of the Overbrook City Hall and Ridgeway Lodge No. 62 A.F. & A.M. I look forward to the opportunity of working with the Overbrook Betterment Committee on this project.

Sincerely,

  
Martha Hagedorn-Krass  
Architectural Historian  
Historic Preservation Department  
913-296-5264

QUESTIONS AND ANSWERS  
Concerning  
The Protective Measures of the Kansas Historic Preservation Law

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1. Question: What governmental entities are affected by the state preservation law?  
Answer: The state and all state agencies, boards, institutions, offices, authorities, commissions, colleges, hospitals, etc., and any county, township, city, school district, special district, regional agency, redevelopment agency, and any other political subdivision of the state.
  
2. Question: Which properties are protected by this law?  
Answer: Only those buildings, structures, sites, objects, and districts listed on the National Register of Historic Places or the Register of Historic Kansas Places and their environs.
  
3. Question: How can one determine what properties are listed on the National Register of Historic Places or the Register of Historic Kansas Places?  
Answer: Call or write the Historic Preservation Department, (hereafter referred to as HPD) Kansas State Historical Society, 120 West Tenth, Topeka, KS 66612, (913) 296-7080.
  
4. Question: Who is the State Historic Preservation officer (hereafter referred to as SHPO)?  
Answer: Ramon Powers, Executive Director, Kansas State Historical Society, 120 West Tenth, Topeka, KS 66612.
  
5. Question: To whom should questions and requests be addressed?  
Answer: Historic Preservation Department, Kansas State Historical Society, 120 West Tenth, Topeka, KS 66612.
  
6. Question: What constitutes a project?  
Answer: As defined in the 1981 amendment to the state's historic preservation law, a project is
  - a. any activity directly carried out by state or local government entities;
  - b. any activities carried out by individuals, firms, organizations, etc., which receive financial assistance from any state agency or local government entity;
  - c. Any activities involving the issuing of a lease, permit, license, or certificate by a governmental unit--this would include zoning changes.

changes, etc. The SHPO recommends that contact be initiated with the HPD staff in the very earliest stages of project planning to insure that proposed projects will not adversely affect historic properties or their environs.

11. Question:

Answer:

How will the SHPO investigate the project?

Depending on the type and complexity of the project, the SHPO and his staff may do some or all of the following: analyze the plans, specifications, maps, photographs, and other forms of data explaining the proposed activity; inspect the historic property that may be affected; hold a public hearing to gather information, determine local attitudes and explore alternatives; request the advice of the Kansas Historic Sites Board of Review; conduct historical, architectural, or archeological research; consult with recognized authorities in history, architecture, architectural history, archeology, or other relevant fields.

12. Question:

Answer:

How long will it take the SHPO to review a project?

According to the law, the SHPO's investigation of a project must begin within 30 days following his notification. If it doesn't, the project is considered to be cleared. As a rule HPD staff will study the project information within ten working days after it is submitted. If more material is needed, it will be requested, and the investigation will not proceed until sufficient information is obtained for the SHPO to make a decision. Most project reviews can be concluded within fifteen working days.

13. Question:

Answer:

What decisions can the SHPO make on a proposed project?

Legally, he has only two options. He may determine that the project as proposed will have no adverse effects on the historic property and clear it, or he may determine that it will "encroach upon, damage or destroy..." the historic property or its environs. Unofficially, prior to the SHPO's rendering of the second opinion, HPD staff will try to work with the project sponsor to make adjustments in the project that will avoid adverse effects to historic properties and so alter the project that it could be approved. If changes cannot be made, the SHPO may then formally send a letter to the project sponsor in which he "determines that such proposed project will encroach upon, damage or destroy..." a historic property.

14. Question:

Answer:

What is the result of the SHPO's determination of an adverse effect? The project cannot proceed until (1) the governor, in the case of a state project, or the governing body of the local political subdivision involved has determined after consideration of all relevant factors that no "feasible and prudent alternative" exists to the proposed project and that the project contains provisions to minimize damage to historic properties and (2) five day's notice of such determination has been given to the SHPO by certified mail.



## MEMBERS PRESENT:

CLIFF O'BRYHIM  
DALE FOX

J.A.CORDTS  
MAYOR RICHARD HAMIT

## MEMBERS ABSENT

FLOYD MCGUIRE  
DENNIS GRAVES

## OTHERS PRESENT:

MAX FRIESEN  
ED HARMISON  
BRUCE SMITH

CHERYL BROWN  
MILLIE CANNON

The meeting was called to order by Mayor Richard Hamit at 7:45 PM. The clerk called the roll. There was a quorum present.

MINUTES: The minutes of the December 12, 1990 regular meeting were reviewed. J.A.Cordts made a motion, seconded by Cliff O'Bryhim to approve the minutes as written. Motion carried 3-0.

WARRANTS: Warrant No. 6722 through 6765 were presented for payment. Cliff O'Bryhim made a motion, seconded by J. A. Cordts to approve all warrants. Motion carried. 3-0.

CHECK SIGNERS: Cliff O'Bryhim made a motion, seconded by Dale Fox to retain Richard Hamit, Mildred J. Cannon, Max J. Friesen and J.A.Cordts as official check signers. Motion carried 3-0.

OFFICIAL DEPOSITORIES: Dale Fox made a motion, seconded by Cliff O'Bryhim to retain Kansas State Bank and First Security Bank as official city depositories. Motion carried 3-0.

WELLS/AUTOMATIC CONTROLS: Bruce Smith reported he had checked the cost of replacing the radio equipment at the wells in lieu of installing telephone controls. This information had been requested by the council at the December meeting. Smith said the cost for radio control would be approximately \$13,500 and telephone control would be \$3,750. He said he had checked with RWD 5 and they didn't have any used equipment for the telephone control system. The subject was discussed at length after which Dale Fox made a motion, seconded by J.A.Cordts to give Smith the authority to go ahead with the installation of the telephone control system. Motion carried. 3-0.

WELLS 2 and 3: Smith reported he had been in contact with Patchen Pump and Well Service of Lawrence in connection with the repair of wells 2 and 3. He reminded the council the wells had been pumping half volume since June. He said due to family illness, Jungmann had turned his business over to Patchen Pump and Well Service of Lawrence. Patchen had promised to look at the wells soon.

MISC: Smith reported there had been problems with sewer lines (2 by the pool and 1 by the meat processing plant) in the last month. Everything is ok now.

Smith was commended for doing a good job on the streets during the ice storm.

LAW: Ed Harmison gave the police report in the absence of Police Chief Dean. He reported Dean was attending EMT training school.

MISC: Mayor Hamit reminded the council there wasn't much time left to refile for office.

Mayor Hamit reminded everyone of the Economic Development dinner meeting January 17.

Max Friesen commended Police Chief Dean and his men for an outstanding job in handling the recent crisis.

Dale Fox made a motion, seconded by Cliff O'Bryhim to adjourn the meeting. Motion carried. The meeting was adjourned at 8:15 PM

Respectfully submitted,



Mildred J. Cannon  
City Clerk

APPROVED \_\_\_\_\_





... and the ... of ...



CITY OF OVERBROOK

MINUTES  
REGULAR COUNCIL MEETING

NOVEMBER 13, 1991

MEMBERS PRESENT: J. A. CORDTS, MARK CRIGER, DALE FOX, DENNIS GRAVES,  
CAROLYN MEERIAN, MAYOR RICHARD HAJT

OTHERS PRESENT: HELEN CRIGER, NORMA HUSTON, MAX FRIESEN, RON DEAN,  
CHERYL BROWN, BILDRED CANNON

The meeting was called to order at 7:30 pm by Mayor Richard Hajt.  
The clerk called the roll. There was a quorum present.

MINUTES/WARRANTS: The minutes of the October 9, 1991 regular meeting  
were reviewed. Mark Criger made a motion, seconded by Dale Fox to  
approve the minutes as written. Motion carried. Warrants no. 2312  
through 2384 were presented for payment. There was some question  
concerning warrant no. 2384 to Greenfield & Davidson, CPA,  
for services rendered and travel time for two people. It was agreed  
to contact and honor the warrant even though the agreement letter  
approved by the council October 9, 1991 did not state the fee would  
be per person. The clerk was instructed to write a letter to Green  
field requesting the services of one instructor to assist in the  
installation of and training for the accounting software system.  
Dale Fox made a motion, seconded by Carolyn Meerian to approve all  
warrants as presented. Motion carried.

SETTLEMENT COMMITTEE/CHRISTMAS PLANS: Helen Criger acting as  
spokesperson for the committee requested permission to use the swim-  
ming pool parking lot for the community christmas tree placement from  
December 2 to January 2. Mrs. Criger asked that the following re-  
quests be granted:

1. The electricity be turned on at the pool area from December  
2 to January 2.
2. A temporary flood light be installed at the east end of the  
bathhouse.
3. The pool parking lot be barricaded during the above dates.
4. Permission be given to use the pool parking lot for the  
community christmas caroling on December 3.
5. Use of the pool bathhouse December 3 to dispense hot choco-  
late during the tree lighting and caroling ceremonies.
6. Barricades be placed on Seventh Street at Maple and Elm and  
also at the entrance of Oak onto Seventh Street plus  
permission to have the school playground gate closed at 56 High  
way from 12 noon to 4 pm on December 7 for the sleigh rides  
(alternate sleigh ride date would be December 14).

Dale Fox made a motion to honor all requests except the one involving  
the school playground gate. The motion was seconded by Mark Criger.  
Motion carried. Fox explained permission would have to be given by  
the school to close the playground gate. Mark Criger was asked to

contact the proper authorities to take care of the gates. Mrs. Criger and Mrs. Hunter were thanked for coming.

COMPUTER PURCHASE: The clerk asked that the purchase of a computer system be acted upon. It was noted all estimates had been forwarded to the council for their review. After a brief discussion, Carolyn Neerian made a motion, seconded by Mark Criger, to authorize the purchase of the computer and related items from Linco, Lyndon, Ky. as listed. Motion carried.

ANIMAL CONTROL: Ron Dean discussed the pros and cons of animal control ordinances. He said he had been in contact with the state and had ascertained that the Health Department controls all areas in connection with animal control. He said he would like to have a simple ordinance implemented that would allow him to trap and haul the animals (including cats). The ordinance would have to be worded so that it would cover the person doing the actual hauling in connection with liability. He said the state statutes have changed dramatically in the recent past. After a lengthy discussion, he was authorized to contact the city attorney to try to get something in place. The clerk was instructed to contact the Kansas League of Municipalities to ascertain if they have anything along this line or if they are planning to address it in the near future.

In connection with this, the clerk asked if the council had given any thought as to whether to go ahead with the dog licenses as had been done in the past. After a brief discussion, it was agreed that licenses would still be sold. The clerk noted new licenses would be due January 1.

MISC: Mark Criger asked about several trees that needed trimming along the school bus route. He said he had been told that the limbs were damaging the buses. He gave the clerk a list of residences that were involved. The clerk was instructed to look into it and send whatever notices were appropriate.

Rux Friesen requested a cover be installed over the open manhole just south of the Co-op Tire Shop. It was agreed Bruce Smith would take care of it in the near future.

It was noted a large business sign had been installed on a garage in an area zoned for residential only. After a brief discussion the council agreed by consensus that Mayor Hamit would bring it to the owners attention that the sign must be removed. In answer to one member's question, it was noted the business just east of the garage is zoned conditional but that the garage is not included and the business sign is not advertising the conditional business.

LAW ENFORCEMENT COMMENDATION: Ron Dean handed out copies of a letter of commendation he had received from the FBI in reference to the help he and his men had given in connection with the apprehension of a kidnapper/murderer just west of Overbrook some months ago. The governing body also commended Dean and his men for a job well done.

COMMISSION/BOARD APPOINTMENTS:

Recreation Commission: Mayor Hamit requested the current members of the recreation commission be reappointed for another four year term. T. A. Gordis made a motion, seconded by Dale Fox to reappoint all members of the recreation commission. Motion carried.

Board of Zoning Appeals: Mayor Hamit requested the current members of the board of zoning appeals be reappointed for another four year term. Carolyn Meerman made a motion, seconded by Mark Criger to reappoint all members. Motion carried.

Housing Commission: Mayor Hamit requested Rosemary Topping be reappointed to the housing commission for another four year term. Dale Fox made a motion, seconded by Mark Criger to appoint Topping to another four year term. Motion carried.

MISC: Dale Fox reported he had been contacted by Robert DeCarlo in reference to the tube at the a Joy behind his home on the Fifth Street side. He said the tube had been damaged by automobiles using the exit and he felt a longer one should be installed. The clerk was instructed to notify Bruce Smith.

MOTION TO ADJOURN: Dale Fox made a motion that the meeting be adjourned. Dennis Graves second. Motion carried. The meeting was adjourned at 8:50 pm.

Respectfully submitted,



Mildred J. Cannon, City Clerk

APPROVED: 

**MEMO FROM**

MILDRED J. CANNON  
CITY CLERK

**CITY OF OVERBROOK**  
401 Maple, P.O. Box 288  
Overbrook, KS 66524

November 13, 1991

MAYOR AND COUNCIL,

This is a rough transcript from the tape of the October 9, 1991 council meeting in reference to the Community Cooperative Development grant money requested by Dick and Elaine Wells dba Northbrook Lumber. It will not come up at the council meeting until at least December 11 or maybe later. Elaine has not supplied us with the grant book which she said she would obtain from the Dept of Commerce. I think possibly this will help until we get the grant book (rules and regs)

*Millie*



The students are coming down from Emp.State tomorrow at 4:30 PM and they have been down one time, they brought the whole class down - the marketing class - it is a business admin. class on marketing, they came down a couple of weeks ago and when through our business and we explained what we were going to do where we are going to do it and how we thought we wanted to do it, now they are sending a memo and we ~~are~~ are going to finalize things and they are going to start the research on ~~this~~ the feasibility or marketing ability of this product we are looking at, we are going to throw some other products in there, now, I am going to do this to some extent because I am not going to add on any more adds, we have added over 3,000 sq ft down there and it is creating too much overhead, I need to turn it into more productive -----if you have any questions on the concept of it, ~~ask~~ I would like to answer it now and then turn this over to Donna Crawford ~~is~~ I am not sure if I can explain this right, Donna is a Government services counselor . She has the Gov Asst Eva that we handle all gov grants -- we are not affil with the state. WELLS: you do the services, to assist in ~~and~~ in getting the money. CRAW: I add, the grants to make sure you meet all ~~standards~~ state and federal guidelines--- regulations. WELLS: If you don't have any questions for me on what we are trying to do, I know it is kind of patchwork in here but if you don't have any more questions so that I will turn it over to Donna Crawford. He introduced her husband, Bill, - WELLS: Donna can explain what we would be asking of you - what the gov would need to help us in doing this. BONNA CRAWFORD: handed out business cards. "probably everyone will prob want to know what type of obligations the city has when they apply for a grant, let me explain, what we will be applying for is an ECONOMIC DEVELOPMENT GRANT under the small cities ~~program~~ program. You have to have a low to middle income of 51% and that doesn't mean city wide on an econ dev grant, you ~~would~~ would never make it. You are about a 30% and it is pretty to get 18 points unless you play with the figures an awful lot. ECON DEV GRANT is application of \$25,000 per job retained or jobs created and a 113 of \$200,000. The obligation of the city is the fact of applying for that grant because you sign all papers or documentation that goes in with that grant, the obligation of the company that applying with you is to match, if it is below 200,000 they are applying for for every \$2 that they get state gives they have to give a dollar. If it is over \$200,000 they have to match dollar for dollar. They have to put their money in too. What happens ~~is~~ <sup>is</sup> this grant is acquired by you, you are then the bearer of the money, you have the control over the money. You will put forth how you are going to spend the money when the appl. goes in by working with the company that you are applying for. Once this money is acquired and, for instance, I am going to say, so he ~~will~~ builds an additional building, for that \$200,000, within an 18 mo period he has to put at least 51% of the employees have to be low to middle income and at the beginning of the grant he has to state whether he is going to put 10 or 20 people to work and at the end of that 18 mo period those 10 or 20 people have to be on the job. If he meets the criteria of the 51% ~~low~~ low to middle income, and that is based on state figures as far as the income, then starts paying you back between the rate of 3 to 5 %, it is usually the rate you can set on the money that you have acquired so ~~far~~. The city in actuality hasn't lost that money that you have applied for, what you basically are doing is, you are getting the grant money and you are loaning it to him it becomes his obligation, after that 18 mo period you will put a contract up with this gentleman and he will pay you and the state will set your interest rate, between 3 and 5%, he will pay you back and usually it will be anywhere from five to ten years, an agreement of payback would be set up at the time ~~at~~ the grant is enacted. The great thing about you applying for this grant for him is the fact that once you have this money in the city, and he is paying you back, you can use that money to reestablish a new firm that would like to come in, as long as you are putting that

either back into his company to enlarge it or putting that money back into a new firm, you don't have to let go of that money, as you get say \$500,000, you simply collect the \$500,000 as you get \$500,000 that is just going to continually roll over so that you can shove it into somebody else's business. In other words it is going to help you with ECON DEV. His idea is very unique, and I think it would really go and the thing is that once ~~xxxx~~ his business starts loosening and turning over and you shove more money back into his business, that's if he is making a profit, because you are going to look at his statement and loss and you are going to watch everything that's going being done if you are going to put the money back, the business continues growing, it is going to help econ growth in your city. The only obligation as far as the grant itself is the fact that if he doesn't meet the 5% obligation you are going to have to pay some of that money back. That money is going to go back to the state that he pays back, he is still going to pay you back, he has an agreement with you and you are going to send it back to the state if he doesn't have his 5% low to middle income. Now, this is for 3 year period that you know that most of your state records have to be kept. After that 3 year period is up, or that grant period is up, and you close that grant out, he can start paying his people \$30 to \$40,000 a year if he wants. That low to middle income is not going to effect whether you have to pay the money back once that grant is closed out but if you close that grant you had better have 5% low to middle income. So in actuality if you go ahead and plan to do this for him, you are helping your city too. This city would, you are close to everything. It is a nice city. MARC: I think we checked it out before tonight, the best we could figure we already meet that criteria, I mean we have low income. It is low salaried people, they are low wage people. We meet that ix and probably will for quite a while until something booms. \_\_\_\_\_ something innovative because our market, we are never going to have urban scale. CRAWFORD: your low to middle income has not been low, you have metropolitan figures pretty much for your area. Let me give you an idea. Say he has 10 employees, and we base it on his family income, how many people are in the family, entire family income -- let me give you a basis here -- these are the old figures, by the way, I always like to explain too that when your grant school starts in Jan a few guidelines always change and we do have new individuals as directors and there are a lot of changes made but I don't think the ECON dev Grants are going to vary that much as far as figures. Your low to middle income range <sup>will be</sup> probably go up this year, hopefully. A one person family though can make \$21,750 and you are still considered low to middle income. 2 person family is \$24,850 etc. I could continue talking and talking and it wouldn't mean anything to you, do you have any questions at all that I can answer for you? Now what I am talking about up here but I can get pretty confusing if I go on and you may be indoubt about something. MARC: what if he was to default completely? I mean \_\_\_\_\_ all of a sudden waaaaa, he couldn't \_\_\_\_\_ anymore for some unknown reason? Does the grant money just what's left, just turn around and goes back, or how do they handle that. BILL: In Tongareva right now, if he defaults - number one you have a mortgage on his property, the city has no money at risk at all, it is all state money you are dealing with, the city's biggest problem is administering the grant. That takes a lot of time. but should he default, we had come that almost defaulted, they didn't ~~xxx~~ we would have repossessed their buildings and you have to prove to the state that you will do this because if you don't, they are going to take all the money back from you. He has put MARC: what buildings are these? CRAWFORD: He is going to put up - he will put up enough assets to cover the amount of the grant i.e. \$500,000 for grant and he puts up \$300,000 worth of assets for a mortgage. We have right now, the City of Tongareva

holds a mortgage of \$300,000 on a \$500,000 building - our investment is very well covered. The state's investment is very well covered. The state will not let you play games with the money. The main advantage for the city is, once this thing takes off and flies, that money is yours forever. They monitor you once a year, they want to make sure you are not setting there just using it to build your general fund up, you're not allowed to do that. They want you to reinvest it back into your own economy. That is neat because you have basically whatever amount of money - is free money from the state. It doesn't matter if it is Edm or John Jones Auto Parts for increased inventory, whatever it is, you get that money forever. It is a tremendous program. It is a tough grant to administer. WELLS: The basic part of it, if the market feasibility pans out, we have the basis for it now in that system I put on the East side which allows that to happen. We are going to do it to some extent, because I am going to try. I have had this idea for two years and I have got to keep those guys busy or I'm going to have to put them out on the streets and they will draw unemployment. We had up to 16 people working at one time this year through the summer. Now I am back down to 5 or 6, right now that will be involved in this and I'm not going to say it's going to grow the first year but I have had a lot of people who are interested in this concept and if people drive downtown and go down some back alleys, drive down along about 15 doors before they can store their stuff, why don't/ <sup>they do</sup> it in the back yard for the same amount of money. That is the idea I have, plus we have the capabilities of doing it, we have the inventory right there, it is in the same buildings, we have the stalls to do it, we have been doing it, we have been building -buildings, we have only one or two things to do and we are going to go into production on it anyway. It is just a matter of whether we can expand on it and bring some of those wages up by going into a full time production. MAINE WELLS: The \_\_\_\_\_ development Center down at Emporia is offering a 75 mile radius they are going to do surveys on. It will include not only storage sheds but gazebos and -- 75 miles around Overbrook takes in Kansas City Topeka, Lawrence, Emporia etc. They are going to see if there is a market out there for it. <sup>DICK WELLS:</sup> ~~we know~~ there is a market for it in one sense of the word because we have so many people stop by the store just looking at these items. A lot of them can't afford to spend the \$300 or \$1500 whatever the item is. If they had an option to make \$30 or \$40 per month on it. BLANK: a couple of gazebos were rented and they ended up buying them. MAYOR: what kind of administrative \_\_\_\_\_ are we talking about? You said it was --DONNA CRAWFORD: It is a lot of work, you are busy. She said she has \_\_\_\_\_ requirements that you have to meet but it is paperwork that you hire an administrator to do, my company also does that. We have had plenty of experience in administering this kind of grants. Community improvement projects also. MAYOR: you are saying we will probably have to hire an administrator to at least -- DONNA CRAWFORD: yes, it would be by procurement procedure, you could take bids on it, for instance if I would happen to write the grant I would have to bid for the administration so you would be hiring an administrator. I don't know if your city clerk has had past experience in administration of grants or whatever, there are a lot of cities that attempt to do it themselves. Let me explain about the cost, there is a big change this year. The state does everything possible to protect the city when they go into EC Rev Grants, it is just like you getting the grant totally protected from any type of loss, he is the one that is going to incur the loss if there is any. Administration - used to be 10% of the administration of a grant would be taken out of the amount that you applied for a grant, this year they are going to only allow the cities to pay one-third of the administration and the company has to pay the rest. In other words, if you have a \$300,000 grant your administrator could \$20,000 get for administering the grant because they are going to be with the city for at least 24 months. We have 18 months to get it

into place, usually it takes 6 months or longer to get it closed out. You are going to pay 1/3 of it and the company has to pay the rest. The city no longer pays the full administrative fee, they won't allow it. You will do it by procurement procedures you will have your choice of who you wish to use as your administrator, if you should decide to do it yourself, you don't go through that, you just administrate it yourself and spend a lot of time down at the department of commerce if you administer the contract. They will cut you on the administration of the contracts. ELAINE WELLS: there are some cities around that have used this - could you explain how some cities around that have used this, can you explain possibly an example or two in the near vicinity, how some of the cities have used it for community development or businesses and/or \_\_\_\_\_?

ELAINE: Persons got \$300,000 last year but I can't remember what it was on.

DONNA CRAWFORD: I'm not sure sure is on --- BILL CRAWFORD: ~~have~~ year In Tonganoxie we got a new company that we got to come into the city, they are making a very successful profit right now. The rules change every year. There was a \$345,000 grant and they put in \$700,000 of their own money at 3% money and they would have paid anything to get the 3% that is why they wanted it so desperately. They employ about 10 people, they started out with 12, everyone of them live in Tonganoxie. It helps your economy. It is a good program. ELAINE WELLS: Harry Thompson tried to get one down at Emporia. It is a trucking co and they didn't go through Commerce. Commerce wouldn't go with it because they had trouble with one of the trucking companies down at Emporia. Any kind of business can apply for expansion, economic development - Oage City got one year before last. I didn't know if Overbrook had ever applied. MAYOR: is this for new business' as well as established? Do you feel we would be required to hire an administrator on an ongoing basis or do you think after it is set up, what is the history of the small cities?

DONNA CRAWFORD: First you hire a grant writer to write the grant, once the grant is acquired and awarded to you that is when you go into the aid of the administrator. It wouldn't do you any good to hire one now, MAYOR: no, but I am thinking if this happens, which I presume we are going to have to attempt to make it happen, if we decide we are going to go that way, and I am looking down the road next year, five years, what are we looking at, if assuming we get the grant. What are we going to be required or what do you feel would be required of the city as far as hiring an administrator and cost to the city I guess, is the bottom line. DONNA CRAWFORD: well there really wouldn't be any cost to the city because if you applied for a grant you would only pay 1/3 of it and that would come out of the grant money now, not out of city funds. BILL CRAWFORD: what about the grant writer? DONNA CRAWFORD: the grant writer, that would be up to the city if you wanted to share in the grant writing expense. MA: what kind of expense.

D.CRAWFORD: my company charges \$1,000, \$2000 up front and \$200 at the signing of the grant. MA: and that is payable if you get the grant or not? D. CRAWFORD: That's right. We are a little more unique, if we are awarded the administration of the grant we we refund your grant writer fee off the 10% that we can ask for administration, we take it off the top when we make our bid. Governmental Assistance/<sup>Services</sup> year acquired 100% of all the grants they applied for. The year before we acquired 85.6%, the year before 92.3%. We usually don't write grants unless we think they are feasible projects.

MARC: when you said share the expenses, <sup>of grant writing share with the company?</sup> how'd you mean? D. CRAWFORD: it depends on what the city wants, some cities share the expenses with the company, some cities pay for the grant writing outright and then if something would occur, make an agreement with the company that if the grant is not given, that they will pay half the grant writing expense that was lost, it just depends on how everyone wants to make their agreement. The grant writer sits back and lets the city and the business take care of the expense, deciding how they want it paid for. ELAINE: she said she didn't take them on unless they are pretty sure of them. D. CRAWFORD: we don't guarantee you are going to get it, you never know what's going to happen. It is just like this year, I didn't plan on getting 100%

of my grants because I didn't have leverage money on some of them. They were well written grants but you don't usually get grants without leverage money. ELAINE: The state is really looking at the manufacturing industry wouldn't you say? B. CRAWFORD: of course it is always nice if the city is going to go ahead and support this, the grant writing if they are going to get it refunded, once the grant is closed out, our company is unique we are the only company that I know of that will refund your grant writing if we are awarded the administration. You might also want to know there are 3 different rounds of applying for economic development grant, first one is in March, preliminaries have to be handed in in March, final draft in April that is the first round. 2nd one is the preliminary draft in June and the final application is the 12th. They always go over the preliminary preapplication and hand it back to you and tell you what they don't like, you clean it up and give it back to them before they grade it. and your final or 3rd step is September 9 turn in the prelim and Sept 30 application deadline. You have 3 rounds you can fight for within a year for ~~each~~ economic development grants. STARO: how long \_\_\_\_\_ B. CRAWFORD: we wouldn't hand it in until June. we would like to give it a good 3 months, we start on our grants ahead of time, we talk with a lot of people, I don't just sit behind a desk and write it, I visit the departments ~~xxx~~ spend a long time with the Dept of Commerce. MAYOR: when are you going to have results with the marketing research. BICK WELLS: it will probably be sometime in December when the finalization gets in, we should have it for you sometime around the 12th of December. It is - the expansion end of it is what we are looking at, like I said, we are going to do something, we have to do something thru /<sup>the</sup> winter. This is a concept we have been working at and it is going to happen to some extent whether it happens big enough to go on to do something great time will only tell on that but I know one thing, we pay approx 2 to 3,000 a week in salaries and if we put them on unemployment we lose them, that is quite a little bit. \$8 to \$10,000 per month in salaries. If we cut that back to about \$1,000 a month or 2,000 or 3,000 a month or something like that ~~xxxxxxxxxxxx~~, we are bringing right now we are doing the biggest percentage of our work in 5 to 30 miles away, we delivered gazebos to Gardner, or south of Gardner, we have people in North Kansas City, we have people in Junction City, Salina, Oklahoma, who are interested in gazebos and sheds and I don't know how many sheds we have built that are around or gazebos. There are people in there every weekend when I am at work. A lot of them come from out of state, completely out of the country, totally out of the city. Right now most of the work we do \$800,000 a year right now roughly we do mostly comes from out of the city. We do more work 5 to 30 miles away than we do down here, I suppose that is my fault - there is something else to be said there but we are trying to bring money in here. The city gets within a 5 mile radius. MAYOR: when would the city have to make a decision as to whether we are going to sponsor this or not, what I am thinking is, there really isn't much you can do until the marketing research is done and all of that I presume. Is that correct? B. CRAWFORD: right. And that won't come until December so we should know sometime in January or by the January to be able to do our grant justice. You still have plenty of time to - because you would want to see the marketing study first. MAYOR: Does the council have any questions? Deunta and JA felt we should take a look at it. Any way we could help out-- B. CRAWFORD: said she appreciated it, she said I think you have a good thing, do you have any other questions? MAYOR: probably. JA: It would be helpful to have some info on it so we could look it over and know exactly what it is we are talking about here. B. CRAWFORD: offered her grant back for the council to look at. ELAINE: said she would pick up a copy and get it to the city hall. She said she would go to the Dept of Commerce in Topeka, she said she would have it by the ~~xxx~~ ~~at~~ November meeting.

CHICER: Is there any way we could get it dropped off then we could pass it around  
CLERK: you can drop it off at the office and I will see that the council gets it,  
we will circulate it. ELAINE: are you in here every day? CLERK: yes. We are not  
here in afternoons but we have a drop box. MAYOR: how much addn. work would this put  
on our clerk and asst. clerk. D. CRAWFORD: none. MAYOR: that is if we hire someone  
to administer it. D. CRAWFORD: if you hire the right administrator. Our company  
does all the book work, we keep all the records for you, everything is kept in city  
hall, we will come in here and work and you put us in a little corner so we don't  
bother you. She will have to cut checks and you will have to approve payment of course,  
but other than that, we don't put anything on the clerk whatsoever or assistant.  
They have enough to do. MAYOR: any other questions? I presume you will keep us posted  
on where you are at so we can plan accordingly. ELAINE: you might put me down on  
the December agenda and I will come and tell you what cities and municipalities did  
a few years ago. THEY WERE THANKED FOR COMING AND LEFT.

## MEMBERS PRESENT:

J.A.Cordts	Mark Criger
Carolyn Meerian	Dale Fox
Dennis Graves	Mayor Richard Hamit

## OTHERS PRESENT:

Jack Kramer	Bruce Smith
Reps from Emerson Const	Cheryl Brown
Bill Crawford, City Manager	Millie Cannon
City of Tonganoxie	Max Friesen
Donna Crawford, Governmental Assist. Svcs.	
Dick and Elaine Wells	
Ron Dean	

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. A quorum was present.

MINUTES/WARRANTS: The minutes of the September 11, 1991 regular meeting were reviewed. J.A.Cordts made a motion, seconded by Carolyn Meerian to approve the minutes as written. Motion carried. Warrants No. 7264 through 7317 were presented for payment. Dennis Graves made a motion, seconded by Mark Criger to approve all warrants. Motion carried.

COMPUTER/GENERAL LEDGER PROGRAM: Bob Greenfield, Greenfield & Davidson, Chartered, CPA was present to discuss a 90 day agreement he had worked up to present to the council outlining the specialized consulting services that his company would provide to assist with the installation of and training of the ACCPAC BPI accounting software. He said the training and support time would be billed at \$45 per hour which would include telephone support calls plus \$22.50 per hour travel time. He explained that most of the training would be taken care of by one of his clerical people.

In conjunction with the purchase of computer hardware, Bill Crawford, city manager of the City of Tonganoxie (present for another portion of the meeting) offered the city two used NCR computers, a wide carriage printer and tape backup system. He said the city could bring them in and try them out for as long as six months before paying for them. He said he had permission from his council to sell them for \$2,000 total. He said the hardware is approximately four years old and that they had just outgrown the system.

The clerk asked permission to go ahead and purchase the software necessary so they would be ready to go on line before the next council meeting. Greenfield reminded the council that the ACCPAC BPI would be purchased through him per the agreement at a cost of \$395. He said if the clerk wanted it now, she would have to go ahead and purchase the SMARTWARE II word processor also.

After a lengthy discussion Dale Fox made a motion, seconded by Mark Criger to authorize the clerk to go ahead and purchase the necessary set up, word processor, also hire Mr. Greenfield per the agreement discussed previously and if after looking over the computers from Tonganoxie, they are found to be in good working order, go ahead with the purchase. Motion carried.

Greenfield reminded the council as part of the agreement, he would need a check tonight for \$395 to purchase the ledger software. It was agreed by consensus and check no. 7318 was issued to Mr. Greenfield.

WATER/SEWER BUDGET AMENDMENT 1991: Mayor Hamit present the proposed budget amendment at 8:00 PM. As there was no one present in opposition, Dennis Graves made a motion, seconded by Carolyn Meerian to approve the proposed amendment which amends the 1991 water sewer fund from \$184,580 to \$250,000. Motion carried.

1991-1 SEWER PROJECT BIDS/SHEPARD ADDN: Jack Kramer of Kramer Engineering was present to conduct the opening of sealed bids in connection with the Shepard Addn. sewer project. It was noted there were only two bids presented even though several others had shown interest. Mayor Hamit read the bids as follows:

Herman Excavating Inc., Topeka	Total bid \$17,184.95
Carl and Ken Emerson Const, Lawrence	14,635.00

Kramer noted the breakdown of costs would be, Meadowbrook Addn. \$3,710, Bob Shepard \$4,596 and the city \$6,329. He noted the engineering fee would be over and above this. Also discussed was the inspection to be done by Kramer Engineering @ \$36 per hour. Mark Criger made a motion to approve the low bid from Carl and Ken Emerson Const of \$14,635. Dale Fox second. Motion carried. Carolyn Meerian made a motion, seconded by J.A.Cordts to approve Kramer Engineering for the inspection. Motion carried.

STREET PROJECT/MAPLE ST: Kramer discussed the street project again. He said he had the contracts back and the bonds were in. He said all the city needs to do is to approve the contract, authorize the Mayor to execute same, then issue the notice to proceed. After a brief discussion, Dale Fox made a motion to execute the agreement. Mark Criger second. Motion carried. Mark Criger made a motion to authorize the Mayor to sign the notice to proceed. Dennis Graves second. Motion carried. Kramer said Killough was ready to begin Monday on the North portion. He said they would be willing to do additional work at the same unit price as bid. Mayor Hamit noted the work area had been approved for the additional work. Kramer said he would like to set up a pre-construction meeting with Bruce, the clerk, the contractor and himself at 10:AM Friday. He said he would go over the area with Bruce before the meeting so they will know how much area is to be done. In reference to the additional work, Carolyn Meerian made a motion to authorize Kramer to issue the notice of an award. Dennis Graves second. Motion carried. J.A.Cordts made a motion to authorize the Mayor to execute the contract agreement when ready. Dale Fox second the motion carried.

DICK WELLS/COMMUNITY IMPROVEMENT DEVELOPMENT GRANT: Dick and Elaine Wells were present to request the council give some thought to backing a community improvement grant for their business. They said they were giving some thought to opening a rent to own ministorage business. Also included in the rent to own would be the gazebos and other items. Dick noted the Marketing class of the Emporia State Univ. was doing a marketing survey of the surrounding 75 miles and should have some sort of report by the December council meeting. He introduced Donna Crawford of Governmental Assistance Services who explained the process to the council. Mrs. Crawford explained how the grant works and how much the city would be obligated for and also how much the city could tend to earn on the project. Wells noted he had thought about the project for some time. He said he needed to keep his employees busy or lay them off and have them draw unemployment and then maybe loose them altogether. The subject was discussed at length after which it was tabled to the December meeting.

MAINTENANCE REPORT: Bruce Smith reported the new truck was performing well. In answer to Mayor Hamits question in reference to part-time help, Bruce said he was using his employee a little now but not a great deal. He said he would use him again in the spring. He said his helper had done all the mowing this summer, had helped

put in the water line in the area of the sale barn and had been helping with the cleaning out of some tubes. He said they had started in the area of DonCarlose property.

Mark Criger asked about the holes on Maple St. Bruce explained they were where the valves are and that he had just received the parts necessary to raise them up. Criger asked if in the meantime he could paint something around them. Bruce said he would before winter.

A sign for the city maintenance truck was discussed. It was agreed by consensus that Bruce should go ahead and have a city sign painted on the doors of the truck.

LAW ENFORCEMENT REPORT/DOGS: Ron Dean reported on the dog problems he has had. He handed out a report showing how many he had been called out on other than the times he had taken the city maintenance truck to haul them etc. He said every fall there are a number of wild dogs that roam around the sale barn etc. He said in the past the dogs have killed some of the animals. He said they have dealt with them the best way they could.

Councilman Criger noted what the council had been discussing was whether or not an animal control officer was needed. Dean said they keep up with it as much as they can. He said if someone was hired, they should be paid by the animal and not by the hour. The subject was tabled again.

MAYORS REPORT: Mayor Hamit asked Bruce whether anything had come from the letter that had been sent to RWD 5 requesting additional water. Bruce said he had not heard anything from them but he was aware that they had been putting in a bigger line, so more water might be available. The clerk was instructed to write to the RWD5 to remind them of the city's request. The subject was tabled to a later date.

ADJOURNMENT: Dale Fox made a motion, seconded by Mark Criger to adjourn the meeting. Motion carried. The meeting was adjourned at 9:40 PM.

Respectfully submitted:

Mildred J. Cannon  
City Clerk

mjc

APPROVED \_\_\_\_\_

## MEMBERS PRESENT:

J. A. CORDTS  
CAROLYN MEERIAN  
DENNIS GRAVES

MARK CRIGER  
DALE FOX  
MAYOR RICHARD HAMIT

## OTHERS PRESENT:

Jack Kramer  
Ben Kramer  
Max Friesen  
Ed Harmison

Bruce Smith  
Millie Cannon

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. A quorum was present.

The minutes of the adjourned meeting of August 19, 1991 (regular meeting of August 14, 1991 was adjourned to August 19, 1991 due to a lack of quorum) were reviewed. J. A. Cordts made a motion, seconded by Carolyn Meerian to approve the minutes as written. Motion carried.

WARRANTS: Warrants No. 7205 through 7263 were presented for payment. Dennis Graves made a motion, seconded by Mark Criger to approve all warrants. Motion carried.

BID OPENING-CITY MAINTENANCE TRUCK: Mayor Hamit opened and read the bids for a city maintenance truck as follows:

SONNY HILL	91 GMC	\$ 16,325
SONNY HILL	91 Chev	17,900
RON OLSON	91 GMC	15,450 without trade
		14,850 with trade
Clark Chev, Holton	91 Chev	16,390 without trade
		15,890 with trade
LAIRD NOLLER FORD	91 Ford	15,828 with bed and without trade
		14,828 without bed and with trade
BILL KOBACH BUICK	91 GMC	16,999.28
JAY WOLFF, KANSAS CITY	92 Chev	15,492 without bed
ED BOZARTH	91 Chev	14,902 with bed and without trade
		13,702 without bed and with trade

The bids were discussed at length. A utility bed was also discussed. Mark Criger made a motion to accept the Bozarth bid of \$13,702 which included trading in the present truck and accepting the new one with no bed. (utility bed to be installed by Topeka Capital Body and billed through Bozarth) Motion carried. Dale Fox made a motion, seconded by Carolyn Meerian to authorize Bruce Smith to pick out a utility bed for the truck that suited the needs of the maintenance department but not to exceed \$3,000. (anything over this amount must be authorized by the Mayor) Motion carried.

MAPLE STREET PROJECT: At 8:11 PM Mayor Hamit opened and read the bids for the Maple Street Project as follows:

Engineer's Estimate	12,636.00
Andrews & Walshire Const.	19,688.60
Killough Construction, Inc.	10,118.00
LRM Industries, Inc.	11,935.00

Jack Kramer was present to conduct the review of each bid, after which J. A.

Cordts made a motion, seconded by Carolyn Meerian to accept the Killough Construction bid of \$10,118. Motion carried.

SEWER PROJECT/SHEPARD ADDN: Jack Kramer reported he and his crews had gone over the work area of the Shepard Addn, and felt if he wanted the houses to have basement sewer service the lines should be at least 9 ft. deep. He felt in that instance that the work should be bid out because of the safety factors. He also said the project had to be inspected by the state and an extention certificate would have to be obtained from the state. It was the concensus of the council that the project should be put out for bids. Kramer presented two copies of an Agreement for Professional Services which includes - cost to do the engineering design, the plans and specifications and help through the bidding phase would be \$1300. Inspection by Kramer was discussed, it was agreed the city could decide when the project is under way what portion Kramer will need to be present to inspect and what portions Bruce Smith will be able to look after. It was noted when the bids come in Kramer will calculate what percentage will be each party's responsibility so a decision can be made at that time. Kramer noted the city has the right to reject any or all bids if they feel it necessary. Carolyn Meerian made a motion to accept the Agreement for Professional Services from Kramer in the amount of \$1300. The motion was seconded by Mark Criger. Motion carried. It was agreed by concensus for Kramer Engineering to finish the plans like they had described and go ahead and put the project out for bids, setting the bid time and date at 8:00 PM October 9, 1991.

ZONING BOARD OF APPEALS APPOINTMENT: Mayor Hamit asked that the council appoint Teri Graham be appointed to fulfill the unexpired term of JoEllen Criger on the Zoning Board of Appeals. Carolyn Meerian made a motion, seconded by Mark Criger to approve the appointment. Motion carried.

MISC: The subject of dogs running loose and the possibility of hiring an animal control officer was discussed again. The subject was tabled to a later date.

Mayor Hamit brought up the subject of the bushes at the Pinnick residence again. The subject was discussed at length and it was agreed by concensus to let the previous decision stand.

WATER/SEWER REPORT: Bruce Smith reported he had installed meters on the incoming lines from the wells. He also said he had talked to John Butel, RWD 5, who said they are putting in an eight inch connection and possibly later this year or early next year they may be able to serve us more water. Smith asked the council to give some thought to requesting additional gpm over and above the 40 gpm. now contracted for.

Smith reported the drainage ditch work is proceeding slowly.

LAW ENFORCEMENT REPORT: Ed Harmison gave the law report in the absence of Ron Dean. He said there had been very few problems in connection with the fair. He also reported they have had a number of domestic problems.

There being no other business Dale Fox made a motion that the meeting be adjourned. Mark Criger seconded. Motion carried. The meeting was adjourned at 9:15 PM.

Respectfully submitted,

*Mildred Hanon*

## M I N U T E S

## MEMBERS PRESENT:

J. A. CORDTS  
CAROLYN MEERIAN

DENNIS GRAVES  
MAYOR RICHARD HAMIT

## OTHERS PRESENT:

BEN KRAMER  
BOB AND VIRGINIA SHEPARD  
MARK CRIGER  
ED HARMISON

BRUCE SMITH  
MAX FRIESEN  
CHERYL BROWN  
MILDRED J. CANNON

The meeting was called to order at 7:30 PM by Mayor Richard Hamit. The clerk called the roll. A quorum was present.

Mayor Hamit expressed deepest sympathy from himself and the council to the family of Floyd W. McGuire. He said he would also like to express the governing body's appreciation to McGuire's family and friends for his nine years of service as councilperson.

At that time, Mayor Hamit asked the council to consider Mark Criger to fulfill the unexpired term of McGuire. J. A. Cordts made a motion, seconded by Dennis Graves to fulfill the unexpired term of Floyd McGuire. Motion carried. The clerk then conducted the swearing in ceremonies.

MINUTES: The minutes of the July 10, 1991 regular meeting were reviewed. The clerk reported Steve Jones, City Attorney had requested the addition of his remarks in reference to the plat of survey be included as stated, "city attorney noted the plat of survey was inadequate inasmuch as it did not show utility or street easements." Carolyn Meerian made a motion, seconded by Dennis Graves to approve the minutes as written with the stated addition. Motion carried.

WARRANTY: Warrants No. 7122 through 7204 were presented for payment. Dennis Graves made a motion, seconded by Carolyn Meerian to approve all warrants. Motion carried.

MAPLE STREET PROJECT: Ben Kramer of Kramer Engineering was present to discuss the Maple Street Improvement Project. He noted he and Jack Kramer were present August 14 to initially discuss the pending project. He went over the specs, engineering agreement and bid sheets again so the members of the council that were not present August 14 could be apprised. Kramer also presented a construction cost sheet. Kramer Engineering felt the project should not go over \$12,636. It was noted the Kansas Department of Transportation said they would take care of the area within their right-of-way which is 50 ft, then the city would come back approximately 14 feet, build a catch basin and come across to the curb lines. He went on to detail just how the job is to be done.

In reference to the problem area just north of the railroad tracks in front of the Co-Op, Kramer thought it best to talk with the contractors after the preceding bid is let. Mayor Hamit asked if they would also look into the area in front of the Post Office where the curbing is so high.

J. A. Cordts made a motion to approve the proposed plans as presented and to have Kramer Engineering inspect on a periodic basis. Mark Criger second. Motion carried.

It was agreed by consensus to set September 11, 1991 8:00 PM as the bid date. The clerk was instructed to have the bid sheet published as soon as possible.

NORTHBROOK DRAINAGE PROJECT: Mayor Hamit asked Bruce Smith to bring members up to date on the drainage project as discussed August 14 by Dick Wells. Smith noted Wells was interested in filling in or covering his driveway to the north. Smith said we have been having trouble with the drainage in that area and there needs to be an opening where the water has someplace to go when rains come and the water drains from the west side to the east of the street. He said Wells wanted to know if the City was interested in sharing part of the cost of putting a drainage box in. Dennis Graves made a motion, seconded by Carolyn Meerian that the city offer to pay the equivalent of fifty percent of the drainage box cost. Motion carried.

1992 BUDGET APPROVAL: Inasmuch as the budget hearing was held August 14, 1991 at 8:00 PM and that no one was present in opposition, the budget could now be approved by the council. The clerk explained the changes that had been made which left the budget 9 mills lower than the 1991 budget. After a brief discussion, J. A. Cordts made a motion, seconded by Mark Criger to approve the budget as presented. Motion carried.

SHEPARD ADDITION: Bob Shepard was again present to discuss his proposed annexation and utility placement and to furnish the council with the written proposal, request that Ash Street be extended, utility easements including an easement to cross tract 9 and also one to cross tract 2, along with a request for annexation (copy of letter attached). All items were signed by Robert H. and Virginia L. Shepard. In the proposal, Shepard agreed to provide, at his own expense, a sewer line on tract 9 from the present manhole to a manhole also to be furnished by Shepard near the southeast area of tract 2. Shepard also agreed to extend Ash Street 424.80 ft. to the south property line by cutting ditches and making the roadway (minimum 6 inches AB-3 rock) and maintain same for two years. The proposal requested the city to extend the north-south sewer line along the east edge of Ash and to extend the present water line south along the west side of Ash. Shepard said the plat showing easements etc, and dedications would be forthcoming at a later date as agreed to by the city attorney.

Dennis Graves made a motion, seconded by Mark Criger to accept the annexation proposal. Motion carried.

Mark Criger made a motion, seconded by Dennis Graves to accept Shepard's proposal in reference to street and utilities for the addition. Motion carried.

Max Frieson brought up the subject of the city extending Ash Street from the south line of Shepards property to tie in to the cemetery road. The clerk was instructed to contact the city attorney in reference to this.

Smith asked about tying in the new road to the existing end of Ash Street. He noted if Shepard starts the road at his property line and goes south, the city will have a small section that would not come up to specifications. Smith asked if the council would give some thought to having Shepard's contractor go ahead and make the connection between the south end of the existing street and the portion Shepard is having installed. Carolyn Meerian made a motion, seconded by Mark Criger to allow the street contractor to make the connection as discussed. Motion carried.

LAW REPORT: Ed Harmison was present to speak for the Law Enforcement Dept. He said Police Chief Dean had hired extra law enforcement individuals to work the fair.

Dennis Graves asked if the city attorney had made his opinion yet in reference

to who can ride in the patrol car. Mayor Hamit said the attorney had given his opinion that no unauthorized persons could ride in the patrol cars.

MAINTENANCE TRUCK PURCHASE: Bruce Smith again ask the council's opinion as to how he should go about checking into prices for a new or used truck. He also asked the council to give some thought to a utility bed for the truck. The council's advice was for Smith to send spec sheets to several companies asking for bids to be discussed at the September 11, 1991 council meeting. Smith was instructed to check into new 1991 vehicles and also used vehicles with no more than 10,000 miles. It was agreed by concensus that a utility bed would definitely be a plus. Smith had a brochure from Haul Mor Bodies in the amount of \$2,845. He said if necessary he could get more prices.

MAINTENANCE REPORT: Smith reported he had not done a great deal as yet in reference to drainage ditches. He said he and Dale Fox had driven around to check into the problem areas. Smith said in the last couple of months, they had been putting in water meters on the rural lines coming into town and had installed a fire hydrant at the corner of Cedar and Cemetary Road.

MISC: Mayor Hamit reported Bruce had trimmed some bushes at Fifth and Elm some time ago because they were a traffic hazard inasmuch as the limbs blocked the yield sign. He said Mr. Pinnick had expressed concern at the time and that Mayor Hamit had told him if they died let the city know. He said Mr. Pinnick had presented a estimate in the amount of \$611.35 to remove and replace the shrubs with three gold coast junipers. The break down is - \$26.95 each for a total of \$80.85, planting charge \$25.00, travel time \$25.00 and tax \$6.87 for a total of \$137.72. Removal and dumping charge \$473.63. After a brief discussion Dennis Graves made a motion, seconded by J. A. Cordts to deny the claim. Motion carried.

CONNECTING LINK: Mayor Hamit presented the connecting link agreement between the Osage County Commissioners and the City Council in the amount of \$332.00. Carolyn Meerian made a motion, seconded by Mark Criger to accept the agreement. Motion carried.

MISC: Councilman Graves suggested the council give some thought to hiring an animal control officer. He said he had checked with the Carbondale Pet Clinic and they would take the dogs at a charge of \$25 each and would hold for three days only. The clerk noted the dogs are taken to Helping Hands Humane Society in Topeka at a cost of \$10 per animal but the cost of the person's time and the lost use of the maintenance truck made the cost much more. The clerk was instructed to check with the city attorney in regard to the city's liability in connection with the animal control officer.

Councilperson Meerian reminded Bruce Smith it was time to redo the lines on the school cross walks.

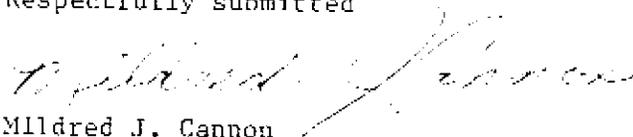
Mayor Hamit reported the pool supervisor had presented a bill for a percentage of the swim lesson money to be paid to her as administration fee in addition to the \$25 per week she is now receiving for supervising the everyday activities of the pool. It was noted at the beginning of the year the salaries were set and a percentage was not included. The subject was discussed at length after which Carolyn Meerian made a motion, seconded by Mark Criger to deny the request. Motion carried.

RESIGNATION OF BOARD OF ZONING APPEAL MEMBER: Mayor Hamit presented a resignation from Jollene Criger as member of the Board of Zoning Appeals, stating she had enjoyed serving the community. Dennis Graves made a motion, seconded by Carolyn

Meerian to accept the resignation. Motion carried.

ADJOURNMENT: Mark Criger made a motion seconded by Carolyn Meerian to adjourn the meeting. The meeting was adjourned at 10:15 PM.

Respectfully submitted

  
Mildred J. Cannon  
City Clerk

mjc

APPROVED: \_\_\_\_\_

MEMBERS PRESENT:

J.A.Cordts -arrived at 8:30	Dale Fox
Carolyn Meerian	Mayor Richard Hamit
Dennis Graves	

OTHERS PRESENT:

Bob Shepard	Bruce Smith
Steve Jones arrived at 8:15 and left at 10:15 PM.	
Max Friesen	Millie Cannon
Cheryl Brown	Ron Dean

The meeting was called to order at 7:30 P.M. by Mayor Richard Hamit. The clerk called the roll. A quorum was present.

MINUTES: The minutes of the June 12, 1991 regular meeting were reviewed. Dennis Graves made a motion, seconded by Carolyn Meerian to approve the minutes as written. Motion carried 3-0.

WARRANTS: Warrants No. 7043 through 7121 were presented for payment. Dale Fox made a motion, seconded by Carolyn Meerian to approve all warrants. Motion carried 3-0.

MAINTENANCE REPORT: Bruce Smith reported he had started some of the drainage work, beginning with the project by the Methodist Church parsonage. He said he had installed the tube under the sewer line but couldn't finish before the street crews came back in. He said he is now waiting for the street to settle down and pack in before having the road grader come back so the surface won't be ruined. He said they had also done some ditch cleaning by the Overbrook Lumber yard but there was more to be done.

In answer to Mayor Hamit's question in reference to the tube problems by Northbrook Lumber, Smith said the original tube had an extension installed sometime in the past and there is leakage between the two which undermines the road. He said it needed covered over.

Dale Fox suggested he go with Bruce Friday to look into some of the worst problem areas.

Carolyn Meerian asked if anything could be done about the oil and rock the asphalt company had gotten on the sidewalk by the Quilt Factory. The subject was discussed and the council felt it would be best to leave it alone unless the owners specifically requested removal mainly because there would be sticky residue left which would beworse than it is now.

Smith reported during the recent drouth, customers have been very cooperative in conserving water. He said we were pumping around 70% of capacity.

In reference to the ongoing street surface problems at 56 Highway and Maple, Smith reported he had met with a representative from the Kansas Department of Transportation who felt the KDOT would take care of their right of way possibly this fall. He said he did have to consult with his superior first.

The city's portion of the problem area, along with another trouble area at the northeast side of the railroad tracks by Co-op was discussed. It was agreed by consensus to encumber \$21,000 toward the alleviation of these problems from the Special Highway fund. Smith was authorized to contact several street surfacing companies for bids and/or advice.

Carolyn Meerian passed on a request from the owners of Jack's Cafe that the west portion of the ditch on the east side of the cafe be cleaned out so they could plant a ground cover which would keep the area clean. It was agreed by concensus.

Meerian also thanked Bruce Smith for taking care of the walkway from Frieruble Addn. to the highway. She said it looks very clean and neat.

FOURTH OF JULY CELEBRATION: Dale Fox reported the 4th of July celebration was a big success. He said there was an estimated crowd of around 1500 to 2000 people. He said donations were good and he had enough left to reimburse the city \$300 of the \$500 which it cost to have the extra insurance added to the city's liability policy. He said that would leave some left over for a start towards next year. He promised next year's display would be even bigger and better.

MAINTENANCE TRUCK REPLACEMENT: Smith discussed purchase of a new or low mileage truck. The subject was discussed at length after which Smith was authorized to contact several car/truck dealers for prices.

ANNEXATION/SHEPARD: The possible annexation, water/sewer installation and street for the proposed addition Bob Shepard had requested from the council at previous meetings was discussed. Steve Jones, City Attorney was present to advise the council. The discussion covered subjects such as, would this set a different precedent than had been set in the past in connection with utilities. In connection with the street it was agreed that Shepard had committed to installing and maintaining the street for two years before the city accepts it and has it sealed. The main subject in question was what the city's obligation was in connection with utilities. It was agreed the city is obligated to service the property already in the city (5 lots) but not the five proposed to be annexed. It was discussed if Shepard installed a sewer line and manhole from the west line of the property now in the city to the east line of said property (approx. 150 ft) the city could install the same length of water and sewer lines as they would for the original five lots at no greater cost to the city. It was estimated the cost of the water and sewer lines would each be approximately \$5,000 each or a total of \$10,000 cost to the city.

Steve Jones advised the first step before the city can do anything is, Shepard would have to present the city with a plat and proposal that this property be annexed and include the part that is already in the city in the plat and show the proposed easements for water and sewer and street. It was noted Shepard is requested to present a written statement to the council stating what he proposes to do and what he is asking the city to do in connection with the street and utilities. Mayor Hamit stated the city would not take any action until Shepard presents these proposals, then the city will make their decision from that point. Shepard felt the city was going to put in the 150 ft of sewer line and manhole then he would reimburse the city. Mayor Hamit reminded Shepard the council had not made any decision on that and that actually the city was not in competition with private contractors. He said a decision such as this would not and could not be made until Shepard provides the city with written confirmation as to what he is going to do. It was noted Shepard would not be required to furnish a plat until the written proposals are submitted and the council makes a decision.

Max Friesen requested an easement across the East section to be annexed for sewer service to the Meadowbrook Addn. at Meadowbrook's expense. He said if they decide to go ahead with the addition, all utilities etc would be at the Addition's expense. Shepard agreed along with the council. Shepard was thanked for coming and left at 9:50 PM.

EXECUTIVE SESSION: At 9:52 PM Carolyn Mecrian made a motion, seconded by J.A. Cordts to go into executive session for 30 minutes to discuss personnel matters. Motion carried.

The meeting was called back to order at 10:12 by Mayor Hamit.

Dale Fox made a motion, seconded by Dennis Graves to adjourn the meeting. Motion carried. The meeting was adjourned at 10:21 PM.

Respectfully submitted

Mildred J. Cannon  
City Clerk

APPROVED \_\_\_\_\_