REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – July 14, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the July 14, 2010, regular council meeting to order at 7.03 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Mayor Don Schultz and Council Members Jim Gates, Carol Baughman, Dorthy Chikly, Tadd Goodyear and Jon Brady were present. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Don Bryant, Vic Robbins and Sheila Dale. Members of the public were also present at the meeting.
ADDITIONS/CHANGES TO AGENDA: (A.1)	Mayor Schultz requested approval to make the following change to the Agenda: • Move Item F.1 Proclamation honoring the 90th Anniversary of American Legion Post #239 to the August 2010 Meeting Agenda.
MOTION, APPROVE AMENDED AGENDA: (A.1)	Dorthy Chikly (Carol Baughman) moved to approve the amended Agenda. Motion passed 5-0.
MOTION, APPROVE CONSENT AGENDA: (B.1a, B.1b,B.1c,B.1d, B2)	Following discussion, Jim Gates (Tadd Goodyear) moved to approve the consent agenda with the following caveat: The engineering fees for the street and water system improvement projects will be held and paid later with Bond monies. Motion passed, 5-0.
TREASURER REPORT: (C.1)	Patty Hylton presented her written report. Patty is working on a debt service review. Patty is to follow-up with Jim Long and hopefully be able to set a budget meeting up with him on July 26th or 27th.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. Following discussion, consensus was for the clerk to order some stationary with the City Logo. The Clerk is also to follow-up on the Birrell variance.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	We inadvertently skipped this item. The report was given later in the meeting.
LAW REPORT: (C.4)	Officer Quigley gave his report. There was discussion about the upcoming National Night Out, Tuesday August 3rd, in Carbondale. The consensus was that we would participate.
POOL REPORT: (C.5)	Following discussion, consensus was that Anthony Capra could scrape and paint the pool house floor (following the end of the pool season) at the same rate he was receiving as a lifeguard. Don Bryant is getting bids on painting the pool. Discussion next centered on the apparent leak on the east side of the pool. This is to be an item on the next meeting agenda, with a thumb-nail plan to investigate the issue.
CITY BOARD REPORTS: PLANNING & ZONING:	Planning and Zoning Chair Sheila Dale discussed items with the Council. The Clerk is to pull existing city ordinances related to nuisances and forward them to

(D.1)	the Council and P&Z for input for the August Council Meeting. The Clerk is also to request that Michael Coffman attend the August Council Meeting to help review the documents.
CITY BOARD REPORTS: PARK & REC. (D.2)	The packet included a written report from Park and Rec VP Noel Edwards. There was discussion about the need for budget input from the Park and Rec Board. Consensus was for the Clerk to place a box ad in the Herald-Chronicle once the season was over.
CITY BOARD REPORTS: LIBRARY: (D.3)	On Thursday, July 22nd, the Glen Norton Estate will be making a donation to the Library. The Clerk is to follow-up on the Library Maintenance needs.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The Mayor gave an update on the new roof installation. The installation does not include new gutters- they'll need to be cleaned and worked on in the near future. Board President Cliff Fischer and the rest of the Housing Authority face a challenge- meeting the maintenance needs of a 30+ year old structure without raising rates substantially. More regular Board meetings might be in order.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant presented his report. They will work on potholes this next week and work on installing the T's on the 4 inch water line coming to town from the wells shortly thereafter. There was discussion about the storm sewer along Maple St. The consensus was for Don Bryant to get bids for the one block of storm sewer with drop inlets and connections to the downstream storm sewer. We will discuss this further at the August Council Meeting. There was a written Animal Control report from Karl Umscheid in the packet. No action was taken.
SPECIAL REPORTS: (E.1)	None.
BREAK:	Council took a break at 8:42 p.m. and reconvened at 8:50 p.m.
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins discussed the status of Phase 2 with the Council. There are still unresolved submittal requests for both Insituform and King's Construction. Vic will call both for follow-up. If Vic does not get a good answer, it may be time for the City to contact regarding the submittals. Vic detailed some recent additional inspection that was done while the camera crew was here. There will be a change order for a spot repair near Cedar Street north of 1st west of Ash St. The project deadline is October 20th.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS/STREET (F.2a, F.2b)	There was discussion about the Street project. The bid opening is at 2PM on July 30th. Any additions on Sunset Lane could possibly be a change order. Vic Robbins led the discussion regarding the bid tabulations for the Water System Improvements Project. The bond for the apparent low bidder (Heartland Midwest) reviewed okay. Vic had placed phone calls to references but was not able to reach all of them. Results have been good so far but Vic wanted to talk to a couple more before finalizing his decision. Jim Gates (Dorthy Chikly) moved to approve the bid from Heartland Midwest pending the final approval of Vic Robbins and Mayor Don Schultz. Motion carried 5-0. There was discussion about the possibility of a

	change order in regards to the asphalt on Maple being coordinated with the street project asphalt contractor. No action was taken.
CITIZEN CONCERN: MARK, LISA AND OWEN TOMLINSON: (SPECIAL ADDITION TO THE AGENDA)	The Tomlinson's addressed the Council in regards to an incident that had just occurred in the parking lot at the City Swimming Pool. Their son had tripped near one of the parking blocks and had been poked in the face by a piece of rebar that was used to keep the parking block in place. Their son had escaped serious injury, but since many of the parking blocks had rebar that extended above the block surface, the Tomlinson's requested that someone take a look to see if anything could be done before anyone else got hurt. The Mayor asked Don Bryant to address the issue first thing Thursday morning. The Mayor and Council thanked the Tomlinson's for attending and wished Owen a speedy recovery. If they needed anything further, the Mayor suggested that they bring a written report to the Clerk and we could proceed from there.
UNFINISHED BUSINESS: 323 MAPLE: (H.1)	Scott Averill was unable to attend the meeting. The Mayor detailed the phone conversation he had with Mr. Averill prior to the meeting. The previously discussed grant was not approved. This is a priority and we should see physical work to begin within 30-45 days. No action was taken.
UNFINISHED BUSINESS: STATUS OF PURCHASE AGREEMENT FOR RIDGEWAY LODGE #62: (H.2)	Following discussion, Dorthy Chikly (Tadd Goodyear) moved to approve the lease agreement and submit it to the Lodge for their review. Motion carried 4-0 with Jim Gates abstaining.
UNFINISHED BUSINESS: SIGN RETRO REFELECTIVITY FOLLOW-UP: (H.3)	Don Bryant presented a report indicating the number of street signs that we would need to update. Consensus was that we would pursue grant opportunities.
UNFINISHED BUSINESS: DISCUSSION OF POLICY FOR DISTRIBUTION OF PUBLIC FUNDS TO SPECIAL INTEREST GROUPS: (H.4)	No further information. Item was tabled.
UNFINISHED BUSINESS: STATUS OF PROPOSED NUISANCE ORDINANCE FOR THE CITY: (H.5)	This item was discussed earlier in the meeting during the Planning and Zoning report.
UNFINISHED BUSINESS: DISCUSSION OF SCHEDULE FOR EMPTYING RECYCLE TRAILER: (H.6)	Tuesday is now the regular pick-up day, major holidays may set it back a day.
OTHER UNFINISHED BUSINESS: (H.7)	Vic Robbins asked if anything further needed to be done on the Coursen sewer claim. The clerk is to follow-up with our insurance company. There were no further Unfinished Business items.
NEW BUSINESS:	Following discussion, Dorthy Chikly (Carol Baughman) moved to accept and

REVIEW FOR APPROVAL A RESOLUTION ESTABLISHING A DRUG-FREE WORKPLACE: (I.1)	approve Resolution 2010-05, establishing a drug-free workplace. Motion carried 5-0.
NEW BUSINESS: 2011 BUDGET PREPARATION DISCUSSION: (I.2)	Following discussion, the consensus was for Patty Hylton to work with Jim Long, CPA, to prepare the budget for review. They were to pay particular attention to how we could address the additional debt service needed for the water system improvement project. We'd need to have this for a work session planned for either July 26th or 27th. Any Department budget information as well as the debt service information for the new bonds should be forwarded to Jim Long in time for the work session. The Budget Hearing will be on August 16th at 7PM at City Hall. The Clerk is to forward the proposed budget to the paper for publication on August 5th.
NEW BUSINESS: REVIEW COUNCIL PAY PROCEDURE: (I.3)	Following discussion, Dorthy Chikly (Jim Gates) moved to change section 1 of Ordinance #286 to reflect that theirs was a volunteer service with no compensation. A roll call vote was requested by the Mayor. Votes were cast as follows: Tadd Goodyear: Aye Jon Brady: Aye Jim Gates: Aye Carol Baughman: Aye Dorthy Chikly: Aye Motion carried 5-0. There was further discussion about whether this would be retroactive to January, 2010. The consensus was yes. The clerk is to discuss with Michael Coffman and have the updated Ordinance for the August Council Meeting.
NEW BUSINESS: NEW PARK AND REC MEMBER TO REPLACE BRIAN KUERMAIER: (I.4)	No candidates were available yet for approval so the Council and the Park and Rec Board will need to continue to work on this item.
NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.5)	Following discussion, no action was taken. Representatives from both Galaxy and Zito should be at the next Council Meeting to discuss further.
NEW BUSINESS: REVIEW ENFORCEMENT OF NON-SMOKING LAW: (I.6)	Mayor Schultz discussed the conversation he had with Sandy Jacquot at LKM regarding enforcement of the new non-smoking law. We'll need an ordinance to address. Following discussion, consensus was that we would need one for the new seat belt law as well. The clerk is to look for a template. We will know more when the new STO is released. No further action was taken. Council Member Tadd Goodyear left the meeting during this discussion as he was working nights this week.
NEW BUSINESS: OTHER NEW BUSINESS: (I.7)	Mayor Schultz indicated that he had recently received an email from a concerned resident about smoking at the ball park. The Council discussed the matter but not further action was taken at this time.

PUBLIC COMMENTS: (J.)	Suzie Whalen, reporter for the Osage County Herald-Chronicle, thanked the Mayor and Council. This was first Council Meeting she had covered.
COUNCIL MEMBER COMMENTS: (K.)	Jim Gates, Carol Baughman, Dorthy Chikly, and Jon Brady: None.
MAYOR'S REPORT: (L.)	The Mayor reminded the Council that they were welcome to help at the National Night Out, August 3rd, in Carbondale.
ADJOURNMENT: (M.)	Jim Gates (Dorthy Chikly) moved to adjourn the meeting at 10:47 p.m. Motion passed, 4-0.

Respectfully submitted,

Jim Koger
City Clerk
APPROVED:
August 11, 2010

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING 7PM July 8, 2010 Overbrook City Hall

MEMBERS PRESENT: Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman, Dorthy Chikly and Mayor Don Schultz.

OTHERS PRESENT: Dave Malone, Don Jensen, Michael Coffman, Patty Hylton, Don Bryant, Pat Martin and Jim Koger.

The meeting was called to order by Mayor Don Schultz at 7:00 PM after which roll call determined the presence of a quorum.

The purpose of this special meeting is to:

1. Finalize paperwork for the previously approved street/water line repair bond issue and
2. Seek approval to re-finance the pool bond issue.

Tadd Goodyear (Dorthy Chikly) moved to approve the Agenda; Motion carried 5-0. The Agenda is limited to the items identified above.

Dave Malone of MKM Consulting LLC and Don Jensen of Cosgrove, Webb & Oman (Bond Council) addressed the Council in regards to the bonds. Following discussion, Dorthy Chikly (Carol Baughman) moved to approve Ordinance #347, an Ordinance authorizing and providing for the issuance of $775,000 Principal Amount of General Obligation Refunding and Improvement Bonds, Series 2010, of the City of Overbrook, Kansas, for the purpose of providing funds to refund all of the City's Outstanding General Obligation Bonds, Series 1998, Dated September 1, 1998, and to pay the costs of making certain improvements to the city's water and streets; and making certain covenants and agreements with respect thereto. A roll call vote was taken:

Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman, and Dorthy Chikly all voted "AYE". There were zero "NAY" votes. Motion carried 5-0.

There was discussion regarding Resolution No. 2010-07. Dorthy Chikly (Carol Baughman) moved to approve Resolution 2010-07, a Resolution prescribing the form and details of and authorizing the delivery of $775,000 Principal Amount of General Obligation Refunding and Improvement Bonds, Series 2010, of the City of Overbrook, Kansas, previously authorized by Ordinance No. 347 of the City; Providing for the refunding of all the City's Outstanding General Obligation Bonds, Series 1998, Dated September 1, 1998; To pay the costs of making certain improvements to the City's Water System and Streets; And making certain covenants and agreements with respect thereto. A roll call vote was taken:

Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman, and Dorthy Chikly all voted "AYE". There were zero "NAY" votes. Motion carried 5-0.

There was discussion regarding Resolution No. 2010-08. Dorthy Chikly (Carol Baughman) moved to approve Resolution 2010-08, a Resolution authorizing the call of the City of Overbrook, Kansas, General Obligation Bonds, Series 1998, Dated September 1, 1998, and Authorizing the City to give Notice of Redemption. A roll call vote was taken:

Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman, and Dorthy Chikly all voted "AYE". There were zero "NAY" votes. Motion carried 5-0.

ADJOURNMENT:
There being no further business to come before the Council, on a motion duly made and seconded by Dorthy Chikly and Jim Gates, the meeting was adjourned at 7:55 PM.

Respectfully submitted,

Jim Koger, City Clerk
APPROVED: July 14, 2010

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING 7:55PM July 8, 2010 Overbrook City Hall

MEMBERS PRESENT: Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman, Dorthy Chikly and Mayor Don Schultz.

OTHERS PRESENT: Michael Coffman, Patty Hylton, Don Bryant, Pat Martin and Jim Koger.

The meeting was called to order by Mayor Don Schultz at 7:55 PM after which roll call determined the presence of a quorum.

The purpose of this special meeting is to:

1. Address the request (due to inclement weather) from Overbrook PRIDE Inc. to have the City Firework Display outside of the June 27th to July 5th window.

The Agenda is limited to the item identified above.

Dorthy Chikly (Tadd Goodyear) moved to approve the request; Motion carried 5-0.

ADJOURNMENT:
There being no further business to come before the Council, on a motion duly made and seconded by Dorthy Chikly and Jim Gates, the meeting was adjourned at 7:56 PM.

Respectfully submitted,

Jim Koger

Jim Koger, City Clerk
APPROVED: July 14, 2010

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING 8:00 PM July 27, 2010 Overbrook City Hall

MEMBERS PRESENT: Tadd Goodyear, Jon Brady, Jim Gates, and Carol Baughman. Dorthy Chikly and Mayor Don Schultz were absent.

OTHERS PRESENT: Patty Hylton, Don Bryant, Kit Bostrom and Jim Koger.

The meeting was called to order by Council President Jim Gates at 8:03 PM after which roll call determined the presence of a quorum.

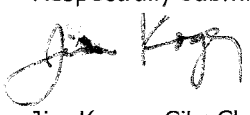
The purpose of this special meeting is to address the debt service on our series 2010 water system improvement bonds.

Following discussion, the consensus was that a rate increase was not needed at this time. The belief was that the proposed debt service mill increase along with previously collected sales tax dollars will satisfy this year's obligation for the water system improvements. No action was taken.

In the future, future review may be necessary.

ADJOURNMENT:
There being no further business to come before the Council, on a motion duly made and seconded by Tadd Goodyear and Jon Brady, the meeting was adjourned at 8:08 PM.

Respectfully submitted,



Jim Koger, City Clerk

REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – August 11, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the August 11, 2010, regular council meeting to order at 7.00 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Mayor Don Schultz and Council Members Jim Gates, Carol Baughman, Dorthy Chikly, Tadd Goodyear and Jon Brady were present. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Patty Hylton, Michael Coffman, Bill Jacobs, Chelsea Luther and Sheila Dale. Members of the public were also present at the meeting.
MOTION, APPROVE AGENDA: (A.1)	Dorthy Chikly (Jim Gates) moved to approve the Agenda. Motion passed 5-0.
MOTION, APPROVE CONSENT AGENDA: (B.1a, B.1b,B.1c,B.1d, B2)	Following discussion, Jim Gates (Carol Baughman) moved to approve the consent agenda. Motion passed, 5-0.
TREASURER REPORT: (C.1)	Patty Hylton presented her written report. The Council would like to see a pool summary at the next Council Meeting. If any of the department liaisons need anything for the budget hearing, please contact Patty for further budget detail.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. The Clerk is to order flowers for Steve Simmon's family. Garrett Nordstrom will be available by phone during the Heartland Midwest pre-construction conference on Friday, August 13th. There was also discussion about the number of signatures needed for the petition that was circulating in regards to putting to vote the possibility of opening a liquor store within our city limits. Next the Council discussed the possibility of pursuing legal action on some of oldest past due accounts. Dorthy Chikly (Carol Baughman) moved to establish a policy where we first send the past due accounts to the Credit Agency, the Kansas Set-Off Program, and, if applicable, special assessment. If, after a sufficient period of time has passed and the debts remain, we will pursue legal options. Motion carried 5-0.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant was absent. Jim Koger discussed the iron issue in regards to the 4 inch line coming to town. As this will be the first time we pigg the line, we need to be sure to stay in contact with the rural customers to resolve issues that may arise as a result of the pigging.
LAW REPORT: (C.4)	Officer Harmison gave his report. The new state seat belt law and the new non-smoking law can now be enforced once our ordinance is published. We are approaching case #100 for the year.
POOL REPORT: (C.5)	Chelsea Luther is not yet at the meeting. We will discuss the Pool Report after she arrives.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	Planning and Zoning Chair Sheila Dale discussed items with the Council. Following discussion regarding the RV at 403 W Market, the Clerk was instructed to write the property owner a letter indicating that the property is zoned residential. If they plan on bringing in anything other than a single-family residence, they will need to apply through Planning and Zoning for a zoning change or a conditional

	use permit.
POOL REPORT: (C.5)	Chelsea Luther discussed pool items with the Council. She will send her written report via email. Chelsea will also ask Tammy to send a pool concession stand report. Chelsea suggested the following be addressed before the next pool season: The leak amounts to about 3 inches of water lost off the entire pool each day. Need exists for a third lifeguard chair (more permanent than what currently using). The doors need to be winterized. The pool needs to be winterized. Both diving boards need fixed/replaced. The last day for the pool to be open is August 29th. The consensus was that it would be a free swim day.
CITY BOARD REPORTS: PARK & REC. (D.2)	No report.
CITY BOARD REPORTS: LIBRARY: (D.3)	Mayor Schultz discussed the substantial gift to the Library from the Glen Norton Estate. The Library Board is working on plans for utilizing the gift.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The roof work is done. A Board Meeting is planned soon.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
SPECIAL REPORTS: (E.1)	None.
SPECIAL RECOGNITION: AMERICAN LEGION POST #239: (F.1)	Mayor Schultz read a special proclamation extending a Certificate of Recognition to the Anderson-Raible American Legion Post #239 as they celebrated their 90th Anniversary.
SPECIAL RECOGNITION: DALE FOX: (F.2)	Mayor Schultz read a special proclamation extending a Certificate of Recognition to Dale Fox for his many years of service to Overbrook and the surrounding communities.
PROJECTS IN PROCESS: SEWER-PHASE 2: (G.1)	Bill Jacobs addressed the Council. King's Construction began about 2 weeks ago and has already placed approx. 1500 feet of pipe. Next week they will finish the piping at the lagoons and begin sloping. King Engineering has inspectors on site. The Clerk is to follow-up on whether Insituform has met the required submittals.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS: (G.2a)	This item will be discussed following the Street Project discussion.
PROJECTS IN PROCESS: STREET: (G.2b)	Bill Jacobs gave his report. Joanne Allen, 608 Sunset Lane, was in attendance to discuss the possibility of Sunset Lane being included in our Street Project. Following discussion, based on the amounts of our bids, Bill Jacobs recommended that the Council consider adding Sunset Lane and Sycamore to our overlay project

	and to chip-and-seal the streets at the Meadowbrook 2 subdivision. Bill Jacobs indicated that he had completed his review of street project bids. References had been checked. He recommended that the Council accept the bid from the apparent low bidder, Little Joe's Asphalt. Little Joe's would haul the asphalt from Lawrence and we would keep the millings. Little Joe's has submitted their list of subcontractors. Jim Gates (Dorthy Chikly) moved to accept Little Joe's low bid for the street project in the amount of $464,809.09. Motion carried 4-0. The approximate start date is September 13th. We will use KDOT specs for temperature for the Chip and Seal process. King Engineering will flag out drainage and patching areas. It will be typical for Little Joe's to hang door hangers before they do a street. They would like to pave lots of the streets at full width. They will put up a sign. Jon Brady led the discussion regarding drainage on Maple Street south of Santa Fe Trail Drive. Bill Jacobs will bring a drawing to our next meeting. Don Schultz asked that Donna Crawford (or Garrett Nordstrom) be at our next meeting to discuss the best way to handle this.
BREAK:	At 8:25 PM Dorthy Chikly (Carol Baughman) moved to take a 5 minute break; Motion carried 5-0. At this time Mayor Schultz excused Council Member Tadd Goodyear for the remainder of the meeting so Tadd could attend to his Fair Board duties on the first night of the fair. The Fair Board could use help on Saturday afternoon at the food stand. The Council returned from break at 8:35PM.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS: (G.2a)	The pre-construction conference with Heartland Midwest is scheduled for Friday, August 13th. There has been a slight delay regarding the rock used for bedding material. There was discussion about the bedding on Maple.
NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.4)	Mayor Schultz requested an Agenda Change. Art Sheltron, Lead Technician for Galaxy Cable, was in attendance to discuss the sale of Galaxy to Zito Midwest. Following discussion, the consensus was to review Ordinance #109, along with our updated Franchise Agreements, to make sure that the new agreement doesn't conflict with our existing ones. No further action was taken.
UNFINISHED BUSINESS: REVIEW ENFORCEMENT OF NEW STATE NON-SMOKING, SEATBELT LAWS: (H.1)	Following discussion, consensus was that this item will be addressed with the publication of Ordinances #350 and #351 approved earlier in the meeting. No further action was taken.
UNFINISHED BUSINESS: STATUS OF PURCHASE AGREEMENT FOR RIDGEWAY LODGE #62: (H.2)	Following discussion, the Clerk is to get the agreement to Jim Gates. We will discuss further at the next Council Meeting.
UNFINISHED BUSINESS: STATUS OF PROPOSED NUISANCE ORDINANCE FOR THE CITY: (H.3)	Following discussion, the consensus was for Michael Coffman to give a Draft Nuisance Ordinance to Sheila Dale for review. Jon Brady and Jim Gates will work with Planning and Zoning and then bring the document back to the Council to review.
OTHER UNFINISHED BUSINESS: (H.4)	Dorthy Chikly asked if we had an update on the National Night Out Event. Consensus was for Officer Quigley to follow-up next meeting.

NEW BUSINESS: REVIEW PLAN FOR LEAK AT POOL: (I.1)	Following discussion, this item requires further investigation. We will discuss further at the next Council Meeting.
NEW BUSINESS: DISCUSS POOL PAINTING PLANS: (I.2)	Following discussion, the hope is to paint the pool before it opens in 2011. We will discuss this further at an upcoming Council Meeting.
NEW BUSINESS: NEW PARK AND REC MEMBER TO REPLACE SCOTT WARREN: (I.3)	This item was addressed earlier in the meeting. The Board will continue to look for candidates.
NEW BUSINESS: REVIEW OF PROPOSED SALE OF GALAXY CABLE INC. TO ZITO MIDWEST LLC: (I.4)	This item was addressed earlier in the meeting.
NEW BUSINESS: REVIEW OF REQUEST FROM CITY OF ST. MARYS TO ADOPT RESOLUTION REGARDING AD VALOREM TAX: (I.5)	Following discussion, the consensus was for us to send a letter of support to the City of St. Marys. The Mayor will work on this with the Clerk.
NEW BUSINESS: END OF PROBATION PERIOD AND SALARY ADJUSTMENT FOR MAINTENANCE DEPARTMENT SUPERVISOR: (I.6)	Following discussion, Jim Gates (Dorthy Chikly) moved to increase Don Bryant's salary the equivalent of $1/hr for a 40 hour week. There was further discussion about whether we have had a review. Mayor Schultz conducted one about half way through the probation period but will schedule a second one soon. Jim Gates (Dorthy Chikly) amended his motion to include a second review and to make the increase retroactive to 6 months. Motion carried 4-0.
NEW BUSINESS: OTHER NEW BUSINESS: (I.7)	There was discussion about the possibility of adding stop signs on Santa Fe Trail Drive (both east and west of Maple) based on traffic counts. Consensus was to make a request for additional input from Officer Harmison and then discuss this topic at a future meeting. There was also discussion about our shut-off policy and the amount required to reconnect service. The Clerk is to bring our Ordinances (plus the LKM Model Ordinance) to the next Council Meeting. The Mayor discussed a recent request by a resident to have a miniature horse in town. Following discussion, consensus was to have Planning and Zoning look at this request. The Clerk is to bring our Ordinances along with the input from Planning and Zoning to our next Council Meeting. The Clerk is also to let the requestor know that we will discuss the item further at our next meeting.

PUBLIC COMMENTS: (J.)	None.
COUNCIL MEMBER COMMENTS: (K.)	Carol Baughman, Dorthy Chikly, and Jon Brady: None. Jim Gates: The Ridgeway Lodge Golf Tournament is August 28th. They need teams. It's a full tournament with 18 holes with cart and lunch. They are raising money for band camp for SFT students.
MAYOR'S REPORT: (L.)	The Mayor reminded the Council that he will not be at the September Council Meeting. He will be out of town for his son's wedding. Don recommended that at some point we consider purchasing a conference phone. Monday night 8/16/10 is the budget hearing.
ADJOURNMENT: (M.)	Dorthy Chikly (Jim Gates) moved to adjourn the meeting at 10:47 p.m. Motion passed, 4-0.

Respectfully submitted,

Jim Koger
City Clerk

Approved:
October 13, 2010

REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – September 8, 2010

CALL TO ORDER, ROLL CALL: (A.)	Council President Jim Gates called the September 8, 2010, regular council meeting to order at 7.00 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Council Members Jim Gates, Carol Baughman, Dorthy Chikly, and Jon Brady were present. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Don Bryant, Patty Hylton, Vic Robbins and Bill Jacobs. Members of the public were also present at the meeting.
MOTION, APPROVE AMENDED AGENDA: (A.1)	Dorthy Chikly (Carol Baughman) moved to approve the Agenda with the following change: Item B.1 8/11/10 minutes were not completed and would not be part of the Consent Agenda. Motion passed 4-0.
MOTION, APPROVE CONSENT AGENDA: (B.2 thru B.8)	Following discussion, Jon Brady (Carol Baughman) moved to approve the amended consent agenda. Motion passed, 4-0.
TREASURER REPORT: (C.1)	Patty Hylton will present her report later in the meeting.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant presented his report. The leak at the pool is in the NW corner. Consensus was for Don to investigate further to see if he could do the repair. The pigging of the 4 inch line coming to town has been completed. We will need to do this again in approximately 6 months. They have recently fixed 3 leaks in the rural areas. There was discussion about bringing Bruce Haukenberry to full-time status. The Council would like to discuss this at the October Council Meeting. There was additional discussion in regards to purchasing or leasing a skid steer. This will be a topic as well for the October Council Meeting.
LAW REPORT: (C.4)	Officer Harmison gave his report. There was discussion about purchasing a new laptop for his police car. Jon Brady (Dorthy Chikly) moved to allocate $500.00 to purchase a laptop for the police car. Motion carried 4-0. Officer Quigley is getting married soon. He will take a week's vacation.
POOL REPORT: (C.5)	There was no pool report.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	The Council reviewed the draft minutes from the most recent Planning and Zoning Meeting. Discussion items included ditches that needed work and how we could better enforce the mowing of grass. Planning and Zoning is also working on the question about semi-truck parking on Walnut.
SPECIAL REPORTS: (E.1)	Since Dee Warren was in attendance at the meeting, Council President Jim Gates requested that we move up Item G.1 to Special Reports. Per direction from Planning and Zoning, the request to have a miniature horse in town would require a change to our Criminal Code. Following discussion no such

	request for change was offered by the Council. As a result, the request was not approved.
SPECIAL REPORTS: (E.1)	Council President Jim Gates requested that Council move up Item H.4. to Special Reports as Walt Martin was in attendance. Following discussion concerning the bids from Cloud Heating and Cooling and Martin Service, Dorthy Chikly (Jon Brady) moved that we accept the bid for the 91% efficiency unit from Martin Service. There was additional discussion about the venting. Motion carried 4-0.
CITY BOARD REPORTS: PARK & REC. (D.2)	The packet included a written report from the City Clerk. No additional candidates were suggested for the vacant Parks and Recreation Commission Position. No action was taken.
CITY BOARD REPORTS: LIBRARY: (D.3)	There was no Library report.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The Council reviewed the email from Bruce Smith. No action was taken. The Housing Authority Board will be meeting September 9th at 9AM at City Hall.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins discussed the status of Phase 2 with the Council. Work has been going on at the lagoons for over a month. Change order #3 will be forthcoming for removing the rest of the sludge at Cell #4. We will have additional cost for moving the dried out sludge. Insituform will be here soon.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS (F.2a)	Vic Robbins led the discussion regarding the Water System Improvements Project. About 2/3rds of the new pipe is in the ground. Vic would estimate that approximately 50% of this project is done. The wind has been playing havoc on the street barriers. The Contractor will work on getting them back in place.
BREAK:	Council took a break at 8:37 p.m. and reconvened at 8:42 p.m.
PROJECTS IN PROCESS: STREET (F.2b)	Bill Jacobs discussed the Street Project with the Council. The Pre-Construction Conference with Little Joes was held earlier in the week. Little Joes will utilize four sub-contractors. They should have their detailed schedule to Bill Jacobs later this week. Bill discussed prioritizing streets for Little Joes to work on while water or sewer work was being done elsewhere. The possibility of additional drainage and/or street work was discussed. Maple Street south of Santa Fe Trail Drive was discussed next. There was some confusion on whether we were going to pave curb to curb on Maple south. Following this discussion, Jon Brady (Dorthy Chikly) moved to pave the alley behind the library, pave curb to curb from 56 Highway south to the Grocery Store, include a block east and west at both 4th and Market Streets, and address the drainage on the south side of the Grocery Store. We will come back later with a bid for a concrete top on the box culvert south of the Glyn Day Insurance Agency. Motion carried 4-0. The entrance to Lake Shore Drive might also be an area to consider paving if funds allow.

	Jon Brady asked Bill Jacobs if he felt that there was any indication that we needed to cut anything back at this time. Bill indicated that he did not feel that there was a need to at this time.
TREASURER REPORT: (C.1)	Patty Hylton gave her report. Patty recommended that with the recent change orders, we keep an eye on the Sewer Phase 2 balances.
UNFINISHED BUSINESS: MINATURE HORSE REQUEST: (G.1)	This item was covered earlier in the meeting.
UNFINISHED BUSINESS: NEW PARKS AND REC MEMBER: (G.2)	This item was discussed during the Parks and Recreation Report earlier in the meeting.
UNFINISHED BUSINESS: LEAK AT POOL/ PAINTING OF POOL: (G.3)	The leak at the pool was discussed during the Maintenance Report earlier in the meeting. Consensus was to get additional bids for the painting of the pool. Jon Brady suggested Neal Painting, Zach Taylor, or McGivern Inc. from Topeka. We will discuss this further at a later meeting.
UNFINISHED BUSINESS: PROPOSED SALE OF GALAXY CABLE INC TO ZITO MIDWEST LLC: (G.4)	Zito Midwest will be at our October Meeting. No action was taken.
UNFINISHED BUSINESS: LODGE PURCHASE: (G.5)	The Property Tax question is still being reviewed. The Lodge will meet soon. We will re-address this issue next month.
UNFINISHED BUSINESS: 323 MAPLE: (G.6)	Following discussion, Carol Baughman moved to contact our Lawyer to see what step was next. Motion died for a lack of a 2nd. After further discussion, the consensus was for the Clerk to contact our City Attorney to see what to do next. The Council would like an answer back soon.
UNFINISHED BUSINESS: NUISANCE ORDINANCE : (G.7)	No action taken as items are still being reviewed by Michael Coffman and Planning and Zoning.
OTHER UNFINISHED BUSINESS: (G.8)	There was no other Unfinished Business.
NEW BUSINESS: ORDINANCE 106 (REGARDING DELINQUENT WATER BILLS): (H.1)	Following discussion, the consensus was to research the LKM Model Ordinance regarding Water Utilities and review it at the October Council Meeting.
NEW BUSINESS: TRAIL PROJECT PHASE III MATCH:	Jon Brady outlined the details of the recently approved Trail Grant Application for Phase III of the Trail Project at Jones Park. It is an 80/20 grant. Following discussion, the consensus was it was okay for the City to front the down payment

(H.2)	for the match, as it had in the earlier phases of the project, and then be reimbursed later. Application has been made for a Sunflower Grant as well.
NEW BUSINESS: APPOINT LKM VOTING DELEGATE: (H.3)	Following discussion, Jon Brady (Dorthy Chikly) moved to appoint Don Schultz as the LKM Voting Delegate. Motion carried 4-0. Dorthy Chikly (Jon Brady) moved to appoint Carol Baughman as the alternate LKM Voting Delegate. Motion carried 4-0.
NEW BUSINESS: CITY HALL FURNACE/AC: (H.4)	This item was addressed previously in the meeting.
NEW BUSINESS: SEAT BELT LAW: (H.5)	There was discussion in regards to the amount of the fine for violating the new State Seat Belt Law. Consensus was to get more information and table this item until the October Council Meeting.
NEW BUSINESS: CREDIT ADJUSTMENT PIGGING OF 4 INCH LINE COMING TO TOWN: (H.6)	Following discussion, consensus was to review this further at the October Council Meeting. The clerk is to research past usage and have the information available for the Council to review.
NEW BUSINESS: FISHING DERBY DONATION: (H.7)	Following discussion about potential liability, Jon Brady (Jim Gates) moved to donate $100 to the Parks and Recreation Commission to buy prizes for the upcoming Fishing Derby. There was additional discussion where it was noted that we need to establish a policy for donations (including special interest groups) as we do not have one in place yet. Motion carried 3-1 (Dorthy Chikly).
NEW BUSINESS: OTHER NEW BUSINESS: EXECUTIVE SESSION (H.8)	Officer Harmison requested a short Executive Session. Dorthy Chikly (Carol Baughman) moved that the governing body, along with Officer Harmison, recess into a five minute Executive Session to discuss personnel matters of non-elected personnel. The Motion carried 4-0.
RETURN FROM EXECUTIVE SESSION: (H.8)	The governing body returned from Executive Session at 10:27PM. No decisions were made nor were any actions taken during the Executive Session.
NEW BUSINESS: OTHER NEW BUSINESS: (H.9)	Following discussion, Dorthy Chikly (Carol Baughman) moved to purchase an additional laptop, similar to what was approved earlier in the meeting, at a cost of $500.00 This laptop would be for the second police car. Motion carried 4-0.
NEW BUSINESS: OTHER NEW BUSINESS: (H.10)	Following discussion, Jon Brady (Dorthy Chikly) moved to spend $25 for a wedding gift for Officer Quigley. Chief Harmison will get the gift. Motion carried 4-0.
NEW BUSINESS: OTHER NEW BUSINESS: (H.11)	There was no other new business.
PUBLIC COMMENTS: (J.)	Karl Umscheid discussed concern over the amount of trash at the City Lake and Children's Fishing Pond. Consensus was to pull existing information regarding littering and review it at our next Council Meeting.
COUNCIL MEMBER COMMENTS:	Carol Baughman, Dorthy Chikly, and Jon Brady: None.

(K.)	Jim Gates: Santa Fe Trail Days is on September 25th. We will want to work on what we will do for the upcoming Veteran's Day Celebration at our next Council Meeting.
MAYOR'S REPORT: (L.)	No Mayor's Report.
ADJOURNMENT: (M.)	Dorthy Chikly (Carol Baughman) moved to adjourn the meeting at 10:34 p.m. Motion passed, 4-0.

Respectfully submitted,

Jim Koger
City Clerk

Approved:
October 13, 2010

SPECIAL COUNCIL MEETING
CITY OF OVERBROOK

MINUTES—September 27, 2010

CALL TO ORDER: Mayor Don Schultz called the September 27, 2010 special council meeting to order at 7:00 p.m. in the Overbrook City Hall, 401 Maple, Overbrook, Kansas.

MEMBERS PRESENT: A quorum was present with the following in attendance: Mayor Don Schultz, Council Members Jim Gates, Dorthy Chikly, Jon Brady, and Tadd Goodyear.. Others present included Kit Bostrom, Officer Ed Harmison and Jon Wilhite.

DISCUSSION: Mayor Schultz explained to the Council the purpose of the meeting was for the governing body to "call an election" on the sufficient petition to submit the issue of allowing the sale at retail of alcoholic liquor in the original package within the corporate limits of the City of Overbrook, Kansas, to a ballot question at the next eligible general city election which would be November 2, 2010. Mayor Schultz explained that if the questions passes then then the council will have the responsibility to determine the appropriate steps to be taken by the council to issue a license and what is needed in a city ordinance.

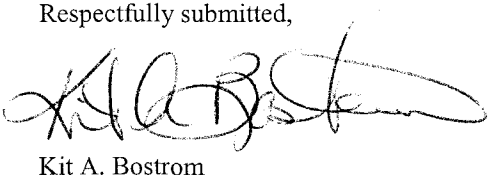
MOTION TO "CALL AN ELECTION": Tadd Goodyear (Jon Brady) moved that the council agree to "call an election" on the sufficient petition to submit the issue of allowing the sale at retail of alcoholic liquor in the original package within the corporate limits of the City of Overbrook, Kansas, to a ballot question at the next eligible general city election which would be November 2, 2010.

DISCUSSION, Council held a brief discussion regarding the validity of the petition. The petition had been verified by County Clerk, Rhonda Beets, to be valid and the City Attorney, Michael Coffman had reviewed the petition and verified the Council needed to take action to "call an election".

The Mayor called for a roll call vote by council members, Dorthy Chikly - yes, Jim Gates – yes, Tadd Goodyear – yes, and Jon Brady – yes. Motion passed, 4-0.

ADJOURNMENT: Dorthy Chikly (Jim Gates) moved to adjourn the meeting at 7:10 pm. Motion passed, 4-0.

Respectfully submitted,



Kit A. Bostrom
Assistant City Clerk

Approved:
October 13, 2010

REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – October 13, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the October 13, 2010, regular council meeting to order at 7.02 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Council Members Tadd Goodyear, Carol Baughman, Dorthy Chikly, and Jon Brady were present. Council Member Jim Gates was absent. Others present included Jim Koger, Kit Bostrom, Ed Harmison, Don Bryant, Patty Hylton, Sheila Dale, Vic Robbins and Bill Jacobs. Members of the public were also present at the meeting.
MOTION, APPROVE AMENDED AGENDA: (A.1)	Tadd Goodyear (Dorthy Chikly) moved to approve the Agenda with the following changes: Item E.4 Brad Remington, the new franchise owner from Wheat State Pizza, is here to discuss items with the Council. Item H.5 Request to place Veteran's Memorial at City Park. Motion to amend agenda carried 4-0.
MOTION, APPROVE CONSENT AGENDA: (B.1 through B.5)	Following discussion, Dorthy Chikly (Tadd Goodyear) moved to approve the consent agenda. Motion passed, 4-0. Consent Agenda Items were as follows: B.1. Approve August 11, 2010 Regular Council Meeting Minutes B.2. Approve September 8, 2010 Regular Council Meeting Minutes B.3. Approve September 27, 2010 Special Council Meeting Minutes B.4. Approve Warrants B.5. Appoint John Jewell to replace Gregg Childress as Library Board Member
TREASURER REPORT: (C.1)	Patty Hylton gave her report. Following discussion, Patty will be working on the Phase 2 loan request as well as the project cost spreadsheets. Patty will discuss the project costs with Vic Robbins. Jon Brady, Jim Koger and Patty will work on the debt payment review for our next Council meeting.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. Following discussion, Dorthy Chikly (Tadd Goodyear) moved to purchase 3 sets of no littering signs for the park. Motion carried 4-0. There is an article on special event cmb licenses in our newest issue of LKM Magazine. Consensus was to discuss this item at our November Council meeting. Jim will be attending a KPERS training course on Thursday, October 21st. The office will be closed until lunch that day. Jim will also be in Wichita the week of October 25th for Year 2 of the CCMFOA Clerk Academy. Jim was a scholarship recipient.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant presented his report. A chlorine pump was recently repaired. There was discussion about the water pressure from the wells coming to town. Don B. will continue to monitor this item. The pool leak, along with the pool winterizing, will be addressed next week. The brush hog needs to be replaced. The gear box can't be repaired. Following discussion, Tadd Goodyear (Dorthy Chikly) moved to approve up to $2,000.00 to replace our brush hog mower. Motion carried 4-0. Tadd suggested looking at Rhino. The mayor commended Don B. on his good work.

LAW REPORT: (C.4)	Officer Harmison gave his report. The Kansas Highway Patrol is not increasing the $5 fine amount on the Seat Belt Law. Following discussion, consensus was that we would not change our $5 fine amount at this time.
POOL REPORT: (C.5)	A written report from Chelsea Luther was in the packet for the Council to review. Included in the report were some items that need to be addressed before the next pool season. We will discuss these items in more detail next month.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	Sheila Dale brought the Council some homework in regards to the Comprehensive Plan that Planning and Zoning is working on. Sheila would like for the Council to work on a Mission Statement (including goals) for next meeting. Sheila also indicated that they were continuing to work on the Nuisance Ordinance.
CITY BOARD REPORTS: PARK & REC. (D.2)	The Council reviewed a written report from Jim Koger. No action was taken. The Soccer Field Dedication is Saturday, October 16th, at approximately 10:30AM.
CITY BOARD REPORTS: LIBRARY: (D.3)	No report given.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	No report given. Jim Koger indicated that energy consumption forms were being filled out to see if Oak Plaza could qualify for an energy grant. The Mayor reminded everyone that Saturday, October 23rd, was fall clean-up day at Oak Plaza. Everyone is invited to help out. The clean-up will begin around 8:30AM.
CITY BOARD REPORTS: CEMETERY BOARD: (D.5)	Dorthy Chikly indicated that the Cemetery would be interested in some of the millings from the Street Improvement Project. Following discussion, the Clerk will ask Cliff O'Bryhim to stake out an area for any extra millings to be dumped.
CITY BOARD REPORTS: OTHER: (D.6)	No other reports were provided.
SPECIAL REPORTS: DISCUSS CITY ISSUES DUANE SHUCK: (E.1)	Duane and Lois Shuck were present to discuss a list of concerns. Lois presented the Council with a list and proceeded to review the items. No particular action was taken. However, the Council will review the items and address them as they deem appropriate. The Mayor thanked the Shuck's for attending.
SPECIAL REPORTS: DISCUSSION OF INCREASED COSTS AT OSAGE COUNTY WASTE JOE GREENE: (E.2)	Joe Greene from Osage Waste asked the Council to increase his contract price 4% across the board due to an increase in his cost at the County Transfer Station. Following discussion, Tadd Goodyear (Carol Baughman) moved to approve the 4% increase effective on our November bill. Motion carried 3-1 (Dorthy Chikly). Our contract with Osage Waste is up for renewal in May of 2011.
SPECIAL REPORTS: DISCUSS NORTON GIFT FOR LIBRARY HURST COFFMAN: (E.3)	Hurst Coffman, trustee for the Glen and Claudine Norton estate, was present to discuss the gift the Norton's had left for the library. The Norton's, lifetime Overbrook residents and owner's of the former Northbrook Lumber Co., established a trust in 1989 to benefit our library upon their deaths. This is a tremendous gift (close to a million dollars)- a true blessing for our community.
SPECIAL REPORTS: NEW OWNERSHIP WHEAT STATE PIZZA	Brad Remington was present to introduce himself to the Council. He is the new owner of our Wheat State Pizza franchise. They will plan on re-opening later this month. Mr. Remington requested that the Council issue a CMB for bottled beer

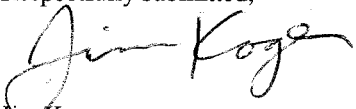
FRANCHISE BRAD REMINGTON: (E.4)	only, on premise only, for their upstairs, basement and patio. Paul Billings will be their Manager. Dorthy Chikly (Tadd Goodyear) moved to approve the CMB based upon receipt of State Approval from Mr. Remington. Motion carried 4-0. Jim Koger is to work on the CMB. Don Schultz will get information regarding the new ownership for our newsletter.
BREAK:	Council took a break at 8:43 p.m. and reconvened at 8:48 p.m (Chikly, Baughman 4-0).
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins gave his report. There was discussion about what would be done with the sludge that was removed from the lagoons. No action was taken. Insituform has about a week left with the lining portion of the project. Once they are done, Mayer can work on the manholes. Vic and Patty Hylton are working on King's Pay Application #2. Yet to be completed Change Order #3 will include the additional cost to spread sludge and the additional cost for miscellaneous items (i.e. the sealing of services by Insituform). The Council next discussed Clean Water connections with Vic. We will need to further address this in the future. Best guess is that there might be as many as 75 homes with lateral drains still connected to the sewer.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS (F.2a)	Vic Robbins discussed the status of the Water System Improvement Project. We've had one change order so far. As we had discussed previously, there will be least 2 additional ones. The paperwork for those should be completed soon. Vic next addressed his concern over the improper placement of waste materials north west of the new soccer field. Vic believes that the work done represents a serious pollution threat to the Overbrook City Lake. Vic, Mayor Schultz, and Jon Brady had met earlier today at the site. Vic also discussed the issue with Brian from Heartland Midwest. This will need to be resolved. We will discuss again at the next Council Meeting. Heartland will also be working on the asphalt pile near the soccer field as well as the curb at 5th and Maple.
PROJECTS IN PROCESS: STREET (F.2b)	Bill Jacobs gave his report. Following discussion, Bill indicated that they were waiting for additional drainage costs from Little Joe's. Jon Brady requested that Bill let the Council know when he got the prices from Little Joe's so they could decide whether a special meeting would need to be called as a result. Ditch work on the east side of Walnut was discussed next. Bill Jacobs and Don Bryant will continue to work on that issue. The consensus was for the Mayor to sign Little Joe's payment request. Council Member Tadd Goodyear was excused from the rest of the meeting due to his work responsibilities at Westar.
ANIMAL CONTROL REPORT:	Mayor Schultz acknowledged that we had inadvertently skipped the Animal Control Report earlier in the meeting. Karl Umscheid gave his report regarding the number of animals taken to the Carbondale Vet this past month. No action was taken as a result of the report.
UNFINISHED BUSINESS: DISCUSS PROPOSED FEES FOR SEAT BELT LAW: (G.1)	Following discussion earlier in the meeting, the consensus was that the fee would stay at $5.00.
UNFINISHED BUSINESS: NEW PARKS AND REC MEMBER: (G.2)	Following discussion, Jon Brady (Dorthy Chikly) moved to appoint Rodney Caldwell to the Parks and Recreation Commission. Motion carried 3-0. Mayor Schultz will let Rodney know.
UNFINISHED BUSINESS:	Following lengthy discussion, consensus was for Jim Koger and Don Schultz to

ESTABLISH POLICY ON CITY DONATIONS: (G.3)	work on this some more before the next meeting. We will discuss it again at the November Council Meeting.
UNFINISHED BUSINESS: PROPOSED SALE OF GALAXY CABLE INC TO ZITO MIDWEST LLC: (G.4)	Following discussion, Jon Brady (Dorthy Chikly) moved to approve Ordinance #348 which allowed the transfer of franchise rights from Galaxy Cable to Zito Midwest. Motion carried 3-0.
UNFINISHED BUSINESS: LODGE PURCHASE: (G.5)	We will re-address this issue next month.
UNFINISHED BUSINESS: 323 MAPLE: (G.6)	Following discussion, Dorthy Chikly (Carol Baughman) moved to hold a public hearing regarding 323 Maple. Further discussion centered on the publication requirements necessary. Motion carried 3-0. Jim Koger is to contact Michael Coffman about proceeding with the hearing.
UNFINISHED BUSINESS: NUISANCE ORDINANCE : (G.7)	No action taken as items are still being reviewed by Michael Coffman and Planning and Zoning.
UNFINISHED BUSINESS: DISCUSS PURCHASE OF SKID STEER: (G.8)	Following discussion, consensus was to address this further next month. Don Bryant is to get additional pricing including differences in outright purchase versus lease purchase.
UNFINISHED BUSINESS: REVIEW OF CURRENT UTILITY BILL ORDINANCE #106: (G.9)	Following discussion, particularly in regards to a sewer connection (limited services fee) and the amount necessary to re-establish service, this item will be discussed further next month. Mayor Schultz will work on this item with Jim Koger.
UNFINISHED BUSINESS: REVIEW OF POSSIBLE CREDIT ADJUSTMENT FOR FLUSHING OF WATER LINES IN SEPTEMBER : (G.10)	Following discussion, Jon Brady (Dorthy Chikly) moved to approve a one-time credit of $12.96 on the water portion of the utility bill for the 35 customers on the 4 inch line that comes to town from the wells east of Overbrook. The credit is to be applied to the November bill. Motion carried 3-0.
OTHER UNFINISHED BUSINESS: (G.11)	There was discussion about two outstanding bills for work done at the ballfields. Consensus was to submit both bills to the Parks and Recreation Commission. There was no other unfinished business.
NEW BUSINESS: DISCUSS SFT AFTER PROM REQUEST FOR DONATION: (H.1)	This item was tabled until Item G.3 (Policy on City Donations) was finalized.
NEW BUSINESS: DISCUSS PROPOSAL TO SPONSOR/COMMERCIAL	Following discussion, consensus was to politely decline the sponsorship at this time.

FOR SFT GAMES: (H.2)	
NEW BUSINESS: DISCUSS POSSIBLE REPAIR OF WELL #1: (H.3)	Following discussion, Jon Brady moved to investigate the repair of Well #1. No second was received. Consensus of the Council was to get a bid for the repair from Patchen's. Don Bryant is to contact Royce (at Patchen's) in regards to Well #1 and report back next meeting. No further action was taken.
NEW BUSINESS: DISCUSS CITY HALL FURNACE/AC INSTALLATION IN LODGE KITCHEN: (H.4)	Consensus was to follow-up on this item with Walt Martin. The Clerk will contact Walt.
NEW BUSINESS: REQUEST TO PLACE VETERAN'S MEMORIAL AT CITY PARK: (H.5)	A local group would like to place a Veteran's Memorial at our City Park. No action was required now as plans are in the beginning stages but the group wanted to make the Council aware of the project.
NEW BUSINESS: OTHER NEW BUSINESS: (H.6)	Following discussion, the Council would like to work on establishing a Truck Route in Overbrook. This will be an agenda item for the November Council Meeting.
NEW BUSINESS: OTHER NEW BUSINESS: (H.7)	Mayor Schultz shared information about the opportunity to purchase off-lease mowers from a contact he made at the LKM Conference. Following discussion, we will review this before next spring.
NEW BUSINESS: OTHER NEW BUSINESS: (H.8)	Mayor Schultz spoke with the Council in regards to a hand-held meter reading device that he saw at the recent LKM Conference. The unit itself was around $5,000.00. Following discussion, Jim Koger is to send requests for more information from similar manufacturers. We will follow-up on this item at a future meeting.
NEW BUSINESS: OTHER NEW BUSINESS: (H.9)	There was no other new business.
PUBLIC COMMENTS: (I.)	Susie Whalen, reporter from the Osage County Herald-Chronicle, verified the spelling of Lois Shuck's name. Susie also inquired as to why we only have one Council Meeting per month!
COUNCIL MEMBER COMMENTS: (J.)	Carol Baughman, Dorthy Chikly, and Jon Brady: None.
MAYOR'S REPORT: (K.)	Mayor Don Schultz asked if anyone was interested in going to the LKM Regional Supper next month in Leavenworth. Please let Don know and he will get you registered.

ADJOURNMENT: (L.)	Jon Brady (Dorthy Chikly) moved to adjourn the meeting at 11:47 p.m. Motion passed, 3-0.

Respectfully submitted,



Jim Koger
City Clerk

Approved:
November 10, 2010.

REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – November 10, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the November 10, 2010, regular council meeting to order at 7.00 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Council Members Tadd Goodyear, Carol Baughman, Jim Gates, Dorthy Chikly, and Jon Brady were present. Others present included Jim Koger, Ed Harmison, Don Bryant, Patty Hylton, Sheila Dale, and Vic Robbins. Members of the public were also present at the meeting.
MOTION, APPROVE AMENDED AGENDA: (A.1)	Following discussion, Jim Gates (Carol Baughman) moved to add the additional items to the Agenda. Motion carried 5-0.
MOTION, APPROVE CONSENT AGENDA: (B.1 through B.5)	Following discussion, Dorthy Chikly (Tadd Goodyear) moved to approve the consent agenda. Motion passed, 5-0. Consent Agenda Items were as follows: B.1. Approve October 13, 2010 Regular Council Meeting Minutes B.2 Approve November 16th Work Session 7PM with Planning and Zoning B.3. Approve Warrants
TREASURER REPORT: (C.1)	Patty Hylton gave her report. There was discussion regarding the large warrant to Rural Water. This is a result of the 4 inch line overflow; Don Bryant indicated it should be resolved soon. We will want to review additional engineering costs for the street project.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. Following discussion, Jim Koger is to get the proposed lodge agreement to Jim Gates as well as have Walt Martin discuss the furnace installation with the lodge. Mayor Schultz detailed the recent meeting with Jan Simons from Westar regarding the Utility Pole near the Shuck residence. There was discussion about Utility Billing. We will discuss this further at item G.5. Consensus was for Jim Koger to work with Michael Coffman on the water line easement at Meadowbrook.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant presented his report. Following discussion about the repair of well #1, Don was instructed to get a couple more bids for the repair. Don is also to investigate the possibility of a simple filtration option for the 4 inch line coming from the wells. It was suggested that he contact Mike Musick and/or Bruce Smith for advice. The fire hydrant by co-op remains on their list of things to do. The park bathroom has been closed for the winter. There was no Animal Control Report.
LAW REPORT: (C.4)	Officer Harmison gave his report. The sidewalk south of Glyn Day's office is about to turn 100 years old!
POOL REPORT: (C.5)	The Mayor indicated that Tammy and Chelsea Luther intend to return next summer as Pool Managers. The leak has been fixed and the doors have been winterized. We'll need to follow-up on the material requests within the next couple of months.
CITY BOARD REPORTS: PLANNING & ZONING:	Sheila Dale indicated that Planning and Zoning would be meeting next Tuesday with the Council holding a joint work session. No action was taken.

(D.1)	
CITY BOARD REPORTS: PARK & REC. (D.2)	Following discussion, Dorthy Chikly (Carol Baughman) moved to pay Nathan Averill for chalking the fields this past season. Motion carried 5-0. The Council would like for Park and Rec to discuss budgeting for this in the future as well as preparing the field for the high school baseball. The Council will continue to look for a replacement for Board Member Brian Kuermaier. Soccer just winded up. By all accounts it was a successful season!
CITY BOARD REPORTS: LIBRARY: (D.3)	No report given.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	No report given. Mayor Schultz indicated that the clean-up day was rainy and they didn't get as much done as they hoped. Perhaps an additional day will be scheduled. Work continues on the energy grant application. Don Bryant was asked if he could help pull out the two stumps near the SW corner of the property.
CITY BOARD REPORTS: CEMETERY BOARD: (D.5)	No report given.
CITY BOARD REPORTS: OTHER: (D.6)	No other reports were provided.
SPECIAL REPORTS: CARLA BACH DISCUSS SPEEDING ON MAPLE STREET: (E.1)	Carla Bach discussed her concern about the speed limit on Maple Street. Mrs. Bach indicated that she felt 20 MPH was difficult to maintain, would it be better to increase the speed limit to 25 and enforce it more strictly? The Council thanked her for her input. No action was taken.
SPECIAL REPORTS: TIM SCHWERDT AFLAC PRESENTATION: (E.2)	Tim Schwerdt and a co-worker presented information about AFLAC for the employees and council to review. No action was taken. Tim will call Jim Koger to discuss further.
PROJECTS IN PROCESS: SEWER-PHASE 2: (F.1)	Vic Robbins gave his report. There was discussion about what remained to be done by King's Construction. Items included restoration of the borrow pit and the sludge storage. There was also a water level control weir that needed adjustment. The subcontractor will be working on the fencing as well. Pay Application #3 was discussed next. With one more change order yet to be processed (in the approximate amount of $30,000); belief was that we were still close to $100,000 under budget. Debt service will still need to be addressed. Consensus was for Mayor Schultz to sign the change order. Tadd Goodyear (Dorthy Chikly) moved to approve pay application #3. Motion carried 5-0.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS (F.2a)	Vic Robbins discussed the status of the Water System Improvement Project. He recently went over the final items with Heartland Midwest and Mayor Schultz. We will soon receive the as-built plans from Brian McDermott. There are some soil test density questions as well. Seeding and Mulching was done late but in a workman-like fashion. Vic feels that the stabilizing of the run-off channel has now been properly addressed. Discussion continued in regards to the project cost. Add-ons and contingencies (such as unknown, unmapped water services that were encountered); including the 8 additional valves as well as 100 feet of additional

	piping that was done, and has the final amount of the project coming to $178,833.00. This is approximately $14,000 over budget (on construction only). The notice of substantial completion has been issued. Heartland's pay request for $49,539.50 would get them to 95% paid. Regarding the final retainage, if the council gave the Mayor authority to pay once the items meet Vic's approval ($8,941.67) we wouldn't have to wait until next meeting. Dorthy Chikly (Jim Gates) moved to pay the $8,941.67 once Vic gave his approval. There was additional discussion. Vic indicated we would also need lien releases from all of their suppliers. So noted. Motion carried 3-2 (Brady, Goodyear).
BREAK:	Council took a break at 8:55 p.m. and reconvened at 9:05 p.m.
PROJECTS IN PROCESS: STREET (F.2b)	Vic Robbins addressed the street project in Bill Jacob's absence. With two blocks left to pave the ton overage is believed to be not as great as what was previously thought, however final details weren't yet available. Jon Brady questioned how RD Johnson was selected as a subcontractor- in particular who got the bids from which they were selected. Vic believed that the prime contractor got the quotes and went with who they wanted to pick. Jon indicated that he thought we could have saved considerable money by including a local contractor in the bid process. The consensus of the Council was that they would like to see an estimate of the remaining costs (including engineering) by the next Council Meeting. Jon Brady also asked about a close-out list. With this further information we can discuss requests for payment. The monitoring meeting with the Department of Commerce will be in December. Donna Crawford will assist.
UNFINISHED BUSINESS: ESTABLISH POLICY ON CITY DONATIONS: (G.1)	Following discussion about options, Tadd Goodyear moved to create a policy to best represent tax payers by not making donations. There was discussion about promoting the city in general- is this different than a donation? Motion was retracted. Tadd Goodyear moved to make a 2 person committee to develop the policy. Motion died for a lack of a second. Discussion continued. Dorthy Chikly (Tadd Goodyear) move to make a policy to not donate to special interest groups. Discussion: What is a special interest group? Consensus was that if it was not community wide it is a special interest group. Mayor Schultz called for the vote. Motion carried 3-2 (Brady, Gates).
UNFINISHED BUSINESS: DISCUSS SFT AFTER PROM 2011 Request for City Donation: (G.2)	Following discussion, Jim Gates (Jon Brady) moved to donate $100 to SFT After Prom. Motion carried 3-2 (Baughman, Chikly).
UNFINISHED BUSINESS: 323 MAPLE UPDATE: (G.3)	This will be discussed later in the meeting.
UNFINISHED BUSINESS: DISCUSS PURCHASE OF SKID STEER: (G.4)	Following discussion, Jim Gates (Tadd Goodyear) moved to purchase the Cat Model 257 Track Model Skid Steer. There was discussion about utilizing local lease options and whether there would be a penalty for paying off early. Further discussion led to Jim Gates clarifying his motion to state that we would make the commitment to purchase the skid steer and would pursue the most appropriate lease option. Motion carried 5-0.
OTHER UNFINISHED BUSINESS: DISCUSSION REGARDING SEWER CONNECTION CHARGE: (G.5)	Following recommendation from the City Attorney that Ordinance #313 gives us the right to do so, the consensus of the Council was we would bill for sewer connections when water is off but the residence remains occupied. Clarification was that we would not back bill. Belief was that the any subsequent past due balances would be subject to the same assessment policies.

OTHER UNFINISHED BUSINESS: SOUTH WALNUT STREET: (G.6)	The road work on South Walnut Street has been completed. There was grading work done as well as placing of millings from the street project.
OTHER UNFINISHED BUSINESS: (G.7)	There was no other unfinished business.
NEW BUSINESS: UPDATE ORDINANCE #289: (H.1)	Following discussion, Tadd Goodyear (Dorthy Chikly) moved to repeal Ordinance #289 due to the results of the recent public vote. Motion carried 5-0. The clerk is to verify if we need to publish the repeal. Discussion next centered on the creation of the new Alcoholic Liquor Ordinance. Jon Brady and Dorthy Chikly are to work on the new Ordinance with help from Michael Coffman. This will be an agenda item for the next Planning and Zoning Meeting so there will be input from them as well. Following additional discussion, Jim Koger is to have Planning and Zoning address the location info at their meeting as well. We will aim to discuss the wording of the Ordinance at the December Council Meeting.
NEW BUSINESS: ESTABLISH TRUCK ROUTES IN OVERBROOK: (H.2)	Officer Harmison presented the Council with a map for a possible truck route. Following discussion, Tadd Goodyear (Dorthy Chikly) moved to purchase truck route signs and have Officer Harmison decide where to put the signs. Motion carried 5-0. There will be no Ordinance establishing the truck route.
NEW BUSINESS: REQUEST FT STATUS FOR BRUCE HAUKENBERRY: (H.3)	Following discussion, consensus was to look at this matter again in the Spring. No action was taken.
NEW BUSINESS: REQUEST FOR EXECUTIVE SESSION BY MAYOR SCHULTZ: (H.4)	At 10:35PM Jon Brady (Jim Gates) called for a 10 minute Executive Session to discuss matters related to non-elected personnel. The Council Meeting was called back to order at 10:47PM. No decisions were made, nor were any actions taken during the Executive Session.
NEW BUSINESS: PARK PROJECT UPDATE: (H.5)	Jon Brady discussed the bridge at the City Lake. DWR will require an application to modify the dam structure. Consensus was that the City should sign the application with PRIDE paying the application fee as part of the grant match. Jon has been working with Kim Feldkamp from DWR. The plan for the bridge is an 82 foot free-spanning bridge. As in other parts of this project, the City will front the purchase and then be reimbursed through the grant proceeds. Additional matching funds will come via the Sunflower Grant thru PRIDE. The project will also include an ADA fishing dock.
NEW BUSINESS: OTHER NEW BUSINESS: (H.6)	Following discussion, Jon Brady (Tadd Goodyear) moved to purchase 500 calendar 2011 magnets to distribute with the newsletter/hand-out at City Hall. Motion carried 5-0.
UNFINISHED BUSINESS: 323 MAPLE UPDATE: (G.3)	Jim Koger asked about going back to the update on 323 Maple. Mayor Schultz indicated that this had been addressed and there was no action taken.
NEW BUSINESS: OTHER NEW BUSINESS: (H.7)	There was no other new business.

PUBLIC COMMENTS: (I.)	There was no public comment.
COUNCIL MEMBER COMMENTS: (J.)	Carol Baughman, Dorthy Chikly, and Jon Brady: None. Tadd Goodyear indicated that he thought the streets were looking good. This led to discussion about changing the speed limit on Maple. The consensus was that we should keep an eye on the speeding on Maple but there was no need to change the speed limit on Maple at this time.
MAYOR'S REPORT: (K.)	Mayor Don Schultz commented on the community enthusiasm in regards to the projects that were winding up.
ADJOURNMENT: (L.)	Dorthy Chikly (Jim Gates) moved to adjourn the meeting at 11:03 p.m. Motion passed, 5-0.

Respectfully submitted,

Jim Koger

Jim Koger
City Clerk

Approved:
December 8, 2010

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING November 23, 2010 Overbrook City Hall 7:00PM

MEMBERS PRESENT: Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman and Mayor Don Schultz. Dorthy Chikly was absent.

OTHERS PRESENT: Jim Koger, Scott Boronsky

The meeting was called to order by Mayor Don Schultz at 7:00PM after which roll call determined the presence of a quorum.

The purpose of this special meeting is to:

Review for approval Ordinance No 352,
AN ORDINANCE REPEALING ORDINANCE NO. 289 AND REGULATING SALE OF ALCOHOLIC LIQUOR IN THE ORGINAL PACKAGE:

Following discussion, Carol Baughman (Tadd Goodyear) moved to accept Ordinance #352 as written.

There was further discussion regarding how Section 7 was based.

Mayor Schultz called for a Roll Call Vote with the following Council Member responses:

Tadd Goodyear Yea
Jon Brady Yea
Jim Gates Yea
Carol Baughman Yea

Motion carried, 4-0.

ADJOURNMENT:
There being no further business to come before the Council, on a motion duly made and seconded by Jon Brady and Tadd Goodyear, the meeting was adjourned at 7:11PM.

Respectfully submitted,

Jim Koger

Jim Koger, City Clerk
Approved: December 8, 2010

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING November 23, 2010 Overbrook City Hall 7:12PM

MEMBERS PRESENT: Tadd Goodyear, Jon Brady, Jim Gates, Carol Baughman and Mayor Don Schultz. Dorthy Chikly was absent.

OTHERS PRESENT: Jim Koger

The meeting was called to order by Mayor Don Schultz at 7:12PM after which roll call determined the presence of a quorum.

The purpose of this special meeting is to:

Discuss and possible approval of request to purchase mower.

Following discussion, Jim Gates (Tadd Goodyear) moved to buy outright for $8,500.00 the Grasshopper Model 930D mower from the dealer in Pender, Nebraska, with the caveat that the Council reserves the right to inspect the mower upon its' arrival. If the condition of the mower is not as described, the deal will not be consummated.

Motion carried 4-0.

ADJOURNMENT:
There being no further business to come before the Council, on a motion duly made and seconded by Carol Baughman and Jim Gates, the meeting was adjourned at 7:27PM.

Respectfully submitted,

Jim Koger

Jim Koger, City Clerk
Approved: December 8, 2010

REGULAR COUNCIL MEETING
CITY OF OVERBROOK

MINUTES – December 8, 2010

CALL TO ORDER, ROLL CALL: (A.)	Mayor Don Schultz called the December 8, 2010, regular council meeting to order at 7.00 p.m. in Overbrook City Hall, 401 Maple, Overbrook, Kansas. Roll call was taken and it was determined that a quorum was present. Council Members Carol Baughman, Jim Gates, Dorthy Chikly, and Jon Brady were present. Others present included Jim Koger, Ed Harmison, Don Bryant, Patty Hylton, Sheila Dale, Karl Umscheid, Shane Quigley, Bill Jacobs and Vic Robbins. Members of the public were also present at the meeting.
MOTION, APPROVE AMENDED AGENDA: (A.1)	Following discussion, Dorthy Chikly (Jim Gates) moved to add item F.7 323 Maple Update and approve the amended Agenda. Motion carried 4-0. In addition to F.7, the amended agenda included item G.6.
MOTION, APPROVE CONSENT AGENDA: (B.1 through B.5)	Following discussion, Jim Gates (Jon Brady) moved to approve the consent agenda. There was brief discussion about previous bonus amounts. Jim Gates (Jon Brady) amended the motion, striking the last two paragraphs of Item B.5. Motion passed, 4-0. Consent Agenda Items were as follows: B.1. Approve November 10, 2010 Regular Council Meeting Minutes B.2 Approve November 23, 2010 Special Meeting #1 Minutes B.3 Approve November 23, 2010 Special Meeting #2 Minutes B.4. Approve Warrants B.5 Year-End Bonus for non-elected employees B.6 Approve release of funds for new mower
TREASURER REPORT: (C.1)	Patty Hylton gave her report. Patty is working with Jim Long on how we show the bond refinancing. There was discussion about Park and Recreation funds. The 2012 Pool budget will probably need to be amended. Following discussion about the additional warrants, Dorthy Chikly moved to approve. Following discussion, Dorthy amended her motion to withhold invoice #23660 (King's Engineering) until we have verification. Carol Baughman seconded. Motion carried 4-0.
CITY CLERK REPORT: (C.2)	Jim Koger presented his report. There was discussion about test results at Well#4. The recent positive E-Coli test was most likely a result of a sample collection issue. The clean-out had to be dug up and flushed before the sample was taken. We will be meeting with Vic Montgomery from KDHE next week to discuss the sample taps and the sampling that we will need to do as a result of this positive test. It is important to note that samples further on in the system have been negative for E-Coli. Payment arrangements for two utility customers were discussed next. The first plan was approved 4-0, following a motion made by Jim Gates (Jon Brady). Dorthy Chikly (Carol Baughman) moved to approve the second payment arrangement subject to normal shut-off procedures if payment was not received by 12/27/10. Motion carried 4-0. There was discussion about the interpretation of Ordinance #106. Michael Coffman had opined that Ordinance #106 called for shut-off on the 27th if payment had not been received for the bill due on the 20th. Based off of this input from the City Attorney, Dorthy Chikly (Job Brady) moved to allow 3 months before enforcing

	this updated interpretation, thus allowing our customers some time to satisfy past due balances that were a result of the previous interpretation of shut-off as of the 27th of the following month. There was discussion abou the sewer/trash only accounts. Consensus was that they would be subject to assessment/collection. Motion carried 4-0. The clerk was requested to send a Thank You note to Bev Hix.
MAINTENANCE/ANIMAL CONTROL REPORT: (C.3.1a, C.3.1b)	Don Bryant presented his report. Mayor Schultz will call Pete Bolin about the mower. The Aqua Mag backup pump has not yet been repaired. Sample taps for wells 3,4 &5 were discussed. The consensus was for Don Bryant to discuss this further with Vic Montgomery. The repair of Well#1 was discussed next. Jim Gates (Jon Brady) moved to approve the bid from Patchen for $15,000 with the work to be done as soon as possible. Motion carried 4-0. Don Bryant will let Patchen know. Striping has been done except for the middle of Maple Street. There was discussion about handicapped parking- we will review more at a future meeting. The staff will continue to work on placing millings along the edges of the new asphalt. The 4 inch water line is back in service. Some of the service lines are as long as ¼ mile off of this 4 inch water line and may periodically need flushing. Karl Umscheid gave his Animal Control report. He had 4 dog calls this month. He has also set a trap for an Opossum. The Council requested that the Clerk bring updated tag information to the January Meeting.
LAW REPORT: (C.4)	Officer Harmison gave his report. Following discussion regarding the purchase of a new computer, consensus was for Officer Harmison to purchase a new computer and scanner for the Police Department with a price range from $1,500 to $1,700.
BREAK:	At 8:53pm a break was called. Council returned from break at 9:00PM.
CHANGE IN AGENDA:	Mayor Schultz requested a change in the Agenda to allow Bill Jacobs to address the Council in regards to the Street Project.
PROJECTS IN PROCESS: STREET (E.2b)	Bill Jacobs and Bruce Rinkes addressed the Council in regards to the street project. Bruce indicated there was approximately $20,000 more in engineering yet to be billed for the street project. Additional discussion led to the recommendation that we not do additional street paving until next spring, understanding that under the terms of our grant and contract it is not an issue to wait. We are still in conversation with the County in regards to whether the overlay on Maple meets their specifications. The punch list will need to be completed as well. There was discussion regarding cost of the remaining items as compared to the remaining available funds. Concern over paying twice for labor, materials and engineering was raised over the possible Maple St. additional overlay and for the work in front of the school. The project monitoring will take place on December 21st. Punch list items were discussed. There was also some discussion about concerns about the project. With the number of changes that took place, it would have behooved all of us to get more items in writing. Straighter edges/transitions were discussed as well as the amount of remaining loose gravel in areas that were chip and sealed. The amount of retainage was discussed next. The most recent pay request from Little Joe's would take them to a balance of 5%, which by contract they could request once the project had been deemed substantially completed. Following discussion about whether the project was substantially completed, Dorthy Chikly (Jim Gates) moved to conditionally approve the pay request at 5% if we received the following: 1. A statement from Little Joe's Asphalt indicating that they have reached substantial completion of the project. 2. A statement from Bill Jacobs indicating that the project is substantially completed; 3. Input from our Attorney that upon receipt of Items 1&2, the retainage

	amount should be changed from 10% to 5%. Motion carried 3-1 with Council Member Jon Brady opposed.
CITY BOARD REPORTS: PLANNING & ZONING: (D.1)	Sheila Dale presented a draft of the comprehensive plan. Consensus was to have different departments review for input for next meeting. Sheila also requested a Mission Statement from the Council with goals and objectives with strategies for how to get there. There was discussion about the Osage County Mitigation Plan, within 5 years we will need to get our corrections submitted for when they renew. No planning and zoning meeting will be held this month due to schedule conflicts. We will hold a joint meeting with Planning and Zoning on January 18, 2011.
CITY BOARD REPORTS: PARK & REC. (D.2)	Following discussion, Mayor Schultz indicated that we needed to work on finding a replacement for Brian Kuermaier. This will be addressed further next month.
CITY BOARD REPORTS: LIBRARY: (D.3)	The Council reviewed a written report from Marni Penrod. They will be meeting in the near future with the architect from NEKLS. No action was taken.
CITY BOARD REPORTS: HOUSING AUTHORITY: (D.4)	The Council reviewed the written report. There are now 3 vacancies. No action was taken.
POOL REPORT: (C.5)	The Mayor indicated that consideration should be given to replacing one or both of our diving boards. Larry Arlan had recommended an aluminum board (he also has a Lifeguard chair that we might be interested in). We will also need to address the painting of the pool.
CITY BOARD REPORTS: OTHER: (D.5)	No other reports were provided.
PROJECTS IN PROCESS: WATER SYSTEM IMPROVEMENTS (E.2a)	Vic Robbins started with his report on the Water System Improvements project. We have paid all but the last 5%- the rest is to be paid when the as-built plans are approved and when we receive the lien releases for suppliers and subcontractors. Vic has received the as-built plans but needs to review them further.
PROJECTS IN PROCESS: SEWER-PHASE 2: (E.1)	Vic Robbins gave his report. There was discussion about what remained to be done by King's Construction. One weir plate is not working correctly at the lagoons and there is fence work and seeding and mulching to be completed. The area south of the lagoons is in much better shape than before. There will be some additional engineering cost as Vic will need to send in a land application form to KDHE and the O&M Plan has yet to be completed. This plan will need to be submitted to KDHE. Vic is still in conversation with Insituform in regards to the thickness of the liner. Vic is also reviewing the final inspection tapes to come up with a list of service connections that may need to be grouted. Vic estimated 12 to 15 possibilities at a cost of approximately $1,500 each. There was discussion next about the sewer for the Overbrook Bible Church. Vic will check to see if this can be part of the project. Vic will also look in to the possibility of using later lining as an alternative. Change Order #6 to land apply sludge was discussed next. Dorthy Chikly left at 10:47PM. Fencing was discussed next. The Council asked Don Bryant to check with Doug Cloud and let him know about the fencing and ask about putting a culvert in at the SE corner of the lagoons. Jim Gates (Carol Baughman) moved to approve change order #6. Motion carried 3-0. Jon Brady (Carol Baughman) moved to pay Pay Application #4. Motion carried 3-0. Jim

	Koger is to look in to the status of Pay Application #3. The sludge was discussed next. Vic Robbins will be finalizing the report for KDHE and we should have it in time for next meeting.
MOTION TO ADJOURN AND RECONVENE:	Following discussion, Carol Baughman (Jim Gates) moved to adjourn and reconvene the Council Meeting on Wednesday, December 15, 2010, at 7PM at Overbrook City Hall. We will resume on Item E.2b. Motion carried 3-0. Meeting was adjourned as specified at 11:07PM.
MEETING RECONVENED:	On Wednesday, December 15, 2010 the December 8, 2010 Council Meeting was called back to order. The meeting reconvened at 7:02 PM. Council Members Jim Gates, Carol Baughman and Jon Brady were in attendance as was Mayor Don Schultz. Tadd Goodyear and Dorthy Chikly were absent.
PROJECTS IN PROCESS: STREET (E.2b)	Bill Jacobs was delayed due to the inclement weather. We will address this item once he arrives at the meeting.
UNFINISHED BUSINESS: REVIEW NUISANCE ORDINANCE #353 FOR APPROVAL: (F.1)	Following discussion, Jim Gates (Jon Brady) moved to approve Ordinance #353 with a $10 fee for a 30 day permit under Section 3. Michael Coffman arrived. There was further discussion. Jim Gates (Jon Brady) amended his motion to read a $25 fee for a 90 day permit. The special permit may only be issued one time (per vehicle) and will not be extended. Motion carried 3-0. Jim Koger will send the ordinance to Michael Coffman to prepare for publication. Bruce Rinkes arrived at 7:22PM. We will need to work on the repeal ordinance for the January Meeting.
UNFINISHED BUSINESS: LODGE PURCHASE: (F.2)	Jim Gates led the discussion on the Lodge purchase. The lodge turned down the lease proposal at their 12/14/10 meeting. There were concerns about the tax consequences of the agreement. The Lodge may request that the City consider some assistance with the repair of the windows. Consensus was for Jim Gates to bring information to the January Council Meeting. It might also be good to discuss grant opportunities with Donna Crawford.
UNFINISHED BUSINESS: SPECIAL EVENT CMB: (F.3)	Following discussion, consensus was for Michael Coffman to draft a sample ordinance to review at the January Council Meeting.
UNFINISHED BUSINESS: UPDATE TO UTILITY BILLING ORDINANCE INCLUDING A RATE DISCUSSION: (F.4)	Following discussion in regards to whether our rates cover the fixed costs/debt repayment requirements, this item was tabled until the January Council Meeting. We should have more information within the next couple of months in regards to the final cost of Phase 2 of the Sewer Project.
UNFINISHED BUSINESS: WELL #1 REPAIR: (F.5)	This item was discussed during the Maintenance report. No further action was taken.
UNFINISHED BUSINESS: SKID STEER FINANCING: (F.6)	Following discussion, no further action was taken. This item will be addressed again during the January 2011 Council Meeting.
UNFINISHED BUSINESS: UPDATE 323 MAPLE (F.7)	Following discussion, the Clerk is to contact Scott Averill to discuss the possibility of attending the January Council Meeting.

OTHER UNFINISHED BUSINESS: (F.8)	There was no other unfinished business.
PROJECTS IN PROCESS: SEWER, WATER, STREET:	Bruce Rinkes indicated that Peggy Lewis at KDHE needs a copy of our February 2010 amended Sewer contract. Jim Koger is to work with Bruce to resolve this issue. Bruce explained that Vic Robbins continues to work on the sludge report and also the operation and maintenance report required by KDHE. With some fencing and seeding left to be done, the cost of the project is approaching $750,000. We would still have grant administration costs to pay out of the $820,000 project. We will also need an amended contract (approximately $35,500) for the last change order. There was discussion about the possibility of more expense due to the open issue with Insituform. Bruce Rinkes will get with Patty Hylton to work through project expenses. Bruce will also forward the amended contract once it is completed. Carol Baughman (Jim Gates) moved for Mayor Schultz to sign the amended contract to allow payment of and additional $35,500.00 in engineering costs. Motion carried 3-0. Remaining Water Improvement Project items include Vic Robbins' review of the as-built plans and lien releases from Heartland Midwest for supplies and contractors. The Street Project has entered winter shut-down. Bill Jacob's indicated that he is still working on the plan for near the school. There was discussion about the draft of change order #2. Council Member Brady had questions about the additional expenditure for addressing the issue in front of the school. Bill will need to meet with Glen Tyson to make sure we resolve the County's concern over the thickness of the Maple overlay. We have received the items previously discussed to declare substantial completion of the project. Bill Jacobs will need to get the updated pay request to Jim Koger and the Clerk will need to get the necessary documents to Donna Crawford so that we can pay Little Joe's.
BREAK:	A 5 minute break was called at 10:10PM. The meeting resumed at 10:15PM.
NEW BUSINESS: 2011 CMB RENEWALS: (G.1)	Following discussion, Jim Gates (Jon Brady) moved to approve the renewal of CMB and/or game licenses for 2011 for O'Bryhim's Thriftway, The Patch, Wheat State Pizza, Conrad's and BP Gas and Convenience. Motion carried 3-0.
NEW BUSINESS: DIGITAL VOICE RECORDER: (G.2)	Following discussion, Jon Brady (Jim Gates) moved to approve a purchase a digital recorder- allocating up to $150.00 for the purchase. Motion carried 3-0.
NEW BUSINESS: CREATING FACEBOOK GROUP PAGE: (G.3)	Consensus was to pursue a facebook group page for the City of Overbrook. Mayor Schultz will follow-up on this.
NEW BUSINESS: REQUEST FOR EXECUTIVE SESSION BY MAYOR SCHULTZ: (G.4)	Request removed by Mayor Schultz.
NEW BUSINESS: EMPLOYEE REVIEWS:	Following discussion, Mayor Schultz requested that the reviews by conducted by the end of January.

(G.5)	
NEW BUSINESS: KOFO BASKETBALL GAME OF THE WEEK/NEWSPAPER ADS: (G.6)	Following discussion, Jim Gates moved to approve the basketball game radio sponsorship but once it was clarified that it was not a radio broadcast but actually an internet broadcast, Jim Gates rescinded his motion. The Council discussed placing ads in the Osage County Herald-Chronicle. Jon Brady (Jim Gates) moved to approve the proposed 2x3 ad for the 12/24/10 edition and the signature ad for the 12/31/10 edition. Motion carried 3-0.
NEW BUSINESS: OTHER NEW BUSINESS: (G.7)	We need to stay on top of the sampling schedule. Mayor Schultz asked Jon Brady to talk to Don Bryant about the sampling.
PUBLIC COMMENTS: (H.)	There was no public comment.
COUNCIL MEMBER COMMENTS: (I.)	Jon Brady asked about the sample taps at Wells 3, 4 and 5. Following discussion, Jon Brady (Jim Gates) moved to give Don Bryant the authority to proceed with the most cost-effective sample taps for those three wells. Motion carried 3-0. Jon had no new news on the Park Project. Carol Baughman and Jim Gates: None.
MAYOR'S REPORT: (J.)	Mayor Don Schultz would like for the council to consider the 4th Wednesday as a second meeting and asked that the Council talk about this next month. Input for the Comprehensive Plan is also needed for the January meeting. The deadline for candidates to declare for the April election is noon January 25th.
ADJOURNMENT: (K.)	Carol Baughman (Jim Gates) moved to adjourn the meeting at 10:35 p.m. Motion passed, 3-0.

Respectfully submitted,

Jim Koger

Jim Koger
City Clerk

Approved:
January 12, 2011