

REGULAR SESSION MONDAY EVENING JANUARY 3, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening January 3, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held December 20, 1982, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1198.

Officer Richard Mergen, with Shawnee County Sheriffs Department attended the meeting to explain the "Neighborhood Watch" program, a plan whereby neighbors look out for each other and are more alert of routine neighborhood activities and habits, thus helping discourage burglary, theft and vandalism. Council agreed to set a date in the near future to hold a public meeting for citizens of the community who are interested in such a program and Shawnee County Sheriffs Department.

Mayor Lee informed Councilmembers that a letter had been received from Rural Water District No. 10, refusing the Cities request to raise the water rate charged to the water district from .41¢ per 1000 gallons to \$1.25 per 1000 gallons. Rural Water District No. 10 stated that according to the contract entered into January 24, 1973, any increase or decrease in rates shall be based on a demonstrable increase or decrease in the costs of performance. With 1982 year end figures now available, the costs of pumping water was refigured, and it was decided that R.W.D. No. 10 should be charged \$1.55 per thousand gallons instead of the \$1.25 rate quoted. A letter will be sent to the water district detailing 1982 expenditures, advising of the further increase in rate to be charged and inviting them to attend the January 17, 1983 council meeting.

At this time, water rates charged to the citizens of Silver Lake was discussed. It was decided to table the issue until March and look at the costs at that time along with consumption for the first quarter of 1983.

Further discussion was held relating to having a question placed on the April ballot as to whether or not the citizens of Silver Lake would be in favor of supporting a swimming pool with general obligation funds. Attorney Stumbo advised that if the context of the question is in the election commissioners office by mid-February, it can indeed be placed on the April ballot. Councilman Brungardt will get detailed information as to construction and operational costs and when that information is available, the amount of money to be approved by the voters will be determined.

Attorney Stumbo advised councilmembers if they wish to exempt themselves from Statute No. 15-201 calling for an election every two years for Mayor and Councilmembers in order that the Governing Body positions would come up for election on a revolving basis, such exemption must be done by a Charter Ordinance. After further discussion of the benefit of always having three members of the Governing Body remain on the Council versus the possibility of having a complete new Governing Body, motion was made by Councilmember Gaddis, seconded by Councilman Brungardt and approved that the Charter Ordinance be drawn up by the attorney, and this procedure set into operation by the April election if time allows. The agreement reached was that the Mayor and two councilmembers receiving the most votes would accept a four year term and from that time forward, three positions would be voted on every two years.

REGULAR SESSION January 3, 1983 (Continued)

Councilman Honeyman advised that in order to be able to purchase an extended warranty on the 1982 Mercury, such must be done before the vehicle has 12000 miles on it. After brief discussion of covered warranty services, motion was made by Councilman Honeyman to purchase a three year/60000 mile, \$25.00 deductible, full coverage extended warranty. Motion seconded by Councilman Murdock and approved.

Mayor Lee informed councilmembers that a letter had been sent from the City Engineer to Marvin Irely Builders, advising that the asphalt patching on the street involved in their building project, was not acceptable, and recommended the patching be postponed until warm weather.

At Councils request, an amendment to the Subdivision Regulations had been drafted by Attorney Stumbo, relating to the issuance of building permits only when final plat requirements have been satisfied, and then a requirement that an occupancy permit must be issued by the building inspector before the building or buildings can be occupied in any manner. This permit, subject to fine upon conviction for non compliance, would eliminate the necessity of withholding utility services until the building inspector is satisfied that all requirements of the codes have been met. Motion was made by Councilman Brungardt and seconded by Councilman Murdock that the above mentioned amendment to the Subdivision Regulations be adopted. Motion was placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was approved and given No. 1199.

Request was made by Mayor Lee to appoint Mike Foresman to the Planning Commission. Motion was made by Councilmember Gaddis, seconded by Councilman Murdock and approved that the appointment be accepted.

Councilman Murdock advised that Meiers Ready Mix had not done any further work at the drainage ditch which was to have been completed by the first of the year in order that payment of the bill would be approved. It was the recommendation of Attorney Stumbo that photos be taken of the work which was only started and in fact compounded by Meiers Ready Mix and then seek bids for completion of the project, and ask for two quotes, one to complete the job and one for what the charge would have been prior to all the limbs, brush, etc., being pushed down amongst the trees.

Having received a complaint, it was decided that when vegetation appears next spring, request will be made that railroad property be kept mowed and better taken care of within the City. Tom Noble will spray behind the City buildings in order to keep unsightly growth to a minimum.

Motion was made by Councilman Honeyman and seconded by Councilman Freed that council go into executive session in order to discuss matters involving personnel. Motion approved. Regular session scheduled to resume at 9:10 P.M.

Regular session of City Council resumed at 9:10 P.M. Motion was made by Councilman Brungardt and seconded by Councilman Murdock that the Mayors pay be increased to \$80.00 per month and councilmembers be paid \$40.00 per month, effective May 1983, when the newly elected council begins serving the City. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1200. Final decision on salary considerations for police officers soon completing probationary period was tabled until February.

There being no further business to come before the council at the present time, by motion duly made and carried, the meeting adjourned at 9:20 P.M.

*Warrene M. Stadler*  
Warrene M. Stadler, City Clerk



REGULAR SESSION MONDAY EVENING JANUARY 17, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening January 17, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None.

Minutes of the last meeting held January 3, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1201.

Rick Davis from Davis Cycle presented a proposed plan to the Council for staging a motorcycle "Grand Prix" race through Silver Lake and surrounding areas. Council informed Mr. Davis that they did not feel the City of Silver Lake could accommodate this type event with the limited number of access roads and other facilities available to handle the number of persons involved in such an event.

Lengthy discussion was held relating to the proposed rate increase for water sold to Rural Water District No. 10. The contract was reviewed and accounting and auditing procedures compared. After further consideration, motion was made by Councilman Brungardt that the rate to be charged to Rural Water District No. 10 be .82¢ per 1000 gallons, and when the City rates are again reviewed in early spring, the water district will be notified at that time what the rate will be with an effective date of January 1, 1984.

Councilman Brungardt presented information he had obtained relating to the total cost of building a municipal pool in the City of Silver Lake. City Engineer Bob Palmer, and Councilman Brungardt will work further towards obtaining an accurate cost accounting which can be presented to the public on the election ballot. Attorney Buening was instructed to contact bond counsel relating to this issue.

Fire Chief Rod Butler, informed Councilmembers that a hose ordered last fall has not yet been received to complete the bid order. City Clerk will contact the company and if shipment has not yet been made on the merchandise, that portion of the order will be canceled, and reordered through another supplier.

The questionnaires prepared last year and given to members of the Volunteer Fire Department will again be sent to all members of the department in order that they might have an opportunity to express concerns and ideas they have which would help to improve the department. Attorney Buening gave a copy of the proposed Fire District Consolidation Agreement to each councilmember, to be reviewed before acceptance by the City.

Councilman Murdock advised he had been contacted by Meiers Ready-Mix concerning the work which they were to have done at the drainage ditch. Council ask that Mr. Murdock call Meiers on January 18, 1983, and advise them that if the work has been completed by the time specified and to the satisfaction of Mr. Murdock upon inspection, payment for the services will be approved.

Mayor Lee announced that the Governing Body was invited to a documentary film of the Hyatt Regency Disaster, being presented by Shawnee Ambulance Service, Inc., at 7:00 P.M., January 25, 1983, at St. Francis Hospital. An article in the January 17, 1983, Topeka Capital-Journal prompted a request by the Governing Body that a letter be sent to Shawnee County Commissioners requesting they take a serious

look at the Ambulance Program currently in operation in Shawnee County, and again offer facilities for housing an ambulance in Silver Lake.

Councilman Murdock left the meeting at this time.

As local units of government are now allowed to maintain NOW accounts in banks and savings and loans, motion was made by Councilman Honeyman that the Citys checking and savings account be used to purchase a SUPERNOW account from the Silver Lake Bank, and the C.D. which will come due on February 7, 1983, be used to purchase a Money Market Deposit Account, also with Silver Lake Bank, in order to increase funds earned. The later transaction subject to rate review at that time. Motion seconded by Councilman Brungardt and approved.

February 9, 1983, was the date approved by Council for a Public meeting explaining a "Neighborhood Watch" program to all citizens interested in crime prevention. An add will be placed in the St. Marys Star and flyers placed around town informing citizens of the program.

After reviewing the possibility of exempting the City of Silver Lake, Kansas, from Section 15-201, of the Kansas Statutes Annotated, in order that the Mayor and Councilmember terms will be elected on a revolving basis, motion was made by Councilman Brungardt that the exemption be adopted. Motion seconded by Councilmember Gaddis and was placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Charter Ordinance was declared passed and given No. 2.

Attorney Buening informed council he had checked further into workmens compensation exposure and found it to be very specific, if someone is hired to do the work of the City, there is no exemption from workmens compensation liability. Councilman Honeyman agreed to visit with the director of Workmens Compensation and likewise contact the insurance company relating to the applicability of workmens compensation within the City, and coping with the expense of proper coverage.

It was brought to Councils attention that gas purchased by the City and charged is more expensive than paying cash would be. After discussion of problems involved in keeping cash readily available and accounting, it was decided to continue charging gas as is the practice now.

City Clerk advised that it is time to seek bids on the Citys insurance coverage. Copies of current coverages will be sent to those persons who have a desire to bid the coverage, as well as a notice sent to each prospective bidder, requesting conformity with information provided. Inquiry was made again of legal counsel as to the element of conflict of interest when a councilmember bids on services provided to the City, and again they were informed that if bids have been sought and the councilmember abstains from the decision making process, a conflict is not involved.

There being no further business to come before the council at the present time, by motion duly made and carried, the meeting adjourned at 10:55 P.M.



Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING FEBRUARY 7, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening February 7, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) ABSENT: None.

Minutes of the last meeting held January 17, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1202.

Councilmembers reviewed the Fire District Consolidation Agreement drafted by Attorney Stumbo. Recommendation was made that the Agreement be changed to clarify that in the event of a disunion of the merged department, equipment given to that merged department, or its equivalent, be returned to its original owner. Any additional equipment would be divided according to the value of the department at the time of the merger. Motion was made by Councilman Freed to approve the agreement with the above listed changes and present it to Shawnee County Fire District No. 1 for review. Motion seconded by Councilman Brungardt and approved.

A recommendation made by the City Planning Commission to rezone property located at 200 Lake Street from "R" Single-Family Dwelling District to "R-3" Multiple Family Dwelling District was read and taken into consideration by councilmembers. The corrected site-development plan was reviewed by councilmembers and those citizens present. A letter was received from Engineer Palmer approving the proposed parking plan as per the site-development plan. After brief discussion, motion was made by Councilman Brungardt to rezone the property located at 200 Lake Street from "R" to "R-3" as per accepted site plans and rezoning be subject to the property being used only for the purpose of apartment living for the general public under Article X, Section 3.1 of the present zoning ordinances, to the exclusion of 3.2 through 3.10. Motion seconded by Councilmember Gaddis and placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. ABSTAINED: Randy Freed. Ordinance was declared passed and given No. 1203.

Mayor Lee requested that Utility Supervisor Tom Noble contact Fire Chief Butler at the time an application is made for a building permit at 200 Lake Street in order that plans can be reviewed with the State Fire Marshall and approved as construction is in progress.

A letter was received from Shawnee County Parks and Recreation requesting the use of City Park June 13 - 17 and August 1 - 5, 1983, for their annual Mobile Playdays program with City Hall being available for rainy days. Also, a Mobile Tennis Program will be offered July 9, 16, 23, and 30 if approved by the Council. Motion was made by Councilman Honeyman to approve the request, Motion seconded by Councilman Murdock and carried. The City will put out flyers to help promote the programs offered in Silver Lake.

A letter of request was received from Cathy Lynn to use City Hall on February 25, 1983, for a neighborhood going away dinner. After discussion, motion was made by Councilman Murdock to approve the request. Motion seconded by Councilman Brungardt and approved. City Clerk was instructed to send a letter to the Lynns

REGULAR SESSION FEBRUARY 7, 1983 (Continued)

as well as to anyone else using City Hall, advising that permission to use City Hall is for the City Hall facilities only, not the Fire Department, and request that children be kept from the Fire Department area due to dangers involved. Signs will be ordered advising that there is to be "No Trespassing" in the Fire Department area.

Councilman Murdock reported an open trap door down into water pipes at City Park. Due to liability exposure, the City is requesting Tom Noble purchase and place a padlock on the trap door, keeping one key for the City and giving the extra key to the Lions Club.

Mayor Lee advised he had been contacted by Mike Deiter regarding snow removal, and Mr. Deiter informed him that due to the depth and drifting of this last snow storm he drove into some yards, and when spring arrives he will make necessary repairs to those yards damaged. Due to drainage problems from the snow being piled in front of the City Parking lot, Councilman Brungardt will contact Mr. Deiter and request that a path be scooped through the pile of snow to allow for drainage.

Attorney Stumbo recommended that the resolution relating to building permits and occupancy permits be tabled until such time the Planning Commission has an opportunity to meet and make a recommendation on this resolution.

Board members from Shawnee County Fire District No. 1 came to the council meeting having reviewed the proposed merger agreement. Again it was reviewed how the inventory would be conducted and values established. Building maintenance, utilities, additions were all discussed as well as the return of equipment and monies in the same proportion as was contributed in the event the department would disband. The City of Silver Lake will pay bills up to the budgeted amount for 1983.

Councilman Freed left the meeting at this time.

Further discussion continued relating to the Fire Department merger, and it was decided that a merger date of January 1, 1984, would be the agreed date of effect, however all processing needs to take place for 1984 budgeting purposes.

The swimming pool question to be placed on the April ballot was discussed in detail. Councilman Brungardt had made numerous contacts with other small cities having recently put in a pool to discuss construction costs and problems, operating expenditures, etc. The City auditor has been working on mill levy increase for this size of a project, and Attorney Stumbo will be contacting him and reviewing the findings with him. At this time motion was made by Councilmember Gaddis and seconded by Councilman Murdock to place the question on the April election ballot to give citizens the opportunity to voice their desire for the acceptance or denial of a swimming pool in Silver Lake with an indebtedness of \$210000.00. Motion was placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1204. It was decided that a letter containing pertinent information will be prepared and mailed to the citizens of Silver Lake before the April election.

Attorney Stumbo advised that the law firm is being kept informed by defense attorneys for the City and that the City's defense will be adequately protected in reference to the suit filed against the City of Silver Lake.

Councilman Honeyman advised that the six month probationary period is nearly over for Police Officers Killion and McManus. After brief discussion of the

REGULAR SESSION FEBRUARY 7, 1983 (Continued)

department, motion was made by Councilman Honeyman to give each officer a \$100.00 per month raise, effective March 1, 1983. Motion seconded by Councilman Murdock and placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock. (4) NAY: None. Ordinance was declared passed and given No. 1205. Discussion was held as to the need for time off for funeral needs when immediate family is involved. It was decided to allow Officer McManus a week for this leave, and any additional time needed would be allowable through compensatory time. The monthly police report was given.

Councilman Murdock left the meeting.

The questionnaires returned by City firemen were briefly discussed. It was decided to give a copy of these questionnaires to Fire Chief Butler. Appreciation was expressed for the work Mr. Butler is doing with the Fire Department.

A letter was received from Gary Roberson bidding the work down at the drainage ditch. The letter was not received until January 20, 1983, at which time an agreement had already been reached with Meiers Ready Mix. A letter of acknowledgement will be sent to Mr. Roberson.

Motion was made by Councilman Honeyman, seconded by Councilman Brungardt and approved to have the City Engineer make a new zoning map, indicating the zoning changes which have taken place.

A letter was received from Sheldon Saia, requesting consideration for summer employment. The issue was tabled.

Councilman Honeyman informed council he had been in contact with Faith Monell, with the Kansas Workmens Compensation Department and she advised that when someone is working for and with the City, the City is subject to exposure. However, someone who is self-employed, has the right of control, and works under a contract, the City would not have this exposure for compensation. Donating money to the Scouts, Lions Club, etc., would probably not afford exposure, however if they in turn would subcontract the work, they would inturn be the primary concern. It was councils direction that the attorney should draft a contract which can be offered to each subcontractor or self-employed individual who works for the City. A letter will be sent to the Lions Club advising that the offer to pay them to keep up the ball diamonds this summer is still good, however the City does want to inform them of exposure they face should they subcontract the work out.

After brief consideration motion was made by Councilman Honeyman, seconded by Councilman Brungardt and approved to purchase a used snow blower for the City. City Clerk was instructed to issue payment for this equipment.

A letter will be sent to Kansas Department of Transportation notifying them of the pothole and dip in the blacktop on the side of the highway on the east side of Texs Drive In, requesting that this matter be given prompt attention.

There being no further business to come before the council at the present time, by motion duly made and carried, the meeting adjourned at 10:30 P.M.

*Warrene M. Stadler*  
Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING FEBRUARY 21, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening February 21, 1983, with president of the council, Lila Gaddis conducting the meeting, and the following Councilmembers present: James Brungardt, Randy Freed, Walter Honeyman, Ray Murdock (5) Absent: Leonard Lee, Mayor.

Minutes of the last meeting held February 7, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1206.

Francis Kelsey, representing the Silver Lake Lions Club was present to inquire as to whether or not the Lions Club could maintain only the ball diamond at City Park, or if the proposal made to the Lions Club was for maintenance of all the ball diamonds, as maintained by the City in the past. Mr. Kelsey was advised that the proposal was for the maintenance of all diamonds.

Fire Chief Butler presented a price quote of \$8062.85 for hand held radios, pagers, chargers and truck radios for the City Fire Department. The equipment will be in compliance with the request of Shawnee County Fire District No. 1 that the City Fire Department be comparably equiped with their department in the line of communications at the time of a department merger. Motion was made by Councilman Brungardt to purchase the equipment as per the agreement. Motion seconded by Councilman Honeyman and approved.

Request was made by Fire Chief Butler for the City to pay the \$10.00 entrance fee for each fireman attending a two day fire school in April. Motion was made by Councilman Honeyman and seconded by Councilman Murdock that the fee be paid by the City. Motion carried.

The revised Fire District Consolidation Agreement had been reviewed by councilmembers and met with their approval. Motion was made by Councilmember Gaddis to direct Mayor Lee to execute the agreement and forward it to Shawnee County Fire District No. 1 for acceptance. Motion seconded by Councilman Freed and approved. Notice of public hearing will be prepared by the attorneys.

It was reported that funds would not be available in April for Urban Housing Development until after July 1, 1983, however information has been received regarding making application in April for such a grant which the City wishes to take into consideration. The issue was tabled until the March 7, 1983 council meeting, at which time creating a housing authority will be considered.

Attorney Buening advised the swimming pool question had met publication requirements and would appear on the April election ballot. A letter of information will be prepared for councils review and then mailed to residents of Silver Lake concerning this issue.

Councilman Honeyman informed Councilmembers he had received a complaint regarding the police officers use of on-duty time. The officer was advised of the complaint and it was determined that the anonymous complaint was unfounded since the officer was in the school zone prior to enforcement time.

REGULAR SESSION FEBRUARY 21, 1983 (Continued)

Councilman Freed requested the use of City Park for fire department simulation training. Request approved.

Councilman Brungardt ask that a letter be sent to Bernard Ross requesting to know his intent for completion of alley work and the spreading of gravel at City Park as was agreed to earlier.

Mayor Lee had received a request from the American Legion Auxiliary to proclaim the month of May as Poppy Month and May 14, 1983 as Poppy Day in our community. Motion was made by Councilman Honeyman, seconded by Councilman Freed and carried to approve the Proclamation.

Brief discussion was held relating to bonding procedures used by the City, County and State now that the Nonresident Violator Compact is in force. Bonding procedures will continue much the same as they have been for residents of Kansas, and Nonresidents will be handled as per the compact agreement, providing their home state is a member of the compact.

There being no further business to come before the council at the present time, by motion duly made and carried, the meeting adjourned at 8:05 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING MARCH 7, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening March 7, 1983, with Mayor Leonard Lee present and the following Councilmembers present: Randy Freed, Lila Gaddis, Walter Honeyman (3) Absent: James Brungardt, Ray Murdock (2).

Minutes of the last meeting held February 21, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: Randy Freed, Lila Gaddis, Walter Honeyman (3) NAY: None. Ordinance was declared passed and given No. 1207.

Bids received on the City's insurance package policy, due April 1, 1983, were: Silver Lake Insurance - \$6776.00, Mead Insurance Company - \$5616.00, Kidney Insurance Agency - \$5280.00, and Peoples Financial Services - \$5241.00. Motion was made by Councilmember Gaddis, seconded by Councilman Freed and approved to allow counsel the opportunity to review bids and coverages. Councilman Honeyman abstained from the vote.

Citizens Dan Huske and Tom Wade Jr., were present at the meeting to request the City invite Mr. Richard Bassett and Mr. John Dozier to return to a council meeting and further explain their plans for property rezoned at 200 Lake Street. After lengthy discussion, it was the consensus of the council that zoning regulations are stated clearly in the ordinance adopted to rezone the property, and nothing indicates these regulations are not being complied with.

Council was given a copy of a contract drafted for their review. Such contract would be used with all subcontractors employed by the City. It was decided to send the contract to the City Attorney for review and recommendations relating to "hold harmless" and liability insurance and fair wage.

A letter prepared to be mailed to citizens of Silver Lake to inform them of the swimming pool question which will appear on the April 5, 1983 election ballot was revised and approved by council. It will be sent to the City auditor and City attorney for final approval.

Councilman Honeyman reported that a gentleman interested in helping the City make application for grants and fund assistance programs would be at City Hall on March 8, 1983, to discuss procedures they recommend for the instrumentation of such a program.

Motion was made by Councilmember Gaddis to invest the C.D. due at Silver Lake Bank in the Money Market Account, as was the decision made previously, subject to review of rates. Motion seconded by Councilman Freed and approved.

Fire Chief Butler advised that the oxygen bottle leased from Knoll Welding would no longer be needed and could be returned, and contract canceled. Also a letter was received from the Silver Lake Library requesting the fire department consider providing an electrical fire extinguisher for the library. After brief discussion, it was decided that providing extinguishers to non-profit organizations could not be undertaken by the City.



REGULAR SESSION MARCH 7, 1983 (Cont'd.)

Tom Noble reported he had received an inquiry as to the upkeep of the drainage ditch along Sage Road. Burning of the area was discussed as well as the fact that this property is privately owned. Further discussion will be held at the March 21, 1983 meeting.

Motion was made by Councilman Freed to rent a beeper to be carried by Tom Noble in order that he could be contacted when the necessity arises. Motion seconded by Councilman Gaddis and approved.

The situation involving dogs running at large in the City was again discussed. A notice will be mailed with the swimming pool letters, advising people of a dog licensing day to be held April 9, 1983, as well as City Ordinance No. 961 which prohibits the owner of a dog from permitting such dog to run at large within the City limits. Contact will be made with the Shawnee County Animal Control Officer to see if they would spend one full day (preferably a Tuesday or Friday) working with the Silver Lake Officers picking up those dogs which have been left to run at large.

After brief discussion, motion was made by Councilmember Gaddis, seconded by Councilman Honeyman and approved that the City pay the 15% balance due for accident and disability insurance on members of the fire department, as was done last year.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:30 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING MARCH 21, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening March 21, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) Absent: Randy Freed (1).

Minutes of the last meeting held March 7, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1208.

Eric Jenkins with Federal Emergency Management Agency was present at the Council meeting to answer questions city and public might have in regards to land located in the federal flood plain. Four options allowable in order that homes can be built on these pieces of property are: (1) Building a levee, thereby keeping water out (2) Elevating buildings to or above the 910.00 flood level (3) Seeking an approved community Flood Proof Basement Exemption, which would call for the lowest point of opening to be no lower than 910.00 and must be certified by an engineer that it is indeed floodproofed and (4) No basements at all. Councilmembers and citizens present were also advised that a building can be constructed on a lot and if it is located on that lot in such a manner that the structure does not fall on or within the flood zone line, this structure would not have to comply with flood zone regulations.

At councils direction, Attorney Stumbo will get information needed to do the proper study and necessary procedures in order to seek a flood proofed basement exemption. At that point a meeting will be held with property owners in the flood zone area to determine cost of the exemption and the distribution of that cost.

Inquiry was made as to regulations for the depth for burying cable T.V. lines and inquirer was advised that the City has no regulation governing the depth of burial of such a line.

Council was informed that the drainage ditch area had been burned off and councilmembers will look over the situation to see what recommendations they might suggest in order to keep the area in a manageable state.

The City received a letter from Associated Engineers regarding "Small Cities Community Development Grants". Engineer Bob Palmer will have Mr. Pasley with A.E.I. contact the City regarding the availability of funds for housing, park development, and other areas of interest and the cost for grant application preparations.

Engineer Palmer advised he had terminated employment with Associated Engineer, Inc. however at their approval he would be able to continue serving as Engineer for the City of Silver Lake, as an agent of A.E.I. At the advice of Attorney Buening, Mr. Palmer will have a letter sent to the City advising of the agreement between A.E.I. and himself, as to working arrangements, payment of retainer fees, and the representing agent agreement between Mr. Palmer and A.E.I.

A bill from A & G Underground was received by the City for repairs made to a water line break at Lake Road and Beaubien. It was the opinion of the City Engineer that the break was a direct result of improper backfill and compaction by the contractor Marvin Irely, Inc., when the homes were constructed in the Barney Sub-division. A letter will be sent to the contractor asking that payment for this repair be paid to the City before April 4, 1983, as per the Escrow Agreement

REGULAR SESSION March 21, 1983 (Cont'd.)

between Marvin Irely, Inc. and the City, regarding proper street replacement and repair.

After determining that the City wishes to establish a Housing Authority, motion was made by Councilmember Gaddis, seconded by Councilman Brungardt and approved that a resolution be adopted creating such. Contact will be made with Don Dain to determine what action he has taken towards such a project. Mayor Lee ask councilmembers for recommendations of persons to be appointed to the Housing Authority. Appointment will take place at a later date.

The City received a letter from Silver Lake Lions Club advising they declined the City offer of financial assistance in the amount of \$1000.00 to maintain all ball diamonds for the summer program of 1983. They would however, consider maintenance of the diamond located at City Park only. After discussion of alternatives available for liming and general maintenance of the ball diamonds, motion was made by Councilman Brungardt that letters be sent to Silver Lake Lions Club and Tom Denton, president of the Lon Kruger League advising the City would be willing to help meet upkeep expenditures by donating \$1000.00. Distribution being \$250.00 to the Lions Club for maintaining one diamond and \$750.00 to the Lon Kruger League to maintain three diamonds. Motion seconded by Councilman Honeyman and approved.

Councilman Murdock advised that railroad ties purchased by the City to be installed by the Lions Club to keep vehicles off the grass at the Park were disappearing. Councilman Murdock will contact the Lions Club to see what their plans are for the installation of such.

Councilman Murdock left the meeting at this time.

As was agreed in late 1982, review of the water rates currently in force was held. After again going over the past three years cost analysis and considering the consumption thus far in 1983, it was determined that a rate increase did indeed need to be considered. Motion was made by Councilmember Gaddis and seconded by Councilman Brungardt that the rates be as follows: Minimum of 2000 gallons of water for \$3.25, and \$1.55 per 1000 gallons thereafter for residential use customers. Those with 1" to 2" meters would pay a minimum fee of \$24.50 for the first 15000 gallons of water and \$1.55 per 1000 gallons thereafter. The fee to turn on a meter after being shut off for non payment of a bill would be increased to \$10.00 and water meter installation will be increased to \$400.00. July 1, 1983, is to be the effective date for rate increases. Motion was placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman. NAY: None. Ordinance was declared passed and given No. 1209.

After further consideration, motion was made by Councilman Brungardt and seconded by Councilmember Gaddis to increase the fee of Gas Inspections to \$25.00, with a July 1, 1983, effective date. Motion placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman. NAY: None. Ordinance was declared passed and given No. 1210.

City Clerk was directed to send a letter to Rural Water District No. 10 advising of the new water rates. January 1, 1984, will remain the effective date for Rural Water District as per the agreement reached January 17, 1983.

Attorney Buening advised they had reviewed insurance coverages as per the bids submitted at the March 7, 1983 council meeting and found the low bid submitted by Walter Honeyman with Peoples Financial Services to be in compliance with bid requirements. Motion was made by Councilmember Gaddis and seconded by Councilman Brungardt to accept the bid presented by Walter Honeyman. Motion approved with Councilman Honeyman abstaining from the vote.



REGULAR SESSION March 21, 1983 (Cont'd.)

Request was made that Attorney Gary Hanson, with Stumbo, Stumbo, Buening and Viola Law Firm be allowed to fill in as prosecuting attorney on those occasions when Attorney Buening is unable to attend court session. Council approved.

Mayor Lee informed Councilmembers the City had received a letter from The University of Kansas School of Medicine - Wichita, Kansas, inviting participation in a Kansas Health Day program promoting the contact with and recruitment of physicians in Kansas communities. It was decided that first contact should be made with the University of Kansas School of Medicine to see what conditions and proposals are expected for consideration of placement.

Discussion was held concerning the flashing red light between the two grade schools as well as changes the Council would like to see made with the School Zone lights on U.S. Highway 24. Councilman Honeyman reported that optional project proposals are being prepared regarding the lights on Highway 24, and funding assistance is being checked into. Contact will be made with Kansas Department of Transportation to see what can be done with the flashing red light between the schools to make it fully effective, yet remain in compliance with regulations.

Council was informed that a three hour informational session concerning the Data-master will be held on March 29, 1983, in Kansas City. City Clerk will get information regarding this to Councilman Brungardt for review. If it is felt this would be beneficial and conducive to City Government, City Clerk was given permission to attend the class.

Councilman Brungardt reported he had received a phone call requesting a "Children At Play" sign be erected in the 400 block of Madore. It was decided that this is a City wide concern and not limited to a one or two block area, therefore the City does not feel it can start putting up such signs.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 11:05 P.M.

*Warrene M. Stadler*  
Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING APRIL 4, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening April 4, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held March 21, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1211.

Two citizens were present, concerned with the proposed parking facility and with the parking of vehicles on Lake Street should the swimming pool issue pass on April 5, 1983. Citizens were informed by councilmembers that such plans are flexible until such time it has been determined by the voters whether or not the facility will be constructed, then only would concrete plans be made with suggestions taken into consideration.

The naming of persons to a local Housing Authority Board was considered. It was decided that the City should contact Vern Nelson and Assoc. of Shawnee Mission, Kansas, asking him to attend a council meeting to outline preliminary procedures for councilmembers before an outside board be established.

The monthly police report was given by Councilman Honeyman, who also advised that K.D.O.T. has offered optional plans which could be used to help make the flashing red light located at Pottawatomie St. and Rice Road a more effective signal. Councilman Honeyman will contact Engineer Fred Terry, with K.D.O.T. getting his recommendations of how best to treat the intersection.

Optional plans and price quotes were obtained from Gades Sales Company, Inc., relating to school zone speed limit control equipment for the school zone area on Highway 24. It was decided to wait until June to determine mid year budget balances and make a decision accordingly.

Officer Killion conducted a survey of traffic flow at Lake Street and Chestnut at the request of the City. Results of that survey were reviewed by councilmembers.

The hour being 7:30 P.M. the attention of all present was called to the published notice hereby given of the Public Hearing as of this date for the purpose of hearing objections and answering questions relating to the proposed fire department consolidation. Thereupon, with no objections or questions, a motion was made, seconded and approved to close the hearing. Subsequently, a motion was made by Councilman Honeyman that a Resolution be adopted authorizing the Mayor and City Clerk to petition the Board of County Commissioners of Shawnee County, Kansas, to add all of said City of Silver Lake, Kansas, to Shawnee County Fire District No. 1 with the District being renamed to become Shawnee County Consolidated Fire District No. 1. Motion seconded by Councilman Gaddis and Resolution adopted.

Councilman Murdock reported that the Lions Club plans to set the railroad ties in place in the near future. The purchase of more ties will not be made until this project is nearer completion in order to accurately determine the number needed. The purchase of minor supplies for park improvement was approved. Councilman Murdock will contact Charles Clark regarding the spreading of gravel at the park.

REGULAR SESSION APRIL 4, 1983 (Continued)

Drainage was briefly discussed and Councilman Brungardt agreed to check ditches to determine those which need to be cleaned out to allow for proper water flow. Necessary contacts will be made to get price quotes for this work. The Silver Lake Fire Department will flush out existing drainage tubes to help alleviate blockage which might be restricting water flow.

Attorney Stumbo advised that the 61 day protest period has now expired, thus Charter Ordinance No. 2, relating to staggered terms of office for Mayor and City Councilmembers is now in effect.

Brief discussion was held relating to cost of defense regarding the law suit pending against the City. Further study will be made relating to the two insurance policies in effect due to different deductibles involved.

City Clerk will make further contact with Mr. Donaldson relating to the vehicle abandoned on the city parking lot.

Request was made by Little Red Hen Craft Shop to use City Hall for a Craft Fair on May 7, 1983, should weather not allow for an outdoor event. Motion was made by Councilman Brungardt, seconded by Councilman Honeyman and approved that the request be granted.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 8:15 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING APRIL 18, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening April 8, 1983 with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held April 4, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1212.

The following applications for license with proper fees attached were presented to council for consideration: Application to operate two pool tables and a juke box from Joy Blankenship and to operate three mechanical amusement devices from Rodney Doebele. After review, by motion duly made by Councilman Brungardt, seconded by Councilman Honeyman and carried, the applications were approved. The Clerk was instructed to issue appropriate licenses effective May 1, 1983 through April 30, 1984.

Councilmembers were informed that the new playground equipment has arrived. Councilman Murdock will contact the Lions Club to see if they would be willing to install the equipment. Brief discussion was held concerning future development of a park on City property located on East Lake Street. Contact will be made with the Department of Landscape and Architecture at K-State University to seek assistance with plans for such development. Availability of funds for development of a recreational facility will be checked into. Purchasing shrubbery to be planted around the new water well house was approved by councilmembers.

Mr. Vern Nelson of Vern Nelson Architect and Assoc. from Shawnee Mission, Kansas, was present to discuss the establishing of a Housing Authority in Silver Lake and to answer questions relating to the development of a housing project, size, number of units, loan program, market analysis study, etc. Councilmembers will contact those individuals recommended to serve on a Housing Authority Board. Vern Nelson will meet with the appointed Housing Authority and Councilmembers on May 16, 1983, unless notified differently.

John Wehner presented blueprints to the council requesting approval for a building permit. Mr. Wehner was advised to meet with Utility Supervisor Tom Noble concerning the building permit and unless plans do not comply with zoning regulations, a building permit would be issued by Mr. Noble and not require council approval.

Mr. Ray Miller and Mr. John Denner with C.M.I. Cable T.V. were present to discuss the adding of equipment to the cable T.V. system which would allow E.S.P.N. (a 24 hour Sport Channel), Channel No. 49 from Chicago and a pay Disney Channel as well as other channels in the future. Council was ask to take into consideration a rate increase of \$1.00 per month for the added service. The City will be contacted after having the opportunity to consider the proposal. The weather station currently out of service would be removed from the air for this proposed addition.

\* For clarification see corrections of minutes - May 2, 1983.

Request was made for councilmembers to reconsider their position on removing the two large trees on the Bill Baird property. The matter was tabled until later in the spring.

Mayor Lee read a letter received from Engineer Bob Palmer advising of his employment with B.A. Durst, Inc. The City has not received a letter as was requested from

REGULAR SESSION April 18, 1983 (Cont'd.)

Associated Engineers, Inc., confirming Bob Palmers serving the City of Silver Lake as an agent of Associated Engineers. Contact will be made with Associated Engineers to find out whether or not the City has an engineer available to them through this Association.

After discussion, motion was made by Councilman Freed, seconded by Councilman Murdock and approved that Tom Noble be given authority to hire help at the minimum wage, up to 20 hours each week during the summer months to help with mowing and other jobs.

Council was informed that Jon Rueck wishes to appeal a prior decision made by the Zoning Board of Appeals relating to the building of a carport on his property which does not conform with side yard zoning regulations. Counsel advised that time had run out for the filing of an appeal on the prior decision, thus Mr. Rueck would need to start over by filing a request with the Zoning Board of Appeals for a variance of the zoning regulations.

A complaint was received from Mr. Clark Wiley regarding the settling of dirt in his yard at the point of sewer line connection. It was determined that it is not the City's obligation to haul fill dirt into the area which has settled. A letter will be sent advising of the decision.

City Clerk received a request to check the necessity of rezoning property if part time consultation service is offered from a residence by phone and by mail, when no yard sign is necessary and no in and out of the home traffic is used. Legal counsel advised that the home occupation not being the primary employment of the individual, requiring no exterior signing and no additional traffic would not require rezoning.

Mr. and Mrs. Bill Baird came before the council relating to the trees they wish the City to remove from their yard and the danger they feel has been created. They were advised by council that the matter had been tabled until such time the trees had had an opportunity to green up. Legal counsel will further check City liability concerning tree removal.

Councilman Brungardt reported he had checked into the ditches which need to be cleaned out to allow proper water drainage. It was decided to contact the County and have the ditches cleaned from the City Limits east on Lake Street, and Tom Nobles recommendation will be sought for the best method of cleaning out the drainage tube at Lake Street and Beaubien.

A survey of signs which need to be repaired and replaced was made by Councilman Brungardt with approval given to replace signs as is necessary.

Councilman Murdock left the meeting at this time.

Again discussion was held relating to workmans compensation and its relationship to individual employees as well as major contractors of the City, and the necessity of having certification of workmans compensation insurance on file for those persons not classified as employees of the City. Attorney Stumbo will draft recommended guidelines to be used by the City relating to workmans compensation liability.

At Councilman Freed's recommendation, Council approved the purchase of an amber flashing light to be installed on top of the City truck.

Report was made by Councilman Honeyman that a letter of request has been mailed to K.D.O.T. asking that a study be made of the school zone area on Highway 24 before any

REGULAR SESSION April 18, 1983 (Cont'd.)

money be put into upgrading equipment. Photos have been taken and when developed they will be given to K.D.O.T. requesting guidelines and assurance that improvements considered at Rice Road and Pottawatomie Streets are indeed in compliance with State regulations.

Councilmembers were informed that a letter of resignation with an effective date of April 30, 1983, had been received from Officer Gary McManus. Motion was made by Councilman Honeyman, seconded by Councilman Freed and approved to accept the resignation. Lengthy discussion followed concerning the replacement of Officer McManus, the necessity of a two man department versus one full time officer and one part time officer. Motion was made by Councilman Honeyman to hire an officer for 80 to 100 hours per month at \$5.00 to \$5.50 per hour. Motion seconded by Councilman Brungardt and approved. Attorney Stumbo will check into the necessity of again advertising the position and conducting a complete search since that procedure was just completed in August.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 10:50 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING MAY 2, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening May 2, 1983 with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

The first order of business was to swear into office Mayor Leonard Lee and the Councilmembers which the City Clerk did in the usual manner.

In accordance with the statutes Mayor Lee presented to the Council for their consideration the following names for the appointive offices of the City of Silver Lake: Utility Supervisor - Tom Noble, Police Officer - Mike Killion, City Treasurer - Joan Parks, Fire Chief - Rodney Butler, City Attorney - John Stumbo, City Judge - James Welch and City Clerk - Warren Stadler. By motion duly made by Councilmember Gaddis, seconded by Councilman Honeyman and carried, the City Council approved the list of names submitted by the Mayor for the appointive offices for term of office to run through April 30, 1984.

Minutes of the last meeting held April 18, 1983 were approved with recommendation made that a memo be added clarifying that the proposed \$1.00 per month rate increase by C.M.I. Cable T.V. was for the adding of E.S.P.N. (the Sport Channel) only, not to include Channel 49 or The Disney Channel.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1213.

Marvin Irely, Contractor was present to request a 30 day extension of the Agreement reached between The City of Silver Lake and himself relating to completion of the subdivision project he is developing. Due to spring weather conditions, motion was made by Councilman Honeyman, seconded by Councilman Brungardt and approved to extend the Agreement from May 1, 1983 to June 1, 1983.

Having reviewed the Assignment and Assumption Agreement between Hurst Systems, Inc. and C.M.I. Cable, Inc., motion was made by Councilman Brungardt to instruct the Mayor to execute the Agreement. Motion seconded by Councilman Freed and approved. Brief discussion followed relating to the proposed \$1.00 per month rate increase for the addition of the E.S.P.N. Sport Channel. Discussion tabled.

Councilmembers reported that citizens Don Dain, Bonnie Priem and Florence Jennings had agreed to serve on the Housing Authority Board. Confirmation will be made by Councilman Brungardt and Councilman Freed for two other persons to serve on the board. Notification will be mailed to those persons serving on the board that appointment of office will be made and a meeting scheduled with Mr. Vern Nelson for 8:00 P.M. May 16, 1983.

Mayor Lee read a letter received from Associated Engineers, Inc., confirming Bob Palmers position as Acting City Engineer for the City of Silver Lake as the liaison agent of Associated Engineers. After brief discussion it was decided the council was in favor of maintaining Mr. Palmer as City Engineer which will be discussed with him at the May 16, 1983 council meeting as well as the bill for April services.

Mayor Lee reported he and Councilman Freed had met with members of Rural Water District No. 10 concerning the rate increase for water service provided to them. After discussing Farm Home Administration Contract requirements, motion was made

by Councilman Brungardt to drop the \$24.50 minimum charge and to charge Rural Water District No. 10, \$1.50 per 1000 gallons of water consumed until the date of Contract has expired, January 1, 1985. At that time Rural Water District No. 10 will be considered a commercial user and charged accordingly. Motion seconded by Councilman Honeyman and approved.

In response to inquiries received, Attorney Stumbo advised that the 3-mile zone authority the City has power to regulate is in relationship to subdivisions only, as Shawnee County has control of the Zoning regulations throughout the County. (Not within City limits.) The County has been advised by Attorney Stumbo to notify the City of Silver Lake any time application has been filed for rezoning within three miles of the City of Silver Lake city limits in order to afford the City an opportunity to have input at the Public Hearing.

Recommendation was made by Attorney Stumbo that the Subdivision Regulations be amended as was the Zoning Ordinance for the City of Silver Lake relating to Additional Height, Area and use regulations by amending paragraph 3 and 9 of section of Article XXII of the Zoning Ordinance. (Ordinance No. 1193.) Attorney Stumbo will draft a Resolution to the Subdivision Regulations subject to Council approval.

Councilmembers were informed that another inquiry has been received relating to a home occupation where no additional traffic is anticipated and no signing required however it is the primary occupation of the individual. Attorney Stumbo will obtain a copy of the Topeka Ordinance relating to permits required for home occupations for council to review and pattern a guideline from.

Attorney Stumbo presented councilmembers with a letter of recommendation relating to the City's liability for damage resulting from "defective trees." Letters will be sent to professional tree removers requesting bids for removal of the two sycamore trees on the Bill Baird property. After further discussion City Clerk was instructed to send a letter to Mrs. Ethel Landis advising that if she removes the tree in question from her property, she does so at her own risk and the City accepts no responsibility. The tree in question has not been determined to be a dangerous or defective tree.

At Councils request Attorney Stumbo searched the minimum wage issue and in doing so found that because of the Child Labor Laws, the City cannot hire someone under the age of 18 to operate dangerous equipment which would include a power lawnmower.

A letter is being sent to Merchants National Bank by Attorney Stumbo reminding them of the Agreement reached to comply with the original Agreement for drainage of the former Wiant property on the South East edge of Silver Lake.

April 30, 1983 was the effective date of resignation of police officer Gary McManus as reported by Councilman Honeyman. After further discussing number of hours, salary, vehicles and the department in general, it was decided to set up an interview with applicant Lin Standiferd regarding working part time for the City of Silver Lake. The monthly police report was given. Discussion was held as to the best method for disposing of the vehicle left on the City parking lot. City Clerk will make an inquiry on lienholders on the vehicle. It was also reported by Councilman Honeyman that an engineer from K.D.O.T. had been out to make a study of the school zones and advised that upon request 90/10 funding is available for upgrading warning and regulatory signs to State requirements. A request has been made.

Councilman Freed reported on the problems encountered by Ronald May and the sewer line being plugged at the point of hookup in the alley way behind his property. Discussion was held as to whether it is the responsibility of the home owner or

REGULAR SESSION MAY 2, 1983 (Cont'd.)

the City to make this repair, due to its nature. Council was of the opinion that the home owner should continue making the necessary repairs and after the sewer line has been dug up and depending upon what is found to be the cause of the problem, council will take action at the May 16, 1983 meeting to determine where the responsibility lies.

Brief discussion was held concerning the need for emergency lighting and power at City Hall in case of a disaster or that type emergency. Councilman Freed will check the availability of emergency lighting systems and price for such, and inquiry will be made into the possibility of obtaining a generator for like situations.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 9:15 P.M.

*Warrene M. Stadler*  
Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING MAY 16, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening May 16, 1983 with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held May 2, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1214.

Nominations were called for to elect a president of the Council. Lila Gaddis was nominated. Motion was made and seconded that nominations cease. Motion carried with Councilmember Gaddis being elected president of the Council.

Mayor Lee recommended Bob Palmer, acting as a liaison agent for Associated Engineers Inc., be appointed City Engineer for a term to expire April 30, 1984. Motion was made by Councilman Honeyman seconded by Councilman Murdock and approved that the appointment, as recommended, be accepted. A bill received for April services from Associated Engineers, Inc. was discussed briefly and approval for payment reaffirmed.

Rick Dayton, representing Associated Engineers, Inc. was at the meeting. Council ask that previous information requested from Mr. Pasley regarding grants and funding which might be available for municipalities be looked into. Mr. Dayton presented new zoning maps for councils approval which updates zoning changes that have taken place in Silver Lake. Council directed Mr. Dayton to have the zoning map reduced in order that copies can be made in the City office as needed. Motion was made by Councilmember Gaddis and seconded by Councilman Murdock that an Amendment be made to Section 16-202 of the Code of Silver Lake incorporating the new Zoning Map dated May 1983 as the "Zoning District Map of Silver Lake, Kansas". Motion placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1215.

Mayor Lee informed Councilmembers that the stand pipe had been pushed through the sewer main in the alley adjoining the Ronald May property. As both these items are provided by the City, it was the feeling that the City should be responsible for the repairing of such. Repair bills will be turned over to the City for payment.

The City received two bids for removing the two Sycamore trees on the Bill Baird property. Mick Tree Service presented a bid in the amount of \$1500.00 and Trees Inc. a bid for \$2800.00. Motion was made by Councilman Brungardt, seconded by Councilman Murdock and approved to have Bill Mick remove the trees. Brief review of his certificate of insurance prompted council to request Mr. Mick increase his property damage liability limits from \$5000.00 to \$25000.00 prior to removing the trees.

Brief discussion was held concerning the proposed rate increase for cable T.V. It was decided to table the issue until such time C.M.I. Cable presents a definite plan.

Mayor Lee reported he had been contacted by a Boy Scout needing to do a community service project in order to fulfill some of his scouting requirements. Council recommended that tree and grass planting be done around the water well house under Tom Nobles supervision. Approval was also granted for repainting the parking stripes in the business district if required project time allows.

REGULAR SESSION MAY 16, 1983 (Continued)

Motion was made by Councilman Brungardt and seconded by Councilman Murdock to sell the car abandoned in the City Parking Lot to Rodney Butler for \$50.00, subject to compliance with the statutes regulating sale of said item. Motion carried.

Mayor Lee appointed Gerald Blankenship, Don Dain, Florence Jennings, Sharlee Mason and Bonnie Priem to the Silver Lake Housing Authority Board. Mr. Ron Adney from Vern Nelson Architect and Assoc. was present to further explain the program to members of the newly appointed Board. Attorney Buening advised that this Housing Authority Board is a complete separate entity apart from the City with the only requirement being that a report and audit be presented to the City Governing Body annually. Attorney Buening will check the City Resolution authorizing the establishment of a Housing Authority to see that the authority of borrowing power has been granted according to the statutes. At this time the Board members left the Council meeting and met to name a Chairman and Vice Chairman and get further information from Mr. Adney for getting the project started.

It was reported by Councilman Honeyman that an interview had been held with Mr. Lin C. Standiferd for a part time position with the Silver Lake Police Department. Motion was made by Councilman Honeyman, seconded by Councilmember Gaddis and approved that Mayor Lee appoint Mr. Standiferd to the part time position of police officer. Motion was made by Councilman Honeyman and seconded by Councilman Murdock to pay Officer Standiferd \$5.00 per hour. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1216. Motion was made by Councilman Honeyman, seconded by Councilmember Gaddis and approved to trade the gun purchased for Officer McManus for another Model 357, similar to what the department has already issued.

A complaint was received concerning dogs barking while penned in the City dog pen before they can be picked up by Shawnee County Animal Control Officers. It was decided to purchase a tarp to throw partially over the top of the pen and drop down the side to offer both shade protection for the animal and serve as a sound barrier to help muffle the noise.

A Resolution to amend the Subdivision Regulations was presented to council for consideration by Attorney Buening relating to restricting the number of principal buildings or uses on a lot. Motion was made by Councilmember Gaddis, seconded by Councilman Murdock and approved to adopt the Resolution adding Paragraph (K) to Section 3 of Article VI of the Subdivision Regulations for the City of Silver Lake. A copy of the Resolution will be sent to the Shawnee County Zoning Board to be considered when applications are filed for building permits, within the three mile zoning radius of Silver Lake.

Legal counsel gave a copy of an Ordinance adopted by the City of Topeka relating to home occupations to Councilmembers for review. The issue was tabled until such time councilmembers had the opportunity to review such.

Councilmembers approved Councilman Murdock hauling gravel to the City Park as needed and contact will be made with Kaw Valley Electric to report light bulbs out of the ball diamond lights.

Council ask Utility Supervisor Tom Noble to contact Jerry Perry from Rossville and make arrangements to clean out the ditch and drainage tube at the North end of the Barney Subdivision since the area has now been graded and dirt work completed. Also inquiry will be made regarding keeping the alleys graded on a routine basis.

REGULAR SESSION MAY 16, 1983 (Continued)

Lengthy discussion was held concerning the hiring of additional help in the water and sewer department. The matter dealing with personnel matters, Councilman Freed left the meeting. Recommendation was made by Mayor Lee that Randy Freed be hired as a part time employee of the City Water and Sewer Department for an average of 20 hours per week, not to exceed 100 hours per month at \$5.00 per hour, starting as soon as is convenient for those persons involved. January 1, 1984, consideration will be given to making the position one of full time, all under the supervision of Tom Noble. Discussion was held relating to the conflict involved by the hiring of a councilmember, and legal counsel advised that as long as the employee is not acting in the capacity of an administrator, he can both serve on the Council as well as being an employee, abstaining from administrative decisions involving the department. Motion was made by Councilman Murdock, seconded by Councilman Honeyman and approved to hire Randy Freed as an employee of the City Water and Sewer Department at the Mayors recommendation for hours and salary.

Gerald Blankenship, Chairman of the Housing Authority Board, advised Councilmembers that a survey of interest must be conducted almost immediately before preliminary applications can be filed for funding. Councilmembers approved having the survey conducted and billed directly to the City. From this point on the Housing Authority will be totally independent of city financing, auditing or administrative responsibilities.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 10:00 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING JUNE 6, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening June 6, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: none.

Mr. Lin Standiferd, recently hired as a part time Police Officer for the City of Silver Lake was present to meet councilmembers he had not met previously.

Minutes of the last meeting held May 16, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled: "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1217.

Councilmembers were invited to the upcoming A.F.S. Picnic at City Park on June 12, 1983, in honor of exchange students Yesim Kebapci, Miele Bloess and Amy Constant. Motion was made by Councilman Murdock, seconded by Councilman Honeyman and approved that June 12, 1983, be proclaimed A.F.S. (American Field Service Day) in our community.

A price quotation from Gerald Perry was given to council for consideration for the cleaning of ditches and hauling away the dirt between Madore Street and Lake Road and also for the grading of the alley behind the bank. Motion was made by Councilman Brungardt to proceed with both projects at the quoted price, and to have Utility Supervisor Tom Noble get a quote for grading the alley behind the Immenschuh property and to proceed with that work if the quote was within reason. Motion seconded by Councilman Murdock and approved.

City Engineer Bob Palmer contacted the City to advise he wished to request an extension to the Agreement between Marvin Irely, Contractor, and the City of Silver Lake, due to weather conditions not being warm enough to properly make street repairs on Lake Road as per the Agreement. Motion was made by Councilman Brungardt, seconded by Councilmember Gaddis and approved that the Agreement be extended to July 1, 1983. The City requested that Mr. Palmer contact Marvin Irely relating to completing the grading of property in the subdivision.

Mayor Lee informed Councilmembers that the County Commission considered the Resolution to merge the Fire District and the City Fire Department on May 24, 1983, which met with approval. The two departments are in the process of preparing an inventory list of equipment at this time to be agreed upon before the merger is completed.

An inquiry was received by the City as to the benefit a land owner would recognize should he annex his property into the City. A letter will be sent to the individual advising of the agreement that would need to be reached between the property owner and the City before such annexation could take place, as well as the process for consideration of annexation.

The monthly police report was given and the department discussed briefly.

It was decided that due to the season and heavy schedule for the use of the Park, Councilman Murdock should contact the Lions Club to advise that the City would be able to install the new playground equipment since a second man is available to help with the installation. Also Councilman Murdock will check into obtaining a couple more barrels to be used for trash at the Park.

REGULAR SESSION June 6, 1983 (Cont'd.)

Councilman Brungardt, Councilman Murdock and Councilman Honeyman agreed to meet at a later time to draft a recommended ordinance to be considered in relationship to home occupations, using the Ordinance adopted by the City of Topeka as a guideline.

Utility Supervisor Tom Noble ask for assistance in the interpretation of the zoning regulations in relationship to rear and side yard requirements for a building permit sought by Elmer Francis for a garage. Council agreed that the side yard regulations already in force should be the determining factor.

The annual problem of keeping property properly mowed was discussed. After consideration, motion was made by Councilman Brungardt seconded by Councilman Freed and unanimously passed that the City should increase its fee for mowing private property from \$28.00 per hour to \$40.00 per hour. After verification of a complaint, certified letters will be sent to property owners advising of the need for the property to be mowed, and the cost for the City to mow the property should that be necessary.

Councilman Brungardt reported he had met with City Engineer Bob Palmer to determine the streets in town needing repairs. Mr. Palmer will have a proposed recommendation for these repairs at the June 20, 1983 council meeting.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 8:30 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING JUNE 20, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening June 20, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held June 6, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1218.

Mrs. Sandy Doebele was present to request use of City Park for a dance on August 26, 1983, for the St. Stanislaus Church. Mrs. Doebele was advised of the clean up deposit which would be required, as well as the \$40.00 fee to off set city expense of providing a certified law enforcement officer for the event. Motion was made by Councilman Honeyman, seconded by Councilman Murdock and approved to grant the request.

Discussion was held for establishing guidelines to determine when it is necessary for the City to require a certified law enforcement officer at events scheduled in the Park. After consideration was given to the different groups and events which may be using the park, motion was made by Councilman Murdock that the guideline to be followed should be that private parties (Non Fund Raising) which will be consuming alcoholic or cereal malt beverages need to be out of the park by 10:00 P.M. or pay the required fee of \$40.00 for a certified law enforcement officer to be present at the event. Motion seconded by Councilman Freed and approved.

City Engineer Bob Palmer presented proposals for street repairs as well as for the surfacing of the alley directly south of Railroad St. between Madore and Beaubein Streets. At councils request, Associated Engineers, Inc. will prepare bid specs with alternate project plans bid and also a bid for a three inch surface on the alley way proposed. Councilman Brungardt will contact Silver Lake Bank and see if they are willing to provide a letter of intent for sharing the cost of hard surfacing the alley aforesaid as well as sharing upkeep expenditures. Council requested a bid bond as well as performance bond from the contractors bidding the project. Bid letting will take place July 18, 1983.

Kansas Department of Transportation completed their study of the school zone at Pottawatomie Street and Rice Road. Councilman Honeyman reported the study called for removal of the flashing beacon light and the yield signs currently in place and placing stop signs for East bound vehicles on Pottawatomie Street at Rice Road, and also a stop sign for west bound vehicles leaving the school grounds, as well as flashing school zone signs. A letter advising of the study and proposed changes will be sent to the school immediately. City Clerk will contact K.D.O.T. and request approval to proceed with the upgrading of the school zone areas to comply with their studies in order that the school zones are completed before school starts, yet the expenditures still considered in the Federal Fund signing request whereby 90% of the expense would be reimbursed by the Federal Government.

Mayor Lee reported a letter had been received from Mr. Ted Ensley, Superintendent of Shawnee County Parks and Recreation, advising he would be interested in meeting with a representative of Silver Lake to view the City property considered for park land development. Mayor Lee will meet with Mr. Ensley concerning the park development process.



Discussion was held concerning the appearance of the City parking lot and recommendations made for the landscaping of such. Councilmember Gaddis and City Clerk will check into the costs of recommended landscape ideas.

Finance Commissioner Gaddis reported that the \$100,000.00 C.D. currently invested at Peoples Savings and Loan will become due on June 28, 1983, and at that time will need to be withdrawn from that institution. Councilmember Gaddis was granted authority to check rates with other financial institutions and have the funds invested for six months at her recommendation.

Police Commissioner Walt Honeyman reported that Officer Standiferd is resigning his position with Department of Corrections and will return to working up to 100 hours per month for the Silver Lake Police Department after the two week period of notice of resignation has been served.

A complaint had been received from Mr. Jack Hawkins regarding water backing up into the drainage tube behind his property. The City is requesting Engineer Bob Palmer check the situation the next time he is in Silver Lake.

Councilman Honeyman advised he reported the establishing of a Housing Authority Board to the City's Public Official Liability Insurance Carrier and was informed that this Board, a separate entity from the City, is not covered under the City's P.O.L. insurance. A questionnaire will be filed to make inquiry into the costs of this coverage.

Several complaints were received regarding U.S.D. No. 372 watering newly planted grass excessively when such water is not metered. A letter will be sent to the school requesting conservation of water, and that someone be alert to the necessity of using the water that is consumed.

Mayor Lee informed Councilmembers of the notice received from C.M.I. regarding the ability to view E.S.P.N. on channel 6, June 20 through June 25, 1983 to help determine the amount of interest there is in having E.S.P.N. available to viewers all the time. Also Councilmembers were invited to the E.S.P.N. Open House at Rossville. City Clerk was instructed to make an inquiry as to the obligation of C.M.I. to provide channel 49 to it's cable T.V. viewers.

Councilmembers Brungardt, Murdock and Honeyman advised they had met to review the Ordinance adopted by the City of Topeka relating to Home Occupations. After discussion relating to signing requirements, neighborhood disturbance, complaints and enforcement of ordinances adopted, it was decided to again table discussion until legal counsel is available.

A complaint had been received by Councilman Honeyman regarding persons parking in and in front of other peoples drive ways. Request will be made that the City Police Officers be aware of parking discourtesies.

Councilman Freed advised that he found it necessary to resign from his part time job with the City, due to being employed full time in Wamego. The issue dealing with personnel matters, Councilman Freed left the meeting. After lengthy discussion councilmembers concluded that they would make a proposal to Randy Freed. to employ him on a full time basis as of July 1, 1983, at \$1100.00 per month instead of January 1, 1984, as was proposed at the time of establishing a part time position. It was felt the position could not justify more money at this time. Councilman Honeyman will meet with Councilman Freed June 21, 1983, to convey the

REGULAR SESSION JUNE 20, 1983 (Cont'd.)

proposed offer. Recommendation was made that should Randy Freed turn the city's offer down, Tom Noble could contact Jerry Barker to see if he'd be available to help with mowing at this time, for \$4.00 per hour.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 10:15 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

The Governing Body of the City of Silver Lake met in regular session at City Hall on Tuesday evening July 5, 1983 with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) Absent: Ray Murdock (1).

Minutes of the last meeting held June 20, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriation money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Ordinance was declared passed and given No. 1219.

Mayor Lee informed councilmembers he was scheduled to meet with Mr. Ted Ensley from Shawnee County Parks and Recreation Department on July 6, 1983 regarding future development of a City Park on the land the City owns on East Lake Street.

Discussion was held concerning the necessity of the newly established Housing Authority to have complete authority regarding borrowing, bonding, and the acquisition of property when the City remains liable for debts and bonds incurred. The City Attorney will contact Ron Adney with Vern Nelson Architects and Assoc. who is helping to establish the authority and determine the rationale for the request that the Authority have total financial borrowing and acquisition powers.

As per Kansas Statute No. 17-2341 regulating City Housing Laws, appointments to the Housing Authority Board are to be for a designated term of office, thus motion was made by Councilmember Gaddis, seconded by Councilman Brungardt and approved that the terms of office be: Florence Jennings - one year, Bonnie Priem - two years, Don Dain - three years, Sharlee Mason and Gerald Blankenship each a four year term.

Councilman Honeyman advised the sign upgrading study had been made by Kansas Department of Transportation. Further review of the school zone areas in Silver Lake was held and discussion regarding the timeliness of the study and funding of the project. Motion was made by Councilman Freed that the school zone advance warning signs, speed limit and posted hour signs be arranged properly as per an optional recommendation made by K.D.O.T. The stop signs be installed at the school ground exit and at the corner of Pottawatomie Street and Rice Road immediately, the cross walks are to be painted as per regulations, then flashing school zone lights be installed as soon as the authority has been given by K.D.O.T. to proceed with this project. The school zones on Highway 24 are to remain as they are with the exception of changing around two signs already in place. Motion seconded by Councilman Brungardt and approved. It is the desire of the City to file for funding assistance for the labor involved with the sign upgrading project.

The monthly police report was given by Councilman Honeyman. The officers schedule for July was given to each councilmember. After brief discussion, motion was made by Councilman Honeyman that the City either purchase a single Blue Cross-Blue Shield health plan for Officer Standiferd or split the cost of a family plan with him. Motion seconded by Councilmember Gaddis and approved.

Eldon Shove and Francis Kelsey presented the proposed 1984 budget for the combined fire departments.

Councilman Freed presented cost figures for a recommended emergency lighting system at City Hall. Motion was made by Councilman Brungardt, seconded by Councilman Honeyman and approved that Councilman Freed be authorized to invest up to \$500.00 for such an emergency lighting plan. Brief discussion was held regarding the need for an emergency generator to operate the water system in case of emergency. Contact will be made with the Shawnee County Civil Defense Unit to determine what equipment is available and what the City would need to do to be prepared to use the equipment which might be available through them.

Brief discussion was held concerning the events which are taking place with cable T.V., the petition being circulated, prior request for a \$1.00 per month rate increase in order to be able to purchase equipment to offer E.S.P.N. to cable TV viewers and a brief offering of the E.S.P.N. network, indicating the equipment is already in place. It was decided that request should be made that representatives from C.M.I. Cable T.V. be invited to the July 18, 1983 council meeting to discuss questions the council has regarding the operation of this facility.

Recommendation was made that the 6% employee salary increase that was used for preparing the 1983 budget be the guideline followed for salary increases at this time. Motion was made by Councilman Brungardt and seconded by Councilman Freed that salaries be increased as follows: Utility Supervisor Tom Noble to \$1484.00 per month, City Clerk Warren Stadler to \$848.00 per month, Police Officer Mike Killion to \$1166.00 per month, Judge Welch to \$106.00 per court session and Court Clerk to \$53.00 per session. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Ordinance was declared passed and given No. 1220.

City Clerk was ask to contact Richard Bassett to make demand that immediate attention be given to cleaning up the area not already cleaned up behind the former Lakeland Lodge.

There being no further business to come before the Council at the present time, by motion duly made and carried the meeting adjourned at 8:50 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING JULY 18, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening July 18, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Lila Gaddis, Ray Murdock (3) Absent: Randy Freed, Walter Honeyman (2).

Minutes of the last meeting held July 5, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and it was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Ray Murdock (3) NAY: None. Ordinance was declared passed and given No. 1221.

Councilmembers were shown the completed map study poster of Silver Lake, Kansas, made by Xerox Education Publications to be published in the Weekly Reader Skills Books. A letter of appreciation will be sent along with a request for additional copies of the poster.

Bids were received from Bettis Asphalt and Construction, Inc. and from Andrews and Walshire Construction, Inc. for 1983 street improvements. Base bids received were: Bettis Asphalt - \$20249.66, Andrews & Walshire - \$24518.13. Bids on alternate plans are as follows: Bettis Asphalt, Alternate Plan No. 1 - \$2778.60, Plan No. 2 - \$5720.55, Plan No. 3 - \$4143.75. Andrews and Walshire, Alternate Plan No. 1 - \$3485.88, Plan No. 2 - \$7038.01, Plan No. 3 - \$4442.10. After discussion, motion was made by Councilman Brungardt to accept the low bid submitted by Bettis Asphalt and Construction, Inc., for the base plan and alternate plans No. 1 and 2, bid subject to engineers review and approval. Motion seconded by Councilman Murdock and approved.

At the City Engineers recommendation, motion was made by Councilmember Gaddis, seconded by Councilman Murdock and approved that the cash bond on deposit be returned to contractor Marvin Irely, after receipt of the engineers bill which is to be deducted from the bond.

Mr. Russell Kalcik was at the meeting to meet councilmembers and discuss working for the city with Utility Supervisor Tom Noble. Mr. Kalcik was advised that he would be notified within a few days as to the decision made by the council regarding the hiring of a part time employee.

Ray Miller and Michael Dawson with Comm Management, Inc., were present to discuss recent happenings with C.M.I. Councilmembers were advised that C.M.I. rented equipment to allow the broadcasting of E.S.P.N. for a one week period, petitions being circulated were intended to indicate interest of cable TV viewers in having E.S.P.N. added, they are indeed asking for a \$1.00 per month rate increase and in turn offering E.S.P.N. to viewers. Indication was made that the rate increase probably would be inevitable, even if E.S.P.N. was not offered. Council ask that a formal written request be made for this rate increase with intentions indicated. The request for an increase is to show justification, what is being offered, time frame, etc. The written request will be sent to the City Attorney for review before action is taken by the Governing Body. A public hearing is scheduled for 8:00 P.M., August 1, 1983, in order to be able to get input from the residents of Silver Lake.

The hour being 8:00 P.M., the attention of all present was called to the published notice hereby given for the proposed use of Federal Revenue Sharing Funds for the

REGULAR SESSION JULY 18, 1983 (Cont'd.)

purpose of determining the use of these entitlement funds. After review, a motion was made by Councilmember Gaddis and seconded by Councilman Brungardt that the funds be designated for public safety. Motion approved.

Attorney Buening contacted Farm Home Administration as well as Ron Adney with Vern Nelson Architects and Assoc., regarding authority given to the Housing Authority Board. Motion was made by Councilmember Gaddis, seconded by Councilman Brungardt and approved that at counsels recommendation an amendment be made to the Resolution establishing the Silver Lake Housing Authority, to allow that authority which has been authorized under the Housing Laws of the State Statutes. Bonding authority which will not be needed for this project will be deleted from the resolution.

Fire Chief Rod Butler requested signs be placed on Highway No. 24, warning of the Fire Station ahead. Kansas Department of Transportation will be contacted for an opinion.

Utility Supervisor Tom Noble informed Councilmembers it would be necessary to shut water off, city wide, for a two to three hour period. It was decided that the best method of informing residents of the water shut off period would be to make a bulk mailing to water customers, advising of the date and approximate time.

Councilman Brungardt informed Councilmembers he will be contacting Jack Mahana to request that tree limbs hanging low over the street be trimmed to avoid blocking of anyones view.

City Clerk advised that request was made for an application to rezone the property located at Gemini and Highway No. 24. A letter will be sent to the property owner advising that it will also be necessary to replatt the property in order to allow for more than one principal building on the currently platted lot, as per zoning regulations adopted by the City of Silver Lake, November 1, 1982.

Councilman Freed entered the meeting at this time.

Motion was made by Councilman Murdock that council go into executive session to discuss the hiring of an employee for the water department and to discuss pending litigation with the City Attorney, the meeting to resume at 9:40 P.M. in the meeting room of City Hall. Motion seconded by Councilmember Gaddis and approved. Council meeting recessed at 8:55 P.M.

Regular session resumed at 9:40 P.M.

Motion was made by Councilman Brungardt and seconded by Councilman Murdock that the attorneys representing the City in the lawsuit instituted by Kenneth Paul Wright, be authorized to enter into negotiations to effect a dismissal of all claims and causes of action now pending or which have accrued to date against the City, with the exception of any claims for overtime wages and back pay, on the condition that the City not pay to Mr. Wright any money or other consideration in exchange for the dismissal.

There being no further business to come before the Council at the present time, by motion duly made and carried the meeting adjourned at 10:00 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING AUGUST 1, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening August 1, 1983, with Mayor Leonard Lee present and the following Councilmembers present: Randy Freed, Lila Gaddis, Walter Honeyman (3). Absent: James Brungardt, Ray Murdock (2).

Minutes of the last meeting held July 18, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: Randy Freed, Lila Gaddis, Walter Honeyman (3) NAY: None. Ordinance was declared passed and given No. 1222.

In order for employees recently hired by the City on a part time basis to be eligible for KPERS after meeting time requirements, motion was made by Councilman Honeyman that the part time police officer position and the part time water department position be established as positions requiring a minimum of 1000 hours per year. Motion seconded by Councilman Freed and approved.

Councilman Murdock entered the meeting.

Councilman Honeyman ask that approval be granted for Police Officers Mike Killion and Lin Standiferd to attend an Officers Survival School, being offered through Shawnee County Sheriffs Department. This training would meet 32 of the 40 hours law enforcement training required annually. Discussion was also held relating to the cost and time involved for officers to receive their EMT (Emergency Medical Technician) certification. Councilman Honeyman will check further on cost and hour requirements. Motion was made by Councilman Freed and seconded by Councilmember Gaddis that approval be granted for both officers to attend the Officers Survival Training session. Motion was then made by Councilmember Gaddis seconded by Councilman Murdock and approved that the City pay tuition fees for the officers to obtain EMT certification.

Attorney Buening assured councilmembers that Merchants National Bank is obligated to the same Agreement the City entered into with Mr. Larry Wiant for the draining of that property. A letter of demand has been sent to Merchants National Bank concerning this obligation.

Discussion was held regarding bills submitted to the City for defense costs relating to the law suit instituted by Kenneth Paul Wright against the City of Silver Lake. Attorney Buening was authorized to submit a claim to American States Insurance Co. for bills received from Forum Insurance Co. which do not meet the deductible requirements of the Forum Insurance policy. Attorney Buening advised that a journal entry would be made and submitted to the Council at the August 15, 1983 meeting, effecting a dismissal of the suit with the exception of the overtime wage claim.

Fire Chief Rod Butler reported on an incident which occurred at U.S.D. No. 372 involving fire alarms not operating properly. A report of the findings has been given to the State Fire Marshall who is conducting an investigation and will in turn handle the situation to the States satisfaction. A record will be kept by the Silver Lake Fire Department of all reports, meetings, inspections, etc.

Having received complaints about the pile of lumber which is located on the Paul Dultmeier property located between Sage and Center, City Clerk was ask to send a letter to Mr. Dultmeier advising that the area has been determined to be a menace and dangerous situation to the health of inhabitants of Silver Lake and Pursuant to KSA 12-1617e the area be cleaned up within ten days from receipt of notice.

REGULAR SESSION AUGUST 1, 1983 (Cont'd.)

The hour being 8:00 P.M. a public hearing was held as per published notice for all residents of Silver Lake concerning a request received from Comm Management, Inc. for a \$1.00 per month base rate increase to cable TV customers and in return they would offer E.S.P.N. (a twenty-four hour sport channel). Councilmembers reviewed the letter of request, financial statement and statement of rate of return from C.M.I., as well as requirements outlined in the Ordinance which established the cable TV franchise. Those persons attending the meeting voiced favorable opinions towards the rate increase and having the E.S.P.N. channel made available. After consideration, motion was made by Councilman Murdock that an Ordinance be adopted amending Ordinance No. 1075 changing the base rate for cable TV customers to \$10.00 per month, a reflection of a \$1.00 per month rate increase. In return, E.S.P.N. will be offered to viewers on Channel 6. Effective date for the rate increase will be date of availability of the E.S.P.N. channel. Motion seconded by Councilman Honeyman and placed on final passage by roll call of the following vote: AYE: Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1223.

Councilmembers reviewed the proposed budget for 1984. Motion was made by Councilmember Gaddis to approve the proposed budget and submit it to the newspaper for publication as it stands. Motion seconded by Councilman Murdock and approved.

It was decided that the City should purchase a new pick up truck for the water department yet this year. Bid specifications calling for a V-8 engine, one-half ton truck with long wide box, automatic transmission, power steering and brakes, radio, factory undercoating, sliding back window, basic white paint, all vinyl interior, guages, factory black wall radial tires, spare tire and wheel and limited slip rear-end feature (Posi-trac) will be sent to Bolan Chevrolet, Kent Brown Chevrolet, Dodge City USA and Noller Ford. Bids will be opened September 6, 1983 at 7:00 P.M. It was decided to keep the truck the City currently owns.

Mayor Lee reported he had met with Mr. Ted Ensley and Mr. Tim Murphy with Shawnee County Parks and Recreation Department to show them the land the City owns which is proposed for park development. Mayor Lee was advised that information the City has regarding development of the area is probably sufficient to make application for funding assistance. Shawnee County Parks and Recreation Department will assist the City in necessary procedures to make such applications.

There being no further business to come before the Council at the present time, by motion duly made and carried the meeting adjourned at 9:30 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

Motion was made  
~~Mr. Breuninger~~ 2<sup>d</sup> is  
that the attorney  
City in the  
Kern Paul W.  
to enter into  
a dismissal of  
of action now  
have accrued  
City, with  
claims for  
pay, on the  
Mr. Wright any  
in exchange for

and by Councilman  
by Councilman McDonald  
representing the  
sueit instituted by  
right, be authorized  
negotiations to effect  
all claims & causes  
pending or which  
to date against the  
the exception of any  
time wages & back  
condition that <sup>the</sup> City Not pay to  
money or other consideration  
the dismissal.

REGULAR SESSION MONDAY EVENING AUGUST 15, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening August 15, 1983, with Mayor Leonard Lee present and the following Councilmembers present: Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (4) Absent: James Brungardt.

Minutes of the last meeting held August 1, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1224.

Citizen Don Kruger was in attendance of the meeting, reporting two break-ins at his place of business and advising council that he was unhappy with the follow up investigation conducted by the Silver Lake Police Department and Shawnee County Sheriffs Department. Mr. Kruger requested that consideration be given to scheduling police officer coverage from late night until early morning. The problem of youth gathering in private parking lots as well as on the school grounds was discussed. Councilman Honeyman advised he would check with both law enforcement departments and see what has taken place to date on the investigations. Also an inquiry will be made of the school board as to how they wish to handle the unauthorized gathering of youths on school property. Request will be made that more attention be given to checking business doors late at night.

City Engineer Bob Palmer presented the final billing from Bettis Asphalt for street repairs. A list will be kept of any areas which need further attention and a report of those complaints given to Bettis Asphalt for further repairs before final settlement is made.

Engineer Palmer advised this would be his last night as acting City Engineer for the City of Silver Lake. Associated Engineers will remain the City Engineering firm with an engineer to be appointed.

Councilman Honeyman reported he had attended the most recent school board meeting to inform them of the signing project, traffic studies made, and recommendations made by Kansas Department of Transportation for the school zone areas. School Board members requested to keep the current flashing light at Pottawatomie and Rice Road in effect until the new school zone lights are in place. The request will be presented to K.D.O.T. for an opinion.

It was reported that a complaint had been received about the depth of the drainage ditch recently cleaned out along Lake Street at Lake Road going West. The possibility of putting up guard railing or warning reflectors was considered. This will be discussed with the Engineer from K.D.O.T. for recommendations.

Brief review was held of Ordinance No. 1160 pertaining to the consumption of cereal malt beverages on private property. Attorney Stumbo advised that when people are gathering on private property unwanted, that in itself constitutes trespassing (a violation of the ordinances) whether drinking is involved or not.

Gary Roberson attended the meeting to answer any questions councilmembers might have regarding their intention of developing a "general occupancy" rental housing unit on block E of Silver Lake Subdivision No. 5, Silver Lake East. This would be a housing project subsidized by Farm Home Administration, consisting of three structures housing twelve units. (4-1 bedroom and 8-2 bedroom facilities.) The study has been

completed indicating the need for this type project, financing has been approved through Farm Home Administration and application will soon be filed for the platting of and rezoning of property.

The hour being 8:00 P.M. the attention of all present was called to the published notice hereby given of the Budget Hearing as of this date for the purpose of hearing objections and answering questions relating to the proposed budget and tax levy for the year 1984. Thereupon, with no objections or questions, a motion was made by Councilmember Gaddis to close the hearing and adopt the proposed budget for 1984. Motion seconded by Councilman Honeyman and approved with the following vote: AYE: Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None.

Attorney Stumbo advised that Don Dain and Wayne Kellner have purchased the former Wiant property located south of Highway 24 from Merchants National Bank. A letter will be sent to the new owners from the City of Silver Lake advising them that they are bound by the original Agreement entered into between the City and Mr. Wiant regarding drainage of the property.

Attorney Stumbo reported the journal entry effecting dismissal of the law suit filed against the City of Silver Lake and named individuals from all claims except that for overtime wages has not yet been made, however is being prepared. A letter will be sent to named defendant Fredric Kroh explaining the signing of the dismissal agreement and the decision of the City of Silver Lake to no longer offer defense to a named individual should they choose not to sign the Agreement for Dismissal.

An inquiry made regarding allowing residential occupancy in an area zoned C-2 (Central Business District) prompted review of the zoning ordinance currently in force. Current regulations will not allow residential occupancy in a C-2 area. After discussion motion was made by Councilman Honeyman that Attorney Stumbo be directed to draft an amendment to Article No. 16 of Ordinance No. 1050 to allow selected "use regulations" from an "R" (Single Family Dwelling District in a C-2 zoned area. Motion seconded by Councilman Murdock and approved.

Councilman Freed advised that the State Fire Marshall had visited U.S.D. No. 372 and fire alarms are being corrected to satisfy governing regulations.

A complaint was received concerning the burning of trash in barrels by a resident in Silver Lake. Contact will be made with the County Health Department requesting this matter be looked into.

There being no further business to come before the Council at the present time, by motion duly made and carried the meeting adjourned at 9:15 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk



REGULAR SESSION TUESDAY EVENING SEPTEMBER 6, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Tuesday evening September 6, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, (4) Absent: Ray Murdock (1).

Minutes of the last meeting held August 15, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Ordinance was declared passed and given No. 1225.

Having opened the only bid received for a new City truck and reviewing it, motion was made by Councilman Honeyman to accept the bid submitted by Laird Noller Ford in the amount of \$7899.00, plus adding on a "step down bumper" for an additional \$85.00. Motion seconded by Councilman Freed and approved.

Councilmembers were informed of a complaint received from a property owner regarding the City digging up their driveway to replace a drainage tube and then not replacing the driveway to its original condition according to the complainant. Councilmembers were informed that one of the joint property owners had been visited with regarding the fact that normally the drainage tube would have to be replaced by the property owner, but due to the fact the City was already working to clean out the ditch and the time that would be involved, the City proceeded to replace the tube at no expense to the property owner. Kenneth Lilley expressed agreement with the replacing of the tube and it was decided to take no action regarding the complaint.

Being required to name a voting delegate and alternate to the Kansas League of Municipalities, motion was made by Councilman Freed, seconded by Councilman Brungardt and approved that Councilman Honeyman be named voting delegate and Councilmember Gaddis be named the alternate delegate.

Councilmembers were given the ordinance which needs to be adopted and the agreement that needs to be accepted by the City to update the City Code Book. Having reviewed the Agreement to be reached between the City and the League of Kansas Municipalities, it was decided to contact the League and see if there would be a way of determining an approximate compensation fee rather than the conditions of compensation as listed in the Agreement which are variable. The issue was tabled until further information is available.

A letter of request was received from Casey's General Store to move the pylon sign to the North side of their property and extend the driveway approach on Sage Road. Having reviewed the request and plans, council felt it was not necessary to take action on these plans to relocate the sign as the original construction is in accordance with the site development plan.

An ordinance amending Article XVI of Zoning Ordinance No. 1050 of the City of Silver Lake, allowing for additional permitted uses was drafted by Attorney Stumbo and reviewed by Councilmembers. Motion was then made by Councilman Brungardt and seconded by Councilman Honeyman to allow all uses first allowed in District "R", "R-2", "R-3", and "C-1" in a "C-2" Central Business District. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Ordinance was declared passed and given No. 1226.

Motion was then made by Councilman Brungardt and seconded by Councilman Honeyman to amend Article XV of Zoning Ordinance No. 1050 of the City of Silver Lake allowing all uses first allowed in District "R", "R-1", "R-2", and "R-3" in a "C-1" Central Business District. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman (4) NAY: None. Ordinance was declared passed and given No. 1227.

Councilmembers were advised that the City needs to adopt a Resolution designating all school zones other than the one located on Highway 24 which is designated in a Resolution adopted by Kansas Department of Transportation. This action caused review of the traffic sign study done in Silver Lake and prompted questions regarding the cross walk at Lake and Rice Road and school zone signs for south bound traffic on Rice Road from Pottawatomie Street and for West Bound traffic on Lake Street from Rice Road. City Clerk will contact Mr. Harold Benoit with K.D.O.T. regarding these concerns and to also determine the exact description of the school zones for the Resolution to be adopted by the City. Action will be taken on the Resolution at the September 19, 1983 Council meeting.

Discussion was continued from the last meeting concerning drainage of the former Wiant property south of Highway 24. Councilmembers were informed that there is some question as to who the property owners are for each area. Legal counsel advised that the obligation for drainage has been recorded and runs with the land. Attorney Stumbo will check on ownership, review the original Agreement and check into alternatives for City action.

The City received a letter from Eldon Roberson requesting that the City be used as a reference for rental housing. It was decided to send a letter to Mr. Roberson advising that this is a conflict of interest for the City to participate in such a manner and the City would prefer to have their name removed from the list.

The application for rezoning and to platt property received from Eldon Roberson was given to the City Attorney for review. After reviewing the information received, it was determined that the City does need an area vicinity map indicating the property owners within the 200 foot protest area in order to be able to properly act should a protest petition be received on the rezoning application. Also, not all information required for platting was included. The matter was turned over to Attorney Stumbo who will in turn contact Eldon Roberson advising that no further action will be taken until the application has been perfected.

Conflicts involving residents of Silver Lake using City appointed firms on a project the City is involved with was discussed. When this action has taken place, the City feels they then can not get an unprejudiced opinion on the proposed project. A letter to this effect will be sent to the City Engineer advising of the conflict of interest the City feels as well as questioning their interest in being retained as City Engineer, informing them of the turmoil the City has felt since March 21, 1983, as to the appointment of a City Engineer. Associated Engineers will be invited to the September 19, 1983, Council meeting to discuss retainment of their position.

The City Police Department was discussed. It was decided to place an ad in the St. Marys Star and also in the Eagle Outlook advising of the penalties involved upon conviction for vandalism of signs and that attention will be given to this area of law enforcement. Approval was given to order a bullet proof vest for Police Officer Lin Standiferd. After brief discussion motion was made by Councilman Freed seconded by Councilman Brungardt and approved that a new model radar unit be purchased to put in the Mercury and the older unit be placed in the Ford. A demo radar unit retailing for \$2800.00 can be purchased for \$1000.00 at this time. Councilman Honeyman made a report to Councilmembers regarding the complaints received from Don Kruger and advised that the complaint is still being followed up on. Councilmembers were also advised of the

REGULAR SESSION SEPTEMBER 6, 1983 (Cont'd.)

pursuit and apprehension made by Officer Standiferd after the break in at the Hawk Liquor Store. This action prompted concern from Shawnee County Sheriffs Department as to where the officers liability rests when they have not been called out of the City limits by the Sheriffs Office. Councilman Honeyman will request a statement in writing from the Sheriffs Department regarding this issue.

Concern was expressed regarding the number of spaces for parking of vehicles in front of the Apartment House located in the former Lakeland Lodge. Councilman Brungardt will check further into this. It was likewise pointed out that there are 13 apartments in the Apartment Complex instead of the proposed 10 rental units, thus creating additional parking needs. A letter will be sent to Richard Bassett requesting him to meet with the Council on September 19, 1983, to advise them why he ended up with 13 units when the accepted proposal called for 4 - 2 bedroom units and 6 - 1 bedroom units.

Discussion was also held relating to the parking of vehicles on Madore Street, south of Lake since the addition of several houses to the area. It was decided that the reason behind requesting the yards be graded with a slope condusive to the parking of vehicles was to prevent parking on the street, thus allowing room for fire and emergency vehicles to pass through. Three signs (No Parking) will be ordered and placed on the west side of Madore Street south of Lake.

Councilman Brungardt advised he received a request for the Police Officers to lock up the Post Office Lobby at night since the new hour of closing does not allow persons working out of town to get to their post office boxes in the evening. Due to the fact that officers are sometimes called away from the City limits, sometimes would be involved with another matter at the time the door was to be locked and that there are some nights an officer is not scheduled to work, it was decided to not enter into this type agreement.

Consideration was given to requesting Bettis Asphalt to come out and patch up a couple holes in the streets. For them to do this, they would have to charge for bringing equipment back to Silver Lake. It was decided that Utility Supervisor Tom Noble should get a small amount of asphalt and fill in the holes.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 10:15 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING SEPTEMBER 19, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening September 19, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held September 6, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted with the exception of the warrant made payable to Associated Engineers, Inc. and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1228.

Mr. Frank Nelson with Associated Engineers, Inc. was in attendance of the meeting to advise he has been appointed the City Engineer for Silver Lake and to address concerns raised by the Council at the September 6, 1983 meeting. Councilmembers were informed of personnel changes within the engineering firm, thus the lack of engineering services during the interim. Mr. Nelson agreed their firm owes the City engineering service time. Their firm does have access to information regarding grants and programs available which offer financial assistance. They will try to keep the City abreast of what is available. The project Associated Engineers has recently done for Eldon Roberson which will be submitted to the City of Silver Lake with a plat application will have a check and balance of sorts, as the engineer and the surveyor who initiated the project are no longer with the firm and the new employees will have to review the project from its beginning. Mr. Nelson did agree that Associated Engineers would waive work from clients when the job involves the City of Silver Lake acting on the project. Motion was then made by Councilman Murdock to approve payment of the bill to Associated Engineers with Ordinance No. 1228. Motion seconded by Councilman Brungardt and approved.

Mr. Richard Bassett attended the council meeting in response to a letter from the City of Silver Lake inquiring about the additional two apartments built in the former Lakeland Lodge. The additional apartments do not comply with the original site plan presented for rezoning consideration. Mr. Bassett advised that the hip line roof allowed for considerable more space in which the two additional apartments were added. He also assured council that construction complies with City of Topeka fire and building codes. Mr. Bassett agreed to provide additional parking should the parking situation become a problem. He requested to be allowed to wait until it has been determined that it is a problem before the additional parking space is created. Attorney Buening will draft an Agreement between The City and Mr. Bassett stating that Ordinance No. 1203, specifying number of parking spaces was adopted based upon 10 apartments, however since there are now twelve, consideration can later be made for additional parking facilities.

It was decided to contact Mike Deiter, Gilbert Wanklyn, Melvin Dreasher and Charles Clark with an invitation to bid on the snow removal contract for the City of Silver Lake for the winter of 1983-1984. Certificate of liability insurance and workmen's compensation (if applicable) will be requested with the issuance of a contract. Bids will be opened at the October 17, 1983 council meeting.

Attorney Stumbo visited with Eldon Roberson and he feels there is not a problem with accepting the certified list of property owners within the protest zone of property being considered for rezoning. Mr. Roberson is to file a letter, correcting an error found on the list, before the notice of a public hearing is sent for publication. Mr. Roberson was advised that he could either proceed with the application to rezone and

then make the decision on filing a preliminary plat application at a later date, or he could file the preliminary plat application right away and the two issues be considered simultaneously.

Mayor Lee reported that having checked with the League of Municipalities regarding the cost of updating the Codes for the City of Silver Lake, a cost estimate of no more than \$2000.00 was given. After discussion, motion was made by Councilman Freed and seconded by Councilmember Gaddis to enter into a contract Agreement with the League of Kansas Municipalities for updating the Codes. Motion carried. Motion was then made by Councilmember Gaddis and seconded by Councilman Brungardt to adopt an Ordinance authorizing and providing for the 1983 update to the codification of the general ordinances of the City of Silver Lake, Kansas, and the publication of such updated codification in looseleaf book form. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1229.

After discussion, motion was made by Councilman Brungardt seconded by Councilmember Gaddis and approved that a Resolution be adopted according to K.S.A. 8-1338 designating three school zones. The first being on Rice Road, 150 feet north of Lake and extending northerly to a point 50 feet South of Railroad Street. The second on Pottawatomie Street, 75 feet West of Pine Street extending east to Rice Road, and the third on Lake Street 400 feet east of U.S. 24 going easterly to a point 150 feet east of Rice Road, during the hours of 8:00 A.M. to 9:00 A.M., 11:15 A.M. to 12:30 P.M. and 3:00 P.M. to 4:00 P.M.

An inquiry was made by Mrs. Raymond Frye as to the City Ordinances regulating home occupations. A copy of the zoning regulations relating to home occupations will be sent to Mrs. Frye with a letter advising that outdoor signing and additional traffic in the neighborhood would be the factor used to determine the necessity of rezoning.

Attorney Buening informed councilmembers that after an extensive search by their office, it was determined that Della Marie Hine and Larry Wiant are owners of the far northerly portion of the Wiant addition on which the majority of the ponding of water exists, and Don Dain and Wayne Kellner own the balance of the property which was purchased from Merchants National Bank. A letter will be sent to all property owners from the City Attorney, putting them on a 30 day notice to comply with the Agreement on file. City Engineer Frank Nelson will prepare a preliminary cost estimate for drainage of the property should the owners not take action and it become necessary for the City to do so. Attorney Buening will contact the City Auditor to determine the best method for the City to use available funds without causing a cash flow or budget violation, should it be necessary for the City to drain the property.

An anonymous inquiry was received concerning the issuance of a building permit for a secondary building on a lot without a primary building. A review of the zoning regulations and stated definition of "lot" satisfied councilmembers that the building permit issued was in compliance with zoning regulations. After brief discussion, a motion was made by Councilmember Gaddis and seconded by Councilman Murdock that an amendment be made to the zoning regulations adding the phrase "common ownership" to the definition of "lot" to help clarify the meaning. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1230.

Inquiry was made of Eldon Roberson as to whether or not the basement floor had been completed in the house at 109 Aquarius. Mr. Roberson advised that he had not paured the basement, however the new owners had. He likewise advised councilmembers that for financing purposes, it was necessary to recertify the elevation to the lowest floor

REGULAR SESSION SEPTEMBER 19, 1983 (Cont'd.)

level in the house, meaning basement floor.

Street Commissioner Jim Brungardt reported that the asphalt in front of Tex's Drive In continues to seep tar which tracks into the business establishment. The area was resurfaced last year and still continues to seep through. Engineer Nelson will check into the matter.

Eldon Roberson ask that the City continue its inquiry into the procedures to be followed and the cost of an approved Community Flood Proof Basement Exemption.

Mr. Roberson also ask the City to check into Industrial Revenue Bonds. City Attorney Buening advised that a Bond Attorney would have to be used for such projects. Attorney Buening will research the issue as to its limitations.

City Clerk ask to attend a K.P.E.R.'s Workshop in Hutchinson on October 25, 1983. Approval was given.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 9:45 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING OCTOBER 3, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening October 3, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held September 19, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1231.

Chair<sup>man</sup> of the Silver Lake Housing Authority Board, Mr. Gerald Blankenship appeared before the Council requesting the City to make a commitment of 2% of the loan obtained by the Housing Authority to build the housing complex for Senior Citizens. This money (\$4000.00) would be used for operation of the complex after construction is completed. Motion was made by Councilman Brungardt seconded by Councilman Honeyman and approved that the City make such a commitment. A letter to this effect will be sent to Mr. Blankenship with a copy going to Farm Home Administration. In a progress report given by Mr. Blankenship, councilmembers were informed that a contract with option to purchase has been made for lots No. 4 and 5 of Block A, Silver Lake East Subdivision No. 4. Plans were shown to the Governing Body and construction specifications read.

Mayor Lee advised that the City corn crop yielded 96.4 bushels per acre for a total of 481.96 bushels, which needs to either be sold at this time or held in storage for an increase in market price. Motion was made by Councilman Honeyman seconded by Councilman Murdock and approved that the corn be sold at this time.

Request was received from Valley Hope Association for the City of Silver Lake to Proclaim October 1983 as "Alcohol and Other Drug Abuse Awareness Month" and also October 17, 1983 as NAB (Non-Alcoholic Beverage Day). Motion was made by Councilman Honeyman to make the proclamation as per the request. Motion seconded by Councilman Brungardt and approved.

Councilmembers were informed that the house at 517 Chestnut which has been on City water service for one year and is not yet connected to the sewer system. A letter will be sent to Eldon Roberson reminding him of the obligation as per Article 2, Sections 3 and 4 of Ordinance No. 989. Mr. Roberson will be given 30 days to comply with the Ordinance regulating the Sanitary Sewer System.

The monthly police report was given by Police Commissioner Walter Honeyman. Councilmembers were advised of the activities of the department throughout the month.

Lengthy discussion was held regarding ordinances currently on file pertaining to "home occupations." A guideline for permitted uses will be drafted by Attorney Stumbo for Council approval. Also drafted for approval will be a permit form which would be filed with and approved by the City Council. Areas of concern which are to be addressed in this guideline are: parking, traffic, and noise.

Councilman Freed left the meeting at this time.

Attorney Stumbo advised letters of demand had been sent to Della Marie Hine, Larry



REGULAR SESSION OCTOBER 3, 1983 (Cont'd.)

Wiant, Don Dain and Wayne Kellner concerning the drainage problem south of Highway 24. Discussion was held relating to types of action which could be taken to most quickly and effectively produce results. Attorney Stumbo reported that a private benefit district could be formed by the property owners should they desire to do so. This type action would attach a special tax assessment to the land.

A letter was received from Continental Telephone of Kansas wanting to know if the City would like to purchase the phones currently being used in order to avoid the monthly charges. Inquiry will be made into the cost of purchasing these phones.

Councilmembers discussed the hiring of Russell Kalcik on a full time basis beginning January 1, 1984, to work with Utility Supervisor Tom Noble. Mayor Lee was ask to contact Mr. Kalcik regarding the position being offered and to establish a starting salary not to exceed \$1100.00 without seeking further approval from council.

An Ordinance prepared by counsel designating school zones was reviewed by councilmembers. Motion was made by Councilman Brungardt and seconded by Councilman Honeyman to adopt an ordinance regulating traffic in the City of Silver Lake, Kansas; amending section 33 of the standard traffic ordinance for Kansas Cities; establishing reduced speed limits for designated school zones and rescind the Resolution adopted at the September 19, 1983 council meeting. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock. NAY: None. Ordinance was declared passed and given No. 1232.

Attorney Stumbo reported he had made an inquiry on Industrial Revenue Bonds and found that third class cities are entitled to use such. A copy of the Resolution from the City of Topeka will be sent to each councilmember for review. Councilmembers were advised to have a good format Resolution in place before beginning this type program.

Councilman Brungardt was ask to check on concrete curbing left in the yard at 411 Rice Road at the time the City Sanitary Sewer System was installed and then report what he felt should be done.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 9:35 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING OCTOBER 17, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening October 17, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held October 3, 1983 were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and that the contract with Terminix be paid one year in advance to take advantage of the discount allowed. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1233.

Bids for the Snow Removal Contract for the 1983-1984 winter were opened. The bids were as follows: Melvin Dreasher - \$50.00 per hour per vehicle; Mike Deiter - \$45.00 per hour per vehicle; Mike Deiter (optional bid) - \$37.00 per hour per vehicle, the City to pay \$400.00 upon acceptance of the bid. Motion was made by Councilman Brungardt to accept the bid submitted by Mike Deiter for \$37.00 per hour and pay \$400.00 at the time a bill is presented to the City by Mr. Deiter. Motion seconded by Councilman Honeyman and approved.

Mayor Lee advised that seven firemen are presently attending a fire training school. After brief discussion motion was made by Councilman Honeyman seconded by Councilmember Gaddis and approved that the City pay the expenses (\$120.00 to \$150.00 each) for three of the firemen.

Mr. Kenneth Rakestraw and Mr. Dan Huske were in attendance of the meeting to see what qualifications must be met in order for the City of Silver Lake to issue a Cereal Malt Beverage License to Mr. Huske who will be operating the former Milner Tavern. A copy of the restrictions as set forth in the Code of the City of Silver Lake was given to both gentlemen as well as to Councilmembers for review. Application will be filed at the November 7, 1983 council meeting.

Continental Phone Co. had been contacted regarding purchase price of the phones being used by the City. The phones in service at this time at the Police Station and in the Clerks office can be purchased for \$45.80 each or new touch tone units can be purchased for \$54.95 each. Councilman Freed advised that the phones in the Fire Department will be changed to Shawnee County Fire District No. 1 as of January 1, 1984, so there would be no need for the City to purchase those phones. Motion was made by Councilman Honeyman to purchase the new touch tone phones. Motion seconded by Councilmember Gaddis and approved.

Mayor Lee reminded Councilmembers of the Public Hearing in front of the Planning Commission at 7:00 P.M. on October 27, 1983, regarding the application filed to rezone property located at 101 Gemini.

Councilmembers were informed that Tom Noble will be attending a Kansas Environmental Training Work Shop on November 8 and 9. The \$30.00 registration fee will be paid by the City of Silver Lake.

Engineer Frank Nelson advised that surveyors had been working on the Wiant Drainage problem, and two alternative plans for drainage and a cost proposal for each are being prepared by Associated Engineers and will be ready for Council consideration at the November 7, 1983 Council meeting.

The problem with the tar which continues to seep through the blacktop overlay in front of Tex's Drive In was checked by the City Engineer. He advised that the only way to handle the immediate problem is to continue putting chat on top of the area to absorb the tar, and it will eventually work its way down. The City requested the Engineer to check into the cost of cleaning out the area and replacing the asphalt. Meanwhile Councilman Brungardt will contact Rodney Doebele and offer to have sand brought in to be used on the seeping tar until the situation is corrected.

At Councils direction, Mayor Lee contacted Russell Kalcik regarding full time employment with the City of Silver Lake as of January 1, 1984. After considering the proposal made by the City, Mr. Kalcik advised that he needed \$1200.00 per month to accept the position. After discussion and review of the 1984 budget, motion was made by Councilman Honeyman and seconded by Councilman Brungardt that the request for \$1200.00 per month be accepted. Motion carried.

Brief discussion was held regarding complaints which are received by the City which requires followup action. Recommendation was made by Councilman Honeyman that a file be kept of those complaints and what followup action was taken to satisfy the situation.

Discussion was held concerning the possibility of the City sanding street intersections which are extremely icy during winter months. The cost of a truck mounted sander will be checked into.

The obligation of the City in approving and granting Cereal Malt Beverage Licenses was discussed. After consideration it was decided that a release from the applicant should accompany application forms, allowing the City the right to verify information prior to the granting of the license. Consideration likewise needs to be given to updating the cost of the license. Attorney Buening will draft an amendment to the Ordinance making a release for verification of information a part of the application requirements, and allowing for a change in license fees. This amendment will be reviewed and acted upon at the November 7, 1983 council meeting.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:45 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING NOVEMBER 7, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening November 7, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held October 17, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1234.

Tim Murphy with Shawnee County Parks and Recreation Dept. was in attendance of the meeting to discuss procedures necessary to file an application with Kansas Resources Board for financial funding which might be available to build a municipal swimming pool on a 50/50 cost share program. A brief outline of criterion which must be met before the application can be submitted was reviewed. In order to activate this type project, it would be necessary to hold a special election of the Silver Lake voters before a commitment could be made on the bond money. The cost of holding such an election will be checked into. Councilman Brungardt and Councilman Murdock will meet with Mr. Murphy to discuss in detail the requirements which must be met.

Application for license to retail cereal malt beverage along with the proper fee for such license was presented to council from Dan Huske of the Uptown Bar. Motion was made by Councilman Honeyman and seconded by Councilmember Gaddis that said application be approved. Motion carried. City Clerk was directed to issue the license for the period of November 7, 1983 through December 31, 1983.

Mr. Rick Toland, Division Manager with Kansas Power and Light, attended the meeting to begin negotiations for the the renewal of KP&L's electric and natural gas franchise fees in the City. The franchises provide for 3% of gross revenues derived from electric service within the City and 2% of gross revenues derived from natural gas service. Councilman Honeyman introduced an ordinance providing for the granting of an electric franchise to the Kansas Power and Light Company and moved that the same be placed on first reading. Said motion was seconded by Councilman Murdock and placed upon final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed, given No. 1235, and placed on first reading. At that time Councilman Honeyman introduced an ordinance providing for the granting of a natural gas franchise to Kansas Power and Light Company, not allowing for exemptions, and moved that the same be placed on first reading. Said motion was seconded by Councilman Murdock and placed upon final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed, given No. 1236, and placed on first reading. Motion was then made by Councilmember Gaddis seconded by Councilman Honeyman and passed that the first readings of the Ordinances be approved. Thereupon, Councilman Honeyman moved that notice of the proposition to grant the franchise, heretofore introduced, be published in accordance with the provisions of K.S.A. 12-824. Motion seconded by Councilman Brungardt and approved.

Larry Maddux representing Rural Water District No. 10 was present and informed councilmembers that the water district wished to renegotiate the agreement reached for water rates charged to the water district at the January 17, 1983, and May 2, 1983 council meetings. Council reaffirmed their previous decision that the City of Silver Lake would be willing to provide a back up water system for the water district, however the rates charged to the water district need to remain comparable to rates charged to residents and commercial users of water within the City. The council wished to remain firm on the rate agreement reached previously.

REGULAR SESSION NOVEMBER 7, 1983 (Cont'd.)

Engineer Frank Nelson, showed councilmembers the survey and engineers proposed drainage ditch plans for the Hine, Dain and Kellner property located South of Highway No. 24 on the east side of Silver Lake. Estimated cost of the shortest and easiest above ground drainage system to the catch basin would be approximately \$10000.00 to \$12000.00. Attorney Stumbo, the attorney representing Mrs. Hine, Don Dain and Wayne Kellner will be meeting with the City Engineer to discuss the proposed design in detail and reach a financial agreement which is to include engineering fees. The City Engineer will stake the project, supervise contractors hired to carry out the project, and make final inspection.

A complaint had been received by the City that the drainage tube on the 4th lot of the Barney Subdivision is crushed, thus not allowing for proper water drainage. It was determined that this is the responsibility of the property owner, and the City will send a letter requesting the situation be corrected within 30 days.

An ordinance was drafted for council review, which would require that an application for a cereal malt beverage license shall be accompanied with a statement, signed by the applicant, which shall authorize any governmental agency to provide to the City Clerk any information pertinent to the application for such license. After review of the proposed ordinance and release forms which must accompany the application, motion was made by Councilman Honeyman and seconded by Councilman Murdock that the proposed ordinance be adopted. Motion was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1237.

The monthly police report was given by Councilman Honeyman.

Councilman Freed advised that the City needs to select someone to serve on the County Fire District Board as of January 1, 1984, when the merger has been completed. Motion was made by Councilman Freed that Walt Honeyman be appointed to the board. Motion seconded by Councilmember Gaddis and approved. Mayor Lee advised that the appointment would be for a term of one year. The City Attorney will be requested to update the City Codes appropriately regarding the Fire Department merger, appointments, etc.

Motion was made by Councilman Freed that the regular session of the council meeting adjourn into executive session for 30 minutes to discuss matters relating to salary of personnel. Regular session adjourned at 8:55 P.M. and called back into session at 9:25 P.M.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 9:30 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING NOVEMBER 21, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening November 21, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) Absent: None.

Minutes of the last meeting held November 7, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An Ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1238.

Eldon Roberson presented a brief outline of plans for future development of property located at 101 Gemini, upon approval of the request to rezone the property. Councilmembers were informed that he intended to build a rental housing project, approved by Farmers Home Administration, subsidized only by the interest rate on the loan for development. The three unit complex will house four 2-bedroom units and eight 1-bedroom units. Questions from Councilmembers and the two citizens in attendance who live within the protest area were answered. Recommendations made to the Council by the Planning Commission were reviewed. Corrections to the Planning Commission minutes were made. There will be a 15 foot green belt and an additional 6 foot of green shrubs on the front side of the property beginning at the curb line, not the lot line as indicated in the minutes of the Planning Commission meeting. The side yard on the west side of the property would be 50 feet from the center of Highway No. 24, plus an additional 5 feet, not 50 feet from Highway 24 to the building as indicated in those same records. Due to the property being located on Highway No. 24 and the best use of that property not being for a single family dwelling district, motion was made by Councilman Brungardt that the application to rezone be accepted and a resolution of intent to rezone the property located at 101 Gemini from "R" Single Family Dwelling District to "R-3" Multiple Family Dwelling District be adopted subject to the following conditions: Limited use to Subsection No. 1 of Section No. 3 of Article No. X of the Zoning Regulations, continuous screening (landscape type) be maintained by the property owner along the north side of the parking lot with a height at maturity of three to six feet, and the parking lot be located 21 feet from the curb line, and Ordinance No. 1193 (allowing no more than one principal building per platted lot) be waived. Said resolution shall expire 365 days from date of adoption, unless application for a building permit has been made with the City of Silver Lake. Motion seconded by Councilman Freed and met with approval by the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, (4) NAY: Ray Murdock (1).

Councilman Honeyman advised that the traffic sign survey cost proposal had been turned into Kansas Department of Transportation and the project is now "on hold" until notice to proceed has been received from K.D.O.T.

Council decided to wait another year before giving consideration to the purchase of a sand spreader for the City truck to be used during the winter months.

Councilman Murdock was instructed to get cost proposals for a fence to be built around the tennis court at City Park. The project and cost will be considered at the December 5, 1983 council meeting.

REGULAR SESSION NOVEMBER 21, 1983 (cont'd.)

Motion was made by Councilman Honeyman that the regular session of the council meeting adjourn into executive session until 10:00 P.M. to discuss matters relating to personnel. Regular session adjourned at 8:45 P.M. and called back into session at 10:00 P.M.

There being no further business to come before the council at the present time by motion duly made and carried the meeting adjourned at 10:05 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk



REGULAR SESSION MONDAY EVENING DECEMBER 5, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening December 5, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) Absent: Randy Freed. (1).

Minutes of the last meeting held November 21, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An Ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1239.

Rick Toland with Kansas Power and Light was present at the meeting. It was reported to the Council that, in accordance with the action of the Council taken at the meeting of November 7, 1983, the notice of the proposition to grant a franchise to the Kansas Power and Light Company, being Ordinance No. 1235 and 1236, was published in The Topeka Capital-Journal for a period of twenty days, the publication dates being November 11, 18, 25, and December 2, 1983; and no petitions for a vote bearing at least ten percent of the legal electors had been presented during the period of publication of the said notices. Thereupon, Councilman Honeyman moved that proposed Ordinances No. 1235 and 1236 be placed on second reading. The said motion was duly seconded by Councilmember Gaddis and upon vote carried by a majority of the Councilmembers. Said Ordinance was read and considered section by section on second reading. Thereupon, Ordinance 1235 was placed upon final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance declared passed. Thereupon Ordinance No. 1236 was placed upon final passage by roll call of the following vote: AYE: James Brungardt, lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance declared passed.

Applications for license to operate coin operated mechanical amusement devices and proper fees were received from Dan Huske for The Uptown Bar and Joy Blankenship for The Corner. After review, by motion duly made by Councilmember Gaddis, seconded by Councilman Honeyman and carried, the applications were approved. The Clerk was instructed to issue appropriate licenses effective December 5, 1983 through April 30, 1984.

Applications and proper fees for Cereal Malt Beverage Licenses were received from Dan Huske - The Uptown Bar, Cecil Hamilton - The Corner, Greg Wehner - Wehners IGA and Margie Baird - Casey's General Store. Motion was made by Councilman Honeyman that the background check on those applicants be conducted prior to issuance of the License, in accordance with Ordinance No. 1237. Motion seconded by Councilmember Gaddis and approved. Action will be taken on the applications at the December 19, 1983 Council meeting.

City Engineer Frank Nelson visited with Councilmembers concerning their firms inexperience in Municipal Pool Planning. The proposed engineering fee for such a project was \$14000.00 in 1981 which Associated Engineers will stand behind. Lengthy discussion was held concerning costs and requirements necessary in a project wherein matching federal funds are received. Mr. Nelson will

REGULAR SESSION MONDAY DECEMBER 5, 1983 (Cont'd.)

prepare an estimated project cost proposal for council consideration at the December 19, 1983, council meeting.

Fire Chief Butler reported that the City Fire Department is working on its equipment evaluation records. Upon completion, that information will be turned over to Attorney Stumbo and the Fire Department merger will be effective January 1, 1984.

Brief review was held of the year end cash and budget balances for individual funds.

As per Councils request, Councilman Murdock made numerous contacts regarding putting up a fence around the tennis court at City Park. After reviewing these proposals, Motion was made by Councilmember Gaddis, seconded by Councilman Honeyman and approved that Councilman Murdock contact Henderson Fence and have them proceed with fence installation, to include top railing and four openings into the court area without gates and setting the posts in concrete. Project cost is \$1256.80.

Councilman Murdock reported he had received a call requesting the City make a donation to fix up the ball park behind the school with the school district. It was determined that it would not be appropriate for the City to make a capital improvements expenditure on this project.

Mayor Lee reported the City Clerk had been trying out new typewriters. Motion was made by Councilman Honeyman that the City purchase the IBM 65 Electronic Memory typewriter for \$1286.00. Motion seconded by Councilman Murdock and approved. It was decided to put the old typewriter up for sale by sealed bids.

Mayor Lee advised the City had received a cost estimate of \$109.00 to purchase a Cannon adding machine for the City office. Motion was made by Councilmember Gaddis, seconded by Councilman Murdock and approved that the purchase be approved.

After brief consideration, motion was made by Councilman Murdock and seconded by Councilman Brungardt and approved that Utility Supervisor Tom Noble be authorized to spend up to \$400.00 to purchase a new push mower and up to \$500.00 for hand tools needed by the City.

Engineer Frank Nelson was instructed to check into the cost of upgrading restroom facilities at the City Park.

The monthly Police report was given by Councilman Honeyman.

A complaint was received concerning the health hazard caused by inappropriate care of dogs in a back yard. City Clerk was instructed to write a letter advising the owner of the dogs that the Topeka-Shawnee County Health Department will be notified of the situation if not taken care of immediately.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:45 P.M.

*Warrene M. Stadler*

Warrene M. Stadler,  
City Clerk

REGULAR SESSION MONDAY EVENING DECEMBER 19, 1983

The Governing Body of the City of Silver Lake met in regular session at City Hall on Monday evening December 19, 1983, with Mayor Leonard Lee present and the following Councilmembers present: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) Absent: Randy Freed (1).

Minutes of the last meeting held December 5, 1983, were approved.

Claim voucher was submitted to the Council for the appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made and seconded said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: James Brungardt, Lila Gaddis, Walter Honeyman, Ray Murdock (4) NAY: None. Ordinance was declared passed and given No. 1240.

Tim Murphy, recreation director with Shawnee County Parks and Recreation was at the council meeting to discuss the direction the City wishes to take for future development of a park on City property located on East Lake Street. Mr. Murphy advised that Marge Koepke, assistant professor in the Department of Landscape Architecture at Kansas State University has two classes of students working on this development project. Councilmembers were advised that brief "interest surveys" would be distributed at the school to get ideas children have for park facilities. Council advised that they wished to keep this area a "City" park, not a joint project with another entity. The City was informed that Shawnee County Parks Department will try to help furnish play ground equipment for the area. Brief review of criterion required for pool construction using Federal funds was held. The City prefers to wait for information from the City Engineer before giving further consideration to a swimming pool at this time.

Councilman Freed entered the meeting at this time.

City Accountant, Gerry Carlson, was in attendance of the meeting and reviewed the 1982 audit report with councilmembers. A final draft of the approved report will be sent to the State Department of Administration, as per requirements.

The City received a letter from Rural Water District No. 10, seeking further considerations on the water rate charged to the Water District. After review of the letter and of past negotiations, motion was made by Councilman Murdock that a letter be sent to Rural Water District No. 10, advising that attempts to negotiate the issue have been made and please advise the City should they (water district) wish to discontinue receiving water service from the City, thus voiding the contract. Motion seconded by Councilman Brungardt and approved.

Applications taken into consideration at the December 5, 1983, council meeting to retail cereal malt beverages were reviewed and met with the requirements of the City Ordinances. Motion was made by Councilman Honeyman and seconded by Councilmember Gaddis that applications received from Caseys, Wehners, The Corner and The Uptown Bar be approved. Motion carried and the City Clerk was instructed to issue licenses for the period of January 1, 1984 through December 31, 1984.

Attorney Stumbo advised he had met with Don Dain, Wayne Kellner, City Engineer Frank Nelson, and the attorney representing Della Marie Hine regarding drainage of the Wiant subdivision and the Agreement entered into at the time the Subdivision was established. Lengthy discussion followed as to the position of the City on the project. Mr. Kellner, present at the meeting, inquired as to whether or not the City would reconsider the Agreement entered into between Larry Wiant and The City of Silver Lake. Inquiry was made as to whether consideration would

be given to a permanent "over ground" drainage ditch rather than the agreed to underground drainage. Councilmembers were informed that if an over ground drainage ditch were agreed to, the area in question would probably need to be replatted, the over ground drainage ditch would need to be redesigned and consideration needs to be given to the maintenance of such a drainage area. Councilmembers were advised that the ditch would be approximately eight to nine feet in depth, spanning approximately 52 feet in width, for a 3 to 1 slope for ease in maintenance. Councilmembers were informed that the plans at this time would not border property of residents already living in the subdivision. The City Engineer will prepare a design showing placement, depth, width, and plans for construction of the ditch down into the catch basin at the City Park. After this information is available, council will consider the issue.

Fire Chief Rod Butler advised that after completion of the Fire Departments inventory, the total value was found to be \$50846.00. A list of inventory for both departments will be typed up and mailed to the City Attorney to be attached to the merger Agreement.

Utility Supervisor, Tom Noble, ask council for approval to contact Charlie Clark to maintain the alleys when work is needed, due to ease of being able to contact him. Council agreed with the arrangement.

The monthly financial report was passed to councilmembers and reviewed. Councilmember Gaddis advised that the \$100000.00 C.D. at Silver Lake Bank is due on December 28, 1983. Motion was made by Councilman Honeyman, seconded by Councilman Freed and approved to renew the certificate for a period of six months.

After brief discussion, motion was made by Councilman Murdock to purchase a merry-go-round and slide to be used either at the park now established or to be kept for future park development, and payment be approved for this equipment from the 1983 park budget. Motion seconded by Councilman Freed and approved.

Motion was made by Councilman Murdock and seconded by Councilman Brungardt that authorization be given for preparation of new City boundry lines as a result of property annexed into the City of Silver Lake in 1983. Motion was placed on final passage by roll call of the following vote: AYE: James Brungardt, Randy Freed, Lila Gaddis, Walter Honeyman, Ray Murdock (5) NAY: None. Ordinance was declared passed and given No. 1241.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 9:15 P.M.

*Warrene M. Stadler*  
Warrene M. Stadler,  
City Clerk