

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening, January 3, 1990 with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

Motion was made by Councilman Rakestraw that the minutes from the last regular session held on December 19, 1989 be corrected to reflect the following change: Councilmembers reviewed a letter from the Shawnee County Clerk advising the city has until January 16, 1990 to file an amended budget. Clerk will reply stating that our budget has not been increased for the past two (2) years, therefore the council agreed it is not appropriate to amend the budget. Motion was seconded by Councilmember Brady and approved.

City Engineer Palmer reported that due to the weather conditions the drillers are behind schedule and are not sure when the test wells will be drilled east of Silver Lake.

Brief discussion was held concerning the water tower the City of Topeka is selling. Mayor Brown will ask the Rossville City Council whether or not they are still interested in purchasing it before we pursue it further.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that \$25000.00 from the Money Market Account be placed in a 91 day Certificate of Deposit at Silver Lake Bank. Motion was seconded by Councilmember Brady and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1449.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Motion was made by Councilman Rakestraw that the \$25000.00 Certificate of Deposit that matures January 5, 1990 at Silver Lake Bank be renewed for a term of six (6) months. Motion was seconded by Councilman Butler and approved.

Mayor Brown advised that a meeting has been scheduled for January 10, 1990 at 7:30 P.M. with the City of Topeka to discuss them possibly providing Silver Lake, Rossville and St. Marys with water.

Utility Supervisor Kalcik advised that the latest test results received December 15, 1989 showed our nitrate level to be 8.25 parts per million.

Councilmembers reviewed a letter drafted by Mayor Brown to be sent to the water customers updating them on the water system. The letter will be sent out with the next regular billing.

The monthly police report was given by Councilman Bennett.

City Attorney Hanson reported on his meeting with Sam Kelsey, President of the Senior Citizens, Inc. and Chris Edmonds with the Community Resources Council. They discussed the corrections being made to the grant request from the Lions Club International Fund. The grant will be reconsidered in March.

City Attorney Hanson advised that if the city wants to obtain a tax exempt status for their lots in Silver Lake Subdivision No. 1, the lots will have to be designated as some tax exempt use such as undeveloped park land. Hanson will prepare the application which will be filed with the State Board of Tax Appeals to stop further tax charges.

Kalcik informed council that the Kansas Rural Water Association is having a seminar on January 11, 1990 at Jeffery Energy Center and would like for both him and Utility Assistant Kenneth Clark to attend. Council approved both attending the seminar.

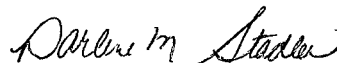
Kalcik also asked if a kerosene heater could be purchased to be used when water meters freeze. Mayor Brown advised him to have a suggested model and price at the next meeting.

Councilman Huske has had several residents inquire about the Federal Elderly Housing Project that Commercial Management, Inc. was interested in building in Silver Lake. Clerk will write Mr. Greg Toelkes and ask what decisions they have made in furthering this project.

Councilmembers were advised that the copy machine will need extensive work in order for it to make quality copies. Clerk will have bids for several new copiers at the next meeting.

Kalcik will be taking the 1984 Ford to the insurance adjuster to get a cost estimate for repairs. The truck was hit while parked at Kalcik's home over the weekend.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:00 P.M.



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, January 15, 1990 with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on January 3, 1990, were approved.

Mayor Brown advised that a \$100.00 bill for the kerosene heater purchased by Kalcik is included with the bills to be paid.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1450.

Motion was made by Councilman Bennett to approve written request received from the Co-Coordiators of the CCD Program at St. Stanislaus Parish to use city hall for a bake sale. Motion was seconded by Councilman Rakestraw and approved.

Discussion was held concerning possibly adopting an ordinance that would require all residents in Silver lake to post their house number on the front of their house. The matter was tabled until the next meeting to allow City Attorney Hanson time to review the present Shawnee County Ordinance relating to this matter. If their ordinance does not apply to Silver Lake he will prepare a draft ordinance for council to review.

Mr. Pat Cox with BG Consultants was present to discuss matters relating to the Wastewater Treatment Facility Study. A letter is being sent to the Kansas Department of Health and Environment asking that the city be allowed to extend the date to no later than February 15, 1990 to submit the plans and specifications. The reason for the request is that there are several problems relating to the construction of public facilities within the Kansas River floodway or floodway fringe that have not been resolved.

Councilmembers reported on the meeting held on January 10, 1990 with officials from the Cities of Topeka, St. Marys and Rossville, a representative from the Kansas Department of Health and Environment and Arthur Hutt with Bartlett and West Engineers. The purpose of the meeting was to discuss the possibility of Topeka providing Silver Lake, Rossville and St. Marys with water. All present at the meeting agreed that a feasibility study should be completed before any further meetings are held. The study should consider and evaluate all the alternatives available. Mr. Hutt advised that his firm is interested in preparing this study and the cost would not exceed \$15000.00 After further discussion motion was made by Councilman Butler that the city pay one third of the cost of this study with the price not to exceed \$5000.00. Motion was seconded by Councilman Bennett and unanimously approved. City Clerk will contact Rossville and St. Marys and advised them of the action taken. Mayor Brown will inquire as to whether or not Consolidated Rural Water District #2 would be interested in this study.

City Engineer Bob Palmer advised that the test wells should be dug this week. City Attorney Hanson will contact the property owner regarding preparing a new temporary easement as the present one has expired.

Mr. Francis Kelsey representing Shawnee County Fire District #1 was present and explained the importance of adopting an ordinance requiring all residents to post their house numbers on the front of their house. Council agreed with Francis that in emergency situations proper house identification is a necessity.

Lengthy discussion was held concerning the Cross Connection Ordinance that was prepared by City Attorney Hanson. Council still has several questions that need to be answered by the Kansas Department of Health and Environment before they can adopt the ordinance. City Attorney Hanson will contact them with these questions. He will also contact the City of Topeka and inquire as to what they are doing to implement their ordinance.

Utility Supervisor Kalcik presented several prices for mowers. Council advised Kalcik to get one (1) additional price before the next meeting.

Kalcik reported the annual usage of water to irrigate the football field.

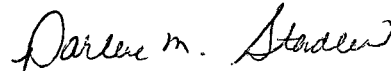
Kalcik also inquired as to who is responsible for the cost of replacing frozen water meters. Council agreed that the total cost should be paid by the city and not the property owner.

Council reviewed two (2) prices for copy machines. Motion was then made by Councilman Huske to purchase from Logan Business Machines a Sharp SF-7750 Copier for \$1976.00. Motion was seconded by Councilman Rakestraw and approved.

Councilmember Brady informed council that to apply with federal mandate the school district may have to provide additional classrooms for preschool children including the handicapped and they are planning on using modular units. City Attorney Hanson will review the ordinance relating to modular units and further discussion will be held at the next meeting.

Councilman Bennett advised that the thermostat at the police station is not working properly. Clerk will advise Kalcik so the necessary repairs can be made.

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.



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, February 5, 1990 with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady; Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on January 15, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1451.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Motion was made by Councilman Butler to approve written request received from the Shawnee County Election Board to use city hall for the primary and general elections. Motion was seconded by Councilmember Brady and approved.

Discussion was held concerning possibly adopting an ordinance that would require all residents to post their house numbers on the front of their house. City Attorney Hanson advised that he will prepare a draft ordinance for council to review at the next meeting. Council agreed that the ordinance should require all residents to display their house number in a minimum size of three (3) inch block style numerals by a designated date or they will be subject to a \$25.00 fine.

City Engineer Palmer advised that due to the weather conditions the last few weeks the drillers have not dug the test wells east of town.

Council discussed an agreement received from Barlett and West Engineers, Incorporated for professional services to prepare a feasibility study that would consider and evaluate a water supply purchased from the City of Topeka and a ground water supply from alluvial deposits in the Kansas River Valley. Council agreed that at the meeting held January 10, 1990 several other alternatives were discussed that were not included in this agreement. Mayor Brown suggested that a meeting be held on February 12, 1990 with this City of Rossville, who has also shown interest in being included in this feasibility study and Bartlett and West Engineers, Inc. so that the scope of this study can be discussed further.

The monthly police report was given by Councilman Bennett.

Motion was made by Councilman Bennett that \$625.00 be spent on various items needed by the police department. Motion was seconded by Councilman Butler and approved.

Motion was made by Councilman Bennett that two (2) shirts, two (2) pairs of pants and patches be purchased for Officer Good. Motion was seconded by Councilman Huske and approved.

Motion was made by Councilmember Brady that 30 mph speed zone signs be placed approximately 100 feet from the intersection of Railroad Ave. and Rice Rd. and the intersection of Railroad Ave. and Chestnut St. Motion was seconded by Councilman Butler and approved. Utility Supervisor Kalcik will contact the Shawnee County Public Works Department and ask that these signs be erected and if they deny he will order the signs.

City Attorney Hanson advised that he contacted the City of Topeka and inquired as to how they were implementing their Cross Connection Ordinance. He learned that they eliminated from their ordinance the section that would require all residents to install no less than an approved double check valve assembly. Council agreed that if this is not mandatory it should not be included in the Silver Lake Cross Connection Ordinance. Also discussed was the fines and penalties section. It was decided that the easiest solution would be to terminate service to those who are not in compliance. City Attorney Hanson will make these additions and changes to the proposed ordinance. He noted that before the ordinance can be adopted it must be approved by the Kansas Department of Health and Environment.

Motion was made by Councilman Butler that Utility Supervisor Kalcik attend the Comprehensive Training Course on Backflow Prevention and Cross Connection Control to be held in Holton. The course which is sponsored by the Kansas Rural Water Association is \$80.00. Motion was seconded by Councilman Bennett and approved.

Motion was made by Councilman Butler that a Lawn Boy mower be purchased for \$459.95. Motion was seconded by Councilman Rakestraw and approved.

Motion was made by Councilman Rakestraw that \$550.00 be spent on various items needed by the water department. Motion was seconded by Councilman Butler and approved.

Utility Supervisor Kalcik advised that he has contacted Watertower Paint and Repair Company about the top of the tower peeling. They will inspect and repair as it is still under warranty.

City Attorney Hanson advised that after being contacted by Dr. Michael Barricklow, Superintendent of U.S.D #372 Schools he responded to his inquiry about the use of mobile classrooms. Hanson provided him with copies of the ordinances that explain the restrictions the city zoning ordinance has on such buildings.

Discussion was held concerning obtaining a tax exempt status for the lots the city owns in Silver Lake Subdivision No. 1. City Attorney Hanson will prepare a resolution that will designate the lots as future park development land and he will also prepare the application that must be filed with the State Board of Tax Appeals.

A letter has been received from a property owner asking that a final water/sewer bill be waived as the property was vacant. Council agreed that since the owner is fully aware through past experience that if the water remains on even though the property is vacant the minimum billing is charged, then this bill should be no exception.

After discussion council agreed not to apply for a Small Cities Community Block Grant for a Senior Citizen Community Building this year as we will not know until March whether or not we will receive a grant from the Lions Club International Fund.

Motion was made by Councilman Rakestraw that \$25000.00 from the Money Market Account be placed in a 91 day Certificate of Deposit at Silver Lake Bank. Motion was seconded by Councilman Bennett and approved.

Councilmember Brady thanked council for the use of city hall for the St. Stanislaus CCD Program Bake Sale.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 9:25 P.M.

Darlene M. Stadler
Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening, February 21, 1990 with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on February 5, 1990 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1452.

Application for license to sell alcoholic liquor was received from Debra Baker and passed to the council for review. Motion was then made by Councilman Butler and seconded by Councilman Rakestraw that the application be approved.

Mr. Dean Prochaska representing the Silver Lake Township Board was present and inquired as to whether or not a township garage they are wanting to build can be built on property located in the flood zone. City Attorney Hanson and Building Inspector Kalcik will review Flood Zone Ordinance #1375 to determine if this is permitted.

Councilmembers reviewed the ordinance prepared by City Attorney Hanson that will require all residents to post their house numbers on the front of their house. Council will adopt the ordinance following the preparation of the letter that will be sent to the residents advising them of this new ordinance and the effective date.

City Engineer Palmer advised that Strader Drilling began drilling the tests wells east of town today. They will pump the wells and collect the samples within the next couple of weeks.

Councilmembers were informed that the present city insurance package expires on April 1, 1990. Ron Bolz with Neihart and Associates will be sending the renewal quotation and further discussion will be held when it has been reviewed by council.

Mayor Brown reported that the Shawnee County Public Works Department installed two (2) 30 mph speed zone signs on Railroad Avenue.

Motion was made by Councilman Butler that a resolution be adopted setting aside the ten (10) undeveloped lots the City of Silver Lake owns in Block C of Silver Lake Subdivision No. 1 for the purpose of development as a city park. Improvements to such land shall be made in such a manner and at such a time as the governing body may determine. Motion was seconded by Councilman Bennett and unanimously approved.

City Engineer Palmer will begin his list of streets that should be included in the 1990 street repair project.

Discussion was held concerning the continuous drainage problem near the intersection of Mariner and Lake. City Engineer Palmer will contact the county engineer and representatives from the township to discuss what alternatives there are to try and eliminate this problem.

Mayor Brown received a request that the city consider spreading sand on intersections during ice storms. Kalcik will get costs of spreaders for the truck and for the tractor.

Regular session February 21, 1990 cont'd.

Kalcik advised that the Comprehensive Training Course on Backflow and Cross Connections that is being held in Holton has already filled up. The Kansas Rural Water Association will contact him when the next training course is held.

Councilman Butler advised that the governing body has been invited to the Shawnee County Fire District #1 Annual Dinner to be held on February 24, 1990.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:20 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, March 5, 1990 with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on February 21, 1990 were approved.

The monthly financial report was given by Councilman Rakestraw.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1453.

A hearing was scheduled relating to a delinquent water/sewer account. The customer receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Councilmembers reviewed the renewal quotation received for the city insurance package that expires April 1, 1990. Council agreed that before the quote is approved they would like to meet with Ronald Bolz with Neihart & Associates, Inc., the present insurance agent, as there are items that need to be deleted and items that need to be added in his quotation.

Mr. Pat Cox with BG Consultants, Inc. was present to discuss matters relating to the Wastewater Treatment Facility. He advised that on February 19, 1990 he met with the Kansas Department of Health and Environment and the Board of Water Resources regarding the construction of a third treatment cell just south of our existing cells. Lengthy discussion was held regarding the proposed construction site being located in the floodway fringe of the Kansas River Basin. In order to avoid the complications that may follow should the city continue pursuing the construction of the third cell in the floodway fringe, the state recommends that the city pursue mechanical aeration of the existing facility instead. Mr. Cox advised that as was stated in the original Sewer Treatment Facility Study, he does not recommend aeration because the electrical supply costs and future maintenance costs will be excessive. After discussion council agreed that they should continue plans for the construction of the third cell and if necessary they will request a variance to allow construction.

City Engineer Palmer advised that the test wells east of town have been pumped and we are now waiting for the results from the water samples taken. Utility Supervisor Kalcik will advise the owner of the property where the test wells were dug that he can contact Wayne Kellner to get an assessment of the damage done so the city can reimburse him.

Discussion was held concerning possibly eliminating the present dog license ordinance. Further discussion will be held after the council has reviewed the ordinance again.

The monthly police report was given by Councilman Bennett.

Mayor Brown asked Councilman Bennett if it is common practice for the police officers to take Casey's General Store employees to the bank to make their deposit. Bennett advised that this has been done in the past for businesses that ask. Council agreed that in the future the officers should just follow the employees to the bank as they no longer want private citizens in the patrol car.

Regular session March 5, 1990 cont'd.

City Engineer Palmer advised that he has studied the problem with drainage near the intersection of Mariner and Lake. He is waiting until he has talked with County Engineer Tom Pickford to advise council of the alternatives there are.

Motion was made by Councilman Butler that the \$25,000.00 and the \$50,000.00 Certificates of Deposit that mature on March 6, 1990 and March 8, 1990 at Silver Lake Bank be renewed for a term of six (6) months. Motion was seconded by Councilman Bennett and approved.

Motion was made by Councilman Butler that \$25,000.00 from the Money Market Account be placed in a 91 day Certificate of Deposit at Silver Lake Bank. Motion was seconded by Councilman Bennett and approved.

Mayor Brown advised he will be drafting a letter to be sent out to all residents advising of the House Number Ordinance and updating them on the water system.

Mayor Brown advised that the resident at 507 Mercury has asked that a street light be installed in that area. Kalcik will follow up on this request.

Kalcik will advise Dean Prochaska with the Silver Lake Township Board that the property where they are wanting to building a township garage is located in the flood zone therefore, they would be denied a building permit unless they meet all the requirements as stated in Flood Zone Ordinance #1375.

Kalcik presented prices for sand spreaders that would be used to sand intersections during ice storms. Council decided just to have Kalcik keep a load of sand and just shovel it off the back of the truck onto the dangerous intersections.

Motion was made by Councilman Bennett that a new master meter be purchased for well no. 5 at a cost of \$1005.00. Motion was seconded by Councilmember Brady and approved.

Council approved Utility Assistant Kenneth Clark attending the Kansas Rural Water Associations Annual Conference to be held in Salina.

Kalcik reported that he has learned that if you become a trained technician certified in the testing and repair of backflow prevention he would be unable to test in Silver Lake because this would be considered a conflict of interest as he works for the city.

Kalcik advised that a dead tree in the yard of 103 Beaubain is the responsibility of the city therefore, he will be contacting a tree service to have it removed.

Motion was made by Councilman Butler that an ordinance be adopted requiring the displayment of numbers on all buildings and homes in the City of Silver Lake. Motion was seconded by Councilman Huske and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1454.

Kalcik advised that Watertower Paint and Repair Company will be repairing the peeling paint on the top of the water tower.

Councilman Bennett inquired as to whether or not the council would consider buying the police officers shoes or boots. Council agreed that footwear is a part of the uniform that they have chosen not to provide.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 9:55 P.M.

Darlene M. Stadler
Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, March 19, 1990 with President of the Council Rodney Butler conducting the meeting and the following Councilmembers present: Martha Brady, Danny Huske, Kenneth Rakestraw (3) Absent: Charles Brown, William Bennett (2).

The minutes from the last regular session held on March 5, 1990 were approved.

Discussion was held concerning the amount of overtime hours worked by Officer Shull. Further discussion will be held when Councilman Bennett is present.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: Martha Brady, Danny Huske, Kenneth Rakestraw (3) NAY: None. Ordinance was declared passed and given no. 1455.

Mr. David Bahm was present and asked if the city would be interested in purchasing a 1979 Ditchwitch he is selling. He proposed a total cost of \$9000.00. The matter was tabled until full council is present. Council will also determine if our present insurance policy covers underground digging.

Ms. Grace Fritz was present and advised that she purchased the house at 113 Walnut and that she is wanting to build an additional house on the lot. She was advised that the building permit would be denied because the "R" Dwelling District requires every lot of land to have an area of not less than 10,000 square feet and if she would divide the lot into two (2) lots in order to build an additional house, she will only have approximately 7,000 square feet in each lot. She was also advised that she can take this matter before the Board of Zoning Appeals and request a variance.

Council reviewed the results from the test wells that were dug east of town. Further discussion will be held when City Engineer Bob Palmer and Bob Vincent with Ground Water Associates are present.

Discussion was held concerning a letter received from the Federal Emergency Management Agency regarding excavating that was done at the lake that may not meet the requirements of the present city flood plain management regulations. Flood Plain Ordinance No. 1375 will be reviewed and further discussion will be held at the next meeting.

A letter was received from Michael Barricklow, Superintendent of the Silver Lake Schools asking that additional signs be added to the existing crosswalk signs as motorists seldom yield to students wishing to cross the highway. Council agreed that the present signs and markings meet all regulations and that no additional signs are needed. If additional signs would be added they would also need to be approved by the Kansas Department of Transportation. Council also suggested that the Silver Lake Board of Education consider crossing guards and additional patrolling if the officers are on duty at the proper times.

Mr. Ron Bolz with Neihart and Associates was present to review the current insurance coverage. Several items were added to the policy, several items were deleted and the coverage on some items was raised. Motion was then made by Councilman Rakestraw that the renewal quote of \$12157.00 be accepted and added to Appropriation Ordinance No. 1455 that was approved at the beginning of the meeting. Motion was seconded by Councilmember Brady and approved.

Regular session March 19, 1990 cont'd.

Mr. Bolz also advised that if the city would purchase the ditchwitch that was discussed earlier, no additional insurance will be needed as underground digging is already covered. He also suggested that the city continue requesting certificates of worker compensation insurance from all contractors before they begin working for the city. These certificates can be sent to his office for review.

Utility Supervisor Kalcik advised that the dead tree in the yard on Beaubain will be cut down this week.

Approval was given for Officer Shull to attend a Law Enforcement Seminar being held in Atchison.

Motion was made by Councilman Rakestraw that the city subscribe to the Kansas Peace Officer magazine. Motion was seconded by Councilmember Brady and approved.

Discussion regarding possibly repealing the present dog license ordinance will be held when full council is present.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 9:05 P.M.

Darlene M. Stadler
Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, April 2, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on March 19, 1990 were approved.

The monthly financial report was given by Councilman Rakestraw.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1456.

Motion was made by Councilman Rakestraw that the \$25000.00 Certificate of Deposit that matures at Silver Lake Bank on April 5, 1990 be renewed for a term of 91 days. Motion was seconded by Councilman Bennett and approved.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Councilmembers reviewed the proposal presented at the last meeting by David Bahm for the 1979 ditchwitch he is selling. The proposed total cost was \$9000.00. After reviewing a list of costs paid for backhoe services for the last few years council was split on the decision of whether or not it would be feasible to purchase our own or to continue contracting to outside contractors. Kalcik reported that Glen Kesselring is also wanting the city to consider purchasing a 1978 backhoe is he selling. Kalcik explained that this backhoe is not only larger but it also has a front end loader. Mayor Brown suggested that this matter be tabled until the next meeting to allow councilmembers time to discuss this matter with the taxpayers and to determine how they feel about the city purchasing this type of equipment.

Mr. Marvin Irely was present to inform council that he is proposing to build eight (8) ranch style homes in North Lakeview Subdivision. He explained that he will have to replat as the present plat only allows for six (6) lots. He asked if he could just present a final plat as the only changes being made are the lot dimensions. The planning commission chairman will be contacted regarding waiving the preliminary plat steps. Bob Thomas with Simmitt & Associates Realtors stated that the marketing of these homes has already began and there has already been some interest shown. Council discussed the narrowness of Shawnee Street and agreed that there will probably be no parking allowed on the street. After further discussion council suggested that City Engineer Palmer inspect the storm sewer to see if it is adequate for this large of a housing addition. Mr. Irely was also informed he will be responsible for extending the utilities to the property. Mike Engler with Bartlett & West Engineers advised he will be preparing the plans for these extensions and he will keep Palmer updated on his progress. Palmer mentioned that the city will review these plans before they are submitted to the Kansas Department of Health and Environment.

City Attorney Hanson advised that he contacted the Federal Emergency Management Agency regarding a letter they sent to inform the city that some excavating that was done at the lake does not meet the present city flood plain management regulations. They advised Hanson that the city must obtain a "no-rise" Certificate/State-

ment as to the effects of possible flooding if this development is permitted. Hanson will write the property owner involved and advise him of this letter and the requirements he must meet.

Councilmembers were informed that as was done in the past, the City of Silver Lake was included on a list to participate in the Kansas Mortgage Credit Certificate Program. This program makes it possible for first time homebuyers who meet a certain criteria to take advantage of the significant tax savings available to them by holding a Mortgage Credit Certificate.

An ordinance that would repeal certain provisions of the ordinance pertaining to the registration and licensing of dogs was reviewed by council. Hanson will rewrite the ordinance adding the additional sections the council wants repealed.

Motion was made by Councilman Butler to approve written request received from Shawnee County Parks and Recreation to use the tennis courts for lessons this summer. Motion was seconded by Councilmember Brady and approved.

An inquiry has been made by a property owner as to the proper zoning for mini warehouses. After reviewing the city code it was determined that the "light industrial" zone would include mini warehouses. City clerk will contact the owner and advise that if the property is rezoned to "light industrial" only those use regulations listed under "light industrial" could be built and general retail sales and services is not listed.

The monthly police report was given by Councilman Bennett.

City Engineer Palmer advised that Bob Vincent with Ground Water Associates may be here at the next meeting to discuss the results from the test wells that were dug east of town.

Council reviewed an application for license to retail cereal malt beverages received from Casey's General Stores. City clerk will return that application and advise it is only necessary to apply for a new license if the actual licensee has changed, not when the only change being made is the manager.

A letter was received from Anita Holladay, Editor of the St. Marys Star requesting that the city consider naming the St. Marys Star the official city newspaper. The present official newspaper is the Topeka Capital Journal. Council agreed that at the present time they do not wish to change but they will keep this request in mind. The letter also stated that since the minutes take up considerable space they are only printed when there is space available. This is a community service and the city is not charged when the minutes are printed.

Council was informed of a complaint received concerning one of the snow removal drivers during the last snow storm. Clerk will write the contractor and remind him of the importance of using caution when the road conditions are hazardous.

A complaint was also received concerning the condition of a residents dog pen. It is never cleaned and is a nuisance to area residents. Council agreed that the city needs a written complaint before they can act on such a complaint.

Kalcik reported that the tree on Beaubain has been removed. The company that had been contacted to remove the tree could not provide proof of workers compensation insurance so a local contractor with insurance was hired to remove the tree.

Mayor Brown received a complaint about a resident not raking their leaves. The area residents feel this is a nuisance as the leaves continuously blow into their yards.

Regular session April 2, 1990 cont'd.

Mayor Brown will advise them that a written complaint is needed before the city can follow up on this complaint.

A request to install a street light at Skylab and Mercury has been received. Kalcik will contact the resident and ask if it can be placed in their yard as he has determined that a light is needed at that intersection.

Kalcik informed council that several residents and businesses have incorrect street numbers posted. Council agreed that street number consistency is important, therefore they must post the correct number as provided by Building Official Kalcik.

Mayor Brown advised Kalcik to go ahead and order the spray used for aerial spraying at the lake.

Councilman Huske inquired as to whether or not the company that trenched through town to bury the fiber optic cable are required to plant grass. He was advised that the company has been contacted regarding filling in the areas that have settled and when they are here to do this they will be asked to plant grass.

Councilman Huske also advised he has received a complaint from a resident about a neighbors excessive noise during the day. He will contact the resident and ask that they file a written complaint.

Councilman Bennett advised that the number of overtime hours worked by Officer Shull in February was due to him being called out close to his quitting time. Since that time he has scheduled himself to work later at night as this is when a lot of his calls are received.

Councilman Bennett will also ask Officer Good why on several days a month he works extremely long shifts.

Bennett also presented a hold harmless agreement signed by an area resident for the purpose of being allowed to ride in the patrol car. Council agreed that as was stated at a past meeting, other than the governing body they do not want private citizens riding along in the patrol car.

Bennett reviewed with council a list of items the police department no longer uses that they are selling or discarding as the items no longer work.

Council was advised that the shocks on the patrol car have been replaced and a new exhaust system will be put on this week.

Kalcik reported that Utility Assistant Clark attended the Kansas Rural Water Associations Annual Conference that was held in Salina.

Councilmembers discussed with Hanson a present lawsuit against the school board and that due to this lawsuit liens were placed on all the board members property. Hanson advised that there is a statute that exempts board members such as city councils from any personal liability. Hanson will provide council with a copy of this statute at the next 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 10:35 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, April 16, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on April 2, 1990 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1457.

Motion was made by Councilman Huske that the following donations be made for 1990 ball diamond upkeep: Kaw Valley Baseball League - \$300.00, Lions Club - \$400.00, American Legion - \$400.00. Motion was seconded by Councilmember Brady and approved. This years donation to the Kaw Valley Baseball League is considerably lower then was given in the past as the diamonds will mainly be used for practicing. This year the teams will be playing the games in Topeka. Terri Bahret who was representing this league was advised that if additional funds are needed further into the season, they should appear before the council again.

Mr. Dean Thomas was present and reminded council that when Lakeside Baptist Church platted North Lakeview Subdivision, they were informed at that time that the city will be responsible for taking the water line to the property. In reviewing the minutes from that meeting, it was discussed and recorded that it would be the responsibility of the city to extend this utility to the property. Mr. Marvin Irey, the contractor proposing to build eight (8) homes in this subdivision, will be advised that he was misinformed when told at the last meeting that extending the water line to the property would be his responsibility.

Mr. Robert Vincent with Ground Water Associates, Inc. was present to discuss the results from the test holes that were dug east of town. The nitrate levels were favorable but the iron and manganese levels were not. He explained that there are ways to eliminate iron and manganese but there is more maintenance and continuous expenses involved. He added that another alternative the city has is to dig test holes to the west of town. These holes would be further west then test holes that were previously dug. After discussion council agreed to dig additional test holes west of town but they would like to wait until fall to allow adequate time for the crops to be harvested. At the present time our nitrate level of 6.10 mg/l is in compliance with the state maximum contaminant level.

Council then continued from the last meeting discussion concerning the proposals received for the 1979 ditchwitch and the 1978 backhoe. Both proposals were \$9000.00 but Kalcik stated that the proposal for the 1978 backhoe was lowered to \$7000.00. Council was again split on the decision of whether or not it would be feasible to own our own or to continue renting and using outside contractors. No action was taken.

City Engineer Bob Palmer reported that he studied the present storm sewer system on the west side of town. He has determined that the proposed housing addition on Shawnee will not have any major effects on the present system but previous plans to improve the system should be made in the near future. The estimated cost for these improvements was \$30000.00. This would be the first phase of plans to make improvements to a majority of the storm sewer system in the older section of town.

Regular session April 16, 1990 cont.'d.

Motion was made by Councilman Butler to approve written request received from Derrick Sumner to use the city shelter house for two (2) public dances this summer. Motion was seconded by Councilmember Brady and approved.

Motion was made by Councilman Bennett that a resolution be adopted that will allow a new street light to be installed at the intersection of Skylab and Mercury. Motion was seconded by Councilman Butler and approved.

Kalcik also reported that the fire department has asked if an additional street light could be installed at Highway 24 and Shawnee. This would provide additional lighting near their gas pump. Councilman Butler will suggest to the fire department that they install a light on an existing pole near the pump to be used as needed.

City Engineer Palmer reported that bid-letting for the 1990 street repairs has been scheduled for the next meeting.

City Attorney Hanson advised that in order for Bernice Hamilton to deed her private drive off Chilson Rd. to the city, City Engineer Palmer will have to survey the road to get an exact description.

Utility Supervisor Kalcik informed council the peeling area on the roof of the water tower has been painted again.

Kalcik also reported that he has determined that a house being built on the south end of Rice Rd. is not located in the flood zone.

City Attorney Hanson has contacted a property owner regarding a "no-rise" certificate he must obtain because of some excavating he did near the lake. The owner advised that he obtained a certificate and he will send a copy to Hanson so they can determine if it is the one that is required.

Hanson explained the details of the lawsuit against the school board members. He also provided council with a copy of the statute that exempts governing bodies from any personal liability.

Motion was made by Councilman Bennett that Officer Shull attend at traffic seminar that is being held in Lawrence. Motion was seconded by Councilman Butler and approved.

Council reviewed a maintenance agreement received for the radar equipment. Council agreed that such an agreement is not needed.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 11:00 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, May 7, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on April 16, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that \$25000.00 from the Money Market Account be placed in a 91 day Certificate of Deposit at Silver Lake Bank. Motion was seconded by Councilman Butler and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1458.

Mayor Brown opened the bids received for street repairs. The bids were received as follows: Andrews and Walshire Construction - \$29218.25 and Bettis Asphalt and Construction - \$30773.35. Further action will be taken after City Engineer Bob Palmer has reviewed both bids.

Mr. Pat Cox with BG Consultants was present to discuss the Wastewater Treatment Facility. He reported that he has contacted the Federal Emergency Management Agency regarding constructing the third cell in the floodway fringe. He was told that this would not be allowed unless all four (4) sides of this new cell are built over the 100 year flood elevation requirements. He would have to study this further to determine if the system would even work if these requirements were met. If it would work the additional ground work that would be involved will raise the final cost of construction considerably. He advised that there is a variance procedure for improvements that involve extraordinary public expense or unnecessary hardships. After discussing other alternatives available, motion was made by Councilman Butler that the city request a variance to allow the construction of the third cell without having to meet the 100 year flood elevation requirements. Motion was seconded by Councilman Rakestraw and approved. Mr. Cox will begin preparing the variance request. City Attorney Hanson advised he will contact and update the property owner.

City Engineer Bob Palmer reported that three (3) applications for permits to appropriate water have been turned into the Kansas State Board of Agriculture. Mr. Robert Vincent with Ground Water Associates has determined that test holes should be dug in these sections of land west of town. City Attorney Hanson will begin verifying the property owners and then contact them to advise of our intentions.

Motion was made by Councilmember Brady to approve the facility use agreement presented by the American Red Cross. This agreement allows them to use city hall for the Good Neighbors Aging Program Meal Site. Motion was seconded by Councilman Butler and approved.

City Engineer Palmer presented City Attorney Hanson the exact description of the road that Bernice Hamilton is deeding to the city. From this description Hanson will prepare the deed and then present it to the council for their review.

Council continued from the last meeting discussion concerning the storm sewer system on the west side of town. City Engineer Palmer has suggested that a maximum of \$5000.00

Regular session May 7, 1990 cont'd.

be spent on a study to determine what improvements need to be made to modernize a majority of the storm sewer system. The matter was tabled until the next meeting.

Utility Supervisor Kalcik reported that he is looking for a new chlorine distributor because the one we were using is no longer in business. They have not yet returned our \$300.00 deposit for their chlorine cylinders we still have. City Attorney Hanson is aware of this matter.

Mayor Brown distributed the 1989 audit report. City Accountant Gerry Carlson will be present at the next meeting to review this report.

The monthly police report was given by Councilman Bennett.

A complaint has been received regarding the speed of motorist driving down the alley between Beaubain and Masche. The complainant would like speed limit signs posted at each end of the alley. City Attorney Hanson will research this matter with Officer Shull.

Councilman Bennett advised that the school zone lights are not coming on at the same time. Kalcik reported that in order to get the lights to work properly, the whole mechanism needs to be replaced. He will get the cost for making these necessary repairs.

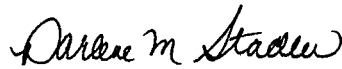
Motion was made, seconded and approved that council adjourn into executive session at 8:55 P.M. to discuss matters relating to personnel. Meeting was scheduled to resume at 9:05 P.M.

The regular session resumed at 9:05 P.M.

In accordance with the statutes, Mayor Brown presented to the council for their consideration the following names for appointive offices to the City of Silver Lake: City Clerk - Darlene Stadler, Utility Supervisor - Russell Kalcik, Utility Assistant - Kenneth Clark, Police Officer - Kevin Shull, Part Time Police Officer - Frank Good, City Treasurer - Joan Parks, City Attorney - Gary Hanson, Assistant City Attorney - Larry Hendricks, City Judge - Jean Schmidt, Judge Pro Tem - James Welch, City Engineer - Robert Palmer. By motion duly made by Butler, the council approved the list of names submitted by Mayor Brown for the appointive positions for a term of one (1) year. The motion was seconded by Brady and unanimously approved.

Clerk was advised of several locations in town that have weeds over the maximum limit of 12 inches. Clerk will send notices to the property owners.

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.



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, May 21, 1990, with Mayor Charles Brown and the following councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on May 7, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1459.

City Engineer Bob Palmer reported that he has reviewed the street repair bids received from Andrews and Walshire Construction and Bettis Asphalt Construction. Acting on Palmers recommendation, motion was then made by Councilmember Brady and seconded by Councilman Bennett to accept the bid of \$29218.25 received from Andrews and Walshire Construction.

City Attorney Gary Hanson will forward to Bernice Hamilton an easement giving the city her private road to use as a public street. City Engineer Will get the cost to add the paving of this road to the street repair project.

Letters will be sent to Silver Lake Bank and Peoples State Bank advising that the \$100,000.00 Certificate of Deposit matures June 21, 1990, and if they wish to bid on the interest rate for the next six (6) months, their bids should be presented at the next meeting.

Bill Frey, Sam Kelsey and Betty Koelling, representing the Silver Lake Senior Citizens reported that they have reached their goal of \$25000.00 for a new building. They had to resubmit their grant application to the Lions Club International Fund and they will not know until September if they were selected. In the meantime, they have discussed possibly using their money and the \$35000.00 the city has committed to begin the first phase of the building construction. The council agreed that the \$35000.00 that was committed was contingent only on them getting the Lions Club Grant. Therefore, it can not be used until the grant is approved.

Mr. & Mrs. Max Daugherty, Mr. & Mrs. Bryan Goodman and Mr. Lou Snider were all present to express their concern regarding the drainage problem on Mariner. During heavy rains their homes are completely surrounded by water and the street becomes impassable. Council agreed that City Engineer Palmer should study this problem in order to determine how this water can be diverted from this area. In the meantime, we will clean the tubes and ditches at Lake and Mariner and the township will be contacted regarding cleaning their ditches east of the city limit. At the present time the natural flow of water has been stopped by these plugged tubes and ditches.

Motion was made by Councilman Butler that six (6) time switches be purchased for the school zone lights at a cost of \$200.00 per switch. Motion was seconded by Councilmember Brady and approved.

Discussion continued on a complaint received regarding the speed of motorist driving down the alley between Beaubain and Masche. Hanson advised that council would have to enact an ordinance that would apply to the speed limits in alleys. Officer Shull will talk to one (1) motorist in particular that continuously speeds down this alley and advised him of this complaint.

Regular session May 21, 1990 cont'd.

The Kansas State Board of Agriculture has informed council that an area resident has filed an application for permit to appropriate water for irrigation use in the vicinity of our city wells. Palmer will contact Robert Vincent with Ground Water Associates, Inc. and ask that he write the Kansas State Board of Agriculture and advise them of the problems that may arise if this application is approved.

City Accountant Gerry Carlson was present to review the 1989 audit report. A final draft of the report will be sent to the Kansas State Department of Administration as required by law. Discussion was held concerning the time frame for budget preparation and finalization.

Council reviewed a letter from Francie Riley with J R's Used Cars concerning a water leak they had recently. The leak went undetected for sometime and because of this the bill was \$189.65. They have repaired the leak and they would like the council to make an adjustment to this bill. Council agreed that they can not adjust the water charge but will adjust the sewer charge to the normal \$9.75 charge.

City Attorney Hanson has wrote the owner of property where the city wants to dig additional test holes. At this time, he has heard no reply.

Hanson also advised that he has met with Frank Dougan, the owner of the property where the third cell to the lagoon system will be constructed. Pat Cox with BG Consultants was also present and advised Mr. Dougan that the city is in the process of requesting a variance to allow the construction of the third cell without having to meet the requirements of the 100 year flood elevation. Mr. Dougan will meet with the council in the near future to discuss this matter.

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



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, June 4, 1990, with Mayor Charles Brown and the following councilmembers present: William Bennett, Rodney Butler, Danny Huske, Kenneth Rakestraw (4) Absent: Martha Brady (1).

The minutes from the last regular session held on May 21, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that the \$25000.00 Certificates of Deposit that mature on June 5, 1990, be renewed for a term of 91 days and that the \$25000.00 Certificate of Deposit that matures on June 13, 1990, be renewed for a term of 182 days. Motion was seconded by Councilman Bennett and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Rodney Butler, Danny Huske, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1460.

A hearing was scheduled relating to a delinquent water/sewer account. The customer receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Discussion was held concerning several past due water/sewer accounts owed by former tenants of rental property. The bills will be forwarded to the property owners as enough time has been allowed for the former tenants to pay. Council agreed that after this bill has been paid by the property owner, they are responsible for collecting this bill from their former tenant.

Mayor Brown opened the bids received for the \$100000.00 Certificate of Deposit that matures at Silver Lake Bank on June 21, 1990. The bids for the interest rate for a term of six (6) months were received as follows: Silver Lake Bank - 8.00% and Peoples State Bank - 7.75%. Motion was then made by Councilman Bennett, seconded by Councilman Rakestraw and approved that the bid from Silver Lake Bank be accepted.

Application for license to sell alcoholic liquor was received from Mrs. Thyralene Hawk and passed to the council for review. Motion was then made by Councilman Bennett and seconded by Councilman Butler that the application be approved.

Discussion was held concerning the drainage problem on Mariner. City Engineer Bob Palmer has met with the Silver Lake Township Board regarding cleaning their ditches east of town on N.W. 31st Street. They advised that they would look into this request as they understand this drainage problem. Palmer also reported that he has looked into the options of running the water either to the north or to the south and with both of these options there would be substantial cost involved. Council agreed that at this time they would like to hold off on any further studies in order to determine what benefit would be gained by cleaning out the existing ditches. Motion was then made by Councilman Butler that Utility Supervisor Kalcik proceed in getting the ditches cleaned out by either renting a backhoe or by hiring a contractor. Motion was seconded by Councilman Rakestraw and approved. Palmer will contact the township and ask their permission to clean out approximately 150 feet of their ditch. This will help eliminate some of the drainage problem while allowing them time to have their entire ditch cleaned out. The total cost of this project should not exceed \$1000.00.

Motion was made by Councilman Butler that a work order in the amount of \$2445.05 be added to the street repair project so the road Bernice Hamilton granted to the city

Regular session June 4, 1990 cont'd.

can be paved. Motion was seconded by Councilman Huske and approved. This work order brought the final street repair project to a total of \$31663.30.

City Attorney Hanson advised that he should have a formal reply within a few days from the owner of the property where the city wants to dig additional test holes. The city has asked for their permission to enter their property for this purpose.

Councilmembers reviewed a draft ordinance that would repeal certain provisions contained in Article 2 of Chapter 11, pertaining to the registration and licensing of dogs. He will add to this draft ordinance additional sections the council would like to repeal and present it at the next meeting.

Hanson also reported to the council that the public hearing held on May 31, 1990, to act on a request to rezone a parcel of land has been continued. This will allow the applicant time to make a correction to this rezoning request. At this hearing the planning commission and the applicant agreed that if possible, only the portion of the lot that will be used for the mini-storage should be rezoned to I-1 Light Industrial. This would keep any further I-1 Light Industrial development from being constructed in what is now zoned C-1 Neighborhood Shopping District.

At that same planning commission meeting they reviewed a replat of North Lakeview Sub-division. No action was taken as the replat did not include a sewer easement along the front of the property.

The monthly police report was given by Councilman Bennett.

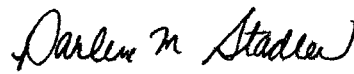
Council was advised that mosquito spraying will begin tonight.

Clerk will send a property owner a weed notice as their weeds exceed the 12" limit.

Council reviewed the employees proposal for annual salary and benefit increases. Councilman Butler will look into the cost for providing the water department personnel with uniforms.

Mayor Brown asked that Kalcik be informed that the speed limit sign on Parr Road at the west edge of town has a tree growing around it.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:40 P.M.



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, June 18, 1990, with Mayor Charles Brown and the following councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on June 4, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1461.

Motion was made by Councilman Bennett that a resolution be adopted that will enable first time homebuyers in Silver Lake to participate in a single family mortgage revenue bond program being sponsored by Cowley County and Shawnee County in the amount of \$10.8 million. Motion was seconded by Councilmember Brady and approved.

City Attorney Gary Hanson advised that he has received negative responses from two (2) property owners he has contacted regarding the city digging test holes on their property. He has not been able to contact the third property owner. Council advised him to contact the individual that farms for two (2) of these owners and ask if he would explain to the owners what would be involved and that they reconsider. Motion was then made by Councilman Butler that if the property owner still continues with a negative response, Hanson begin the condemnation procedures. Motion was seconded by Councilmember Brady and approved.

Councilmembers discussed Displayment of Building Number Ordinance No. 1454 that was adopted March 5, 1990. This ordinance allowed property owners and occupants until June 10, 1990, to display their building number in a conspicuous place plainly visible from the public street. Further action will be taken after Utility Supervisor Kalcik has prepared a list of those property owners or occupants who have not complied with this ordinance.

Motion was made by Councilman Rakestraw that the \$25000.00 Certificates of Deposit that mature on July 5, 1990 and July 6, 1990, be renewed. Motion was seconded by Councilman Bennett and approved.

Motion was made by Councilman Butler that an ordinance be adopted repealing certain provisions contained in Articles 1 and 2 of Chapter 11, pertaining to the regulations of animals and fowl and the regulations of dogs. Motion was seconded by Councilman Bennett and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1462.

Mrs. Dorothy Lilley was present to express her concern over the procedures the city takes when former tenants have an outstanding water/sewer bill. If they do not pay within thirty (30) days, the property owner becomes liable for the bill. If after this bill has been paid by the owner, the tenant comes forth to pay the bill, it can not be accepted. Mrs. Lilley would like to see the city send a second letter to the former tenant before they become liable. She would also like for the city to accept the payment, should the former tenant decide to pay after the property owner has paid, in order that they can be reimbursed. Further discussion will be held after Hanson has researched this matter.

Motion was made by Councilman Huske that the city clerk attend a Kpers Seminar being held on June 22, 1990. Motion was seconded by Councilmember Brady and approved.

Regular session June 18, 1990 cont'd.

Council reviewed a letter received from Mr. Wayne Kellner regarding his assessment of crop damage at the site where the last test holes were dug. Motion was then made by Councilman Bennett that this assessment be accepted and the property owner be reimbursed \$500.00. Also, that the \$50.00 charge for Mr. Kellners service be accepted. Motion was seconded by Councilmember Brady and approved.

Mayor Brown reported that a verbal bid of \$600.00 has been received for cleaning the ditch along Lake St. from Apollo to approximately 300 feet east of city limits. The township has given verbal permission for the city to clean this 300 feet of their ditch and they will be asked to provide this in writing.

Palmer reported that due to the poor condition of several streets that are being repaired, an additional \$1000.00 will be needed.

Councilmember Brady inquired as to who would be liable if Andrews and Walshire were to cause an accident, due to their negligence while working in Silver Lake. Engineer Palmer informed her that it is stated in their contract that they are liable and that they take the necessary safety precautions to help prevent accidents. He will discuss her concerns with Andrews and Walshire.

Council asked Attorney Hanson to research the matter of who is liable for trees and shrubs located in easements.

City clerk was instructed to send a letter to a property owner who has piled limbs from recent storms in the street and ask that they be removed.

Mayor Brown asked the Kalcik be advised of several trees located in the easement that need to be trimmed.

Council discussed the continuous problem of residents parking along Lake St. when attend-ball practices and games at the ball diamonds at the Silver Lake Grade School. They agreed that the "no parking any time" signs should be extended to Apollo and that the police officers should begin writing citations to those who continue to park there.

Motion was made, seconded and approved that council adjourn into executive session at 8:55 P.M. to discuss matter relating to personnel. Meeting was scheduled to resume at 9:05 P.M.

The regular session resumed at 9:05 P.M. Motion was then made by Councilman Rakestraw that the salaries of the following full time employees be raised 5%: City Clerk - Darlene Stadler, Police Officer - Kevin Shull, Utility Supervisor - Russell Kalcik, Utility Assistant - Kenneth Clark. These raises will become effective July 1, 1990. Motion was seconded by Councilman Butler and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1463.

Several inquiries have been made as to when the city is going to sell the asphalt millings from the street repairs. Council agreed to hold off until the city projects have been completed.

Councilman Butler advised that he would like to review insurance adjustors report after he has determined the extent of hail damage to the vehicles and buildings.

Councilman Butler will also ask the individual that purchased a city truck to remove or paint over "The City of Silver Lake" that is painted on the sides of the truck.

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.

Darlene M. Stadler

The Governing Body of the City of Silver Lake met in special session at city hall on Thursday evening, July 5, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Danny Huske, Kenneth Rakestraw (4) Absent: Rodney Butler (1).

The minutes from the last regular session held on June 18, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Danny Huske, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1464.

Discussion was held concerning a past due water/sewer bill owed by a former tenant. At the request of the property owner, a second letter was sent to this former tenant requesting that this bill be paid. Council agreed that sufficient time has been allowed for this former tenant to pay, therefore, the bill will be forwarded to the property owner.

Motion was made by Councilman Rakestraw to approve the final plat of North Lakeview Subdivision No. 2 by recommendations from the Silver Lake Planning Commission. Motion was seconded by Councilman Huske and approved.

Council will discuss with City Attorney Gary Hanson at the next meeting, the next step that should be taken to enforce Ordinance No. 1454, Displayment of Numbers on Buildings.

A memo from City Attorney Hanson regarding the upkeep of trees located in easements was distributed to the council. Council will review the memo and then discuss it with Hanson at the next meeting.

Motion was made by Councilman Huske to adopt a resolution of necessity to condemn. The two tracts being condemned have been identified by the consulting hydrologist as possibly having quality water that could be used for municipal use but access to such tracts has been denied by the owners. Motion was seconded by Councilman Rakestraw and approved.

Mr. Francis Kelsey representing the Silver Lake Lions Club reported that in 1991 they will be purchasing new lights for the ball diamond at the park. The estimated cost for the lights is \$7219.20 and he asked that the city consider donating some funds for this project. Council will consider this request at the end of the year if there is money remaining in the park budget.

Motion was made by Councilmember Brady that Utility Supervisor Kalcik attend the 71st Annual Water and Wastewater Operators School being held in Lawrence. Total cost for the school is \$30.00. Motion was seconded by Councilman Rakestraw and approved.

Motion was made by Councilman Bennett that Officer Kevin Shull attend a seminar relating to bank robberies in small towns being held in Salina. Total cost for the seminar is \$12.50. Motion was seconded by Councilman Huske and approved.

Councilmembers gave Mayor Brown several names of residents who might be willing to serve of the Board of Zoning Appeals. Mayor Brown will contact the individuals and if they agree to serve they will be appointed at the next meeting.

The monthly police report was given by Councilman Bennett and Officer Shull.

Special session July 5, 1990 cont.d.

Mayor Harold Irwin from Rossville has contacted the city regarding them possibly renting our mosquito sprayer or having our city crew spray the City of Rossville. Council agreed that our sprayer should not be used outside city limits but they will have Utility Supervisor Kalcik meet with Mayor Irwin and possibly make suggestions on how their present sprayer can be upgraded.

Council reviewed a sample copy of a brochure regarding cross connection and backflow prevention. These brochures are to help educate water users on the potential problems of cross connection. Further discussion will be held at a future meeting.

Discussion was held concerning the speed of motorist using the road that Bernice Hamilton granted to the city. There is some concern as this road is so close to the park. Officer Shull will be advised of this matter.

Council briefly discussed the 1991 budget. Further discussion is scheduled for the next 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 7:50 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, July 16, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last special session held on July 5, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1465.

Council reviewed an application for a Cereal Malt Beverage License presented by Robert J. Wehner. Councilman Bennett advised that the necessary background search has been completed. Motion was then made by Councilman Bennett and seconded by Councilmember Brady that the application be approved.

Mayor Brown recommended the following individuals to serve on the Board of Zoning Appeals: Wayne Doebele, Mike Burton, Duane Renfro. They have all been contacted and are willing to serve on the board. Motion was then made by Councilman Rakestraw that those recommended be appointed to the Board of Zoning Appeals. Motion was seconded by Councilman Huske and approved.

Motion was made by Councilman Bennett that the police department purchase a Minolta 35mm camera at a cost of \$89.99. This camera will replace the present camera that is in need of repairs. Motion was seconded by Councilman Huske and approved.

Councilman Bennett advised that he is getting prices for a new patrol car.

Council was advised that a resolution of necessity to condemn has been published and since that time one (1) of the property owners has agreed to sign the temporary easement allowing the city to dig test wells on their property. City Attorney Hanson will try again to get the remaining property owner to sign the temporary easement before the petition to condemn is filed.

City Engineer Bob Palmer reported that the sewer plans for North Lakeview Subdivision No. 2 have been approved and construction may begin anytime.

Discussion was held regarding Ordinance No. 1454, Displayment of Numbers on Buildings. It was agreed that a second letter should be sent to those not in compliance giving them an additional thirty (30) days to comply. A letter will also be sent to the owners of rental property advising them of Ordinance No. 1454 and asking that they comply within sixty (60) days.

Council reviewed a quote received to top or to cut down a tree on Pottawatomie that was damaged during the last storm. Utility Supervisor Kalcik will be advised to get at least three (3) additional quotes for council to review.

After discussion council agreed that a letter should be sent to all residents advising that effective immediately, council will begin to enforce the obligation against landowners to care for trees and shrubs in the street parking area at the landowners expense. If they fail to remove a dead tree or decayed limbs or branch thereof, the city may do so and charge the cost back to the landowner. In this same letter a nitrate level and condemnation procedure update will be given.

Regular session July 16, 1990 cont'd.

Councilmembers reviewed the proof of loss statements for hail damage to the city vehicles and the Heritage Court Apartments. Motion was made by Councilman Butler to accept the amount of loss to the vehicles. Motion was seconded by Councilman Bennett and approved. Action will be taken on Heritage Court Apartments after the proof of loss statements have been received for all city buildings.

City Accountant Gerry Carlson was present with a rough draft of the 1991 budget. After discussing and finalizing the budget, the budget hearing was scheduled for August 6, 1990.

Council discussed whether or not \$40.00 should be returned to an individual that hired security for a dance at the park. The dance was canceled but the officer that was scheduled to work the dance had already arrived to work before being notified of the cancellation. Council agreed that because of this late notification, the \$40.00 fee would not be returned.

Motion was made by Councilman Butler to approve written request received from Mona Marcotte to use the shelter house for a public BBQ and dance. Motion was seconded by Councilmember Brady and approved. Councilman Butler will talk to Mona about contacting the state regarding any licenses that she may need to sell food and drinks.

Mayor Brown proclaimed August 4, 1990, as Kansas All-Star Football Shrine Bowl Day in honor of Marty Workman. Mr. Workman will be participating in the 1990 Shrine Football Game on that day.

Council was advised that the inside of the water tower will be painted on Saturday.

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.

Darlene M. Stadler
Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, August 6, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Kenneth Rakestraw (4) Absent: Danny Huske (1).

The minutes from the last regular session held on July 16, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that the two (2) Certificates of Deposit that mature on August 7, 1990, be renewed for terms of 91 days. Motion was seconded by Councilman Bennett and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE William Bennett, Martha Brady, Rodney Butler, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1466.

A hearing was scheduled relating to a delinquent water/sewer account. The customer receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Councilmembers discussed a recent request to rezone property made by John Dozier. Mr. Dozier has requested the rezoning of a part of a tract of land in Lot "A", Block A, Silver Lake Subdivision No. 1 from C-1 Neighborhood Shopping District to I-1 Light Industrial District for the purpose of constructing a self service mini-storage warehouse facility. On July 12, 1990, the Silver Lake Planning Commission approved by a vote of 5 - 2 the rezoning of this property and has since advised the council of this favorable recommendation. Mr. Dozier indicated to the council that there is a need for this kind of facility and that all area business owners have endorsed this project. Rex LaBlanc, the prospective developer described the 1 building, 36 stall unit that will provide inside storage only. He furthered that there would be a privacy fence on the east side of the property (between the mini-warehouse and the adjoining residential use) as required by city code. Assistant City Attorney Tom Barnes asked several questions regarding the character of the neighborhood, the zoning and uses of properties nearby and the length of time the property has remained vacant. After discussing these questions, Mayor Brown asked if there was anyone present that wanted to speak in opposition of the application to rezone. No one spoke in opposition of the application. Motion was then made by Councilman Butler that by recommendation by the Silver Lake Planning Commission, the application to rezone the subject property to I-1 Light Industrial District be approved. Motion was seconded by Councilmember Brady and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1467.

Pat Cox was present to discuss the Wastewater Treatment Facility. He reported that due to an oversight, a deadline was missed and the city request for a variance will not be heard until October 16, 1990. He has reported this oversight to the Kansas Department of Health and Environment and at their request he will prepare a letter to be sent to them indicating our new time schedule.

Motion was made by Councilman Butler that an ordinance be adopted authorizing and providing for the acquisition of a temporary easement over certain land by condemnation. This ordinance is to acquire a temporary easement for a term of ninety days,

Regular session August 6, 1990 cont'd.

for the purpose of ingress and egress and to drill certain test water wells upon the tract of land described. Motion was seconded by Councilman Rakestraw and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1468.

Assistant City Attorney Barnes advised that one (1) of the property owners has agreed to sign a temporary easement allowing the city to dig test water wells on their property. They are asking that the city pay \$500.00 for the easement and any additional costs for damages if there is any. Motion was made by Councilmember Brady and seconded by Councilman Rakestraw that the city pay the \$500.00 and agree to pay any additional damage costs in order to have the temporary easement signed.

Motion was made by Councilman Bennett that written requests received from Shawnee County Parks and Recreation and the Friends of the Library to use city hall be approved. Motion was seconded by Councilman Butler and approved.

The attention of all present was called to the published notice hereby given for the 1990 Budget Hearing. Motion was made by Councilmember Brady and seconded by Councilman Rakestraw to approve the budget as printed.

Councilman Bennett informed council that if the city was to order a police car this month, they would get it at this months cost but it wouldn't be paid for until after the car is ready in January of 1991. Bennett suggested that it be ordered now as they only build police packages at certain times of the year. Motion was then made by Councilman Bennett that a new patrol car be purchased for approximatley \$15022.00. Motion was seconded by Councilmember Brady and was unanimously approved.

The monthly police report was given by Councilman Bennett.

Council reviewed the proof of loss statements for hail damage to the shelter house and Heritage Court Apartments. Further discussion will be held after City Attorney Hanson has reviewed the city insurance policy.

Mayor Brown reported that the owner of the tree on Pottawatomie that was damaged during a recent storm has advised that she does not want the tree taken down at the present time. When she does decide to remove the tree it will be her responsibility and not the responsibility of the city.

Councilmembers reviewed and made corrections to a letter being sent to residents updating them on the nitrate situation and to advise them of their obligation to care for trees and shrubs in the street parking area.

Council authorized Utility Supervisor Kalcik to purchase a 55 gallon drum of mosquito spray for \$1650.00.

Kalcik reported that he has been contacted by several parties who are interested in purchasing the street millings. Council agreed to sell the millings at the same cost as last year but agreed that it should be made available to city residents first and then those outside the city.

Kalcik also advised that the new school light timers have been installed.

Mayor Brown informed council that he has been advised by Shawnee County Commissioner Winnie Kingman that Tom Pickford, of Shawnee County Public Works and Lynn Couch, Director of Environmental Health with the Topeka-Shawnee County Health Department, have completed the preliminary work that relates to the problems with the lake near Silver

Regular session August 6, 1990 cont'd.

Lake. This information will be discussed at the Shawnee County Commission Meeting on August 16, 1990, and they have invited the city officials to attend the meeting.

Council discussed the improvement of water drainage near Mariner and Lake during the last heavy rains.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:55 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, August 20, 1990, with Mayor Charles Brown and the following Councilmembers present: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on August 6, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Rodney Butler, Danny Huske, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1469.

Motion was made by Councilmember Brady that Councilmembers Kenneth Rakestraw and Danny Huske be named voting delegate and alternate voting delegate to the League of Kansas Municipalities. Motion was seconded by Councilman Bennett and approved.

Mr. Pat Cox was present with an application for a variance request from the Shawnee County Board of Zoning Appeals. The variance is requested in their County Flood and Protection Regulations to construct a third cell sewage lagoon at the present 2 cell sewage lagoon top of dike elevation. The existing sewer lagoons are below the 100 year flood elevation. If the third cell is raised to the regulatory flood elevation, it will no longer function as a sewer lagoon. Mr. Cox advised that the hearing for this request will be held on October 16, 1990.

City Attorney Hanson reported that the Ordinance for Necessity to Condemn has been published and that he can now file the petition. Hanson will contact 3 appraisers regarding the report needed for the condemnation process.

Council reviewed the proof of loss statements for hail damage to the shelter house and Heritage Court Apartments. The statements were signed with the condition that the city has the right to file additional claims for damage that may become evident in the 5 years following the loss. They will also be asked why there were 2 deductibles assessed when the policy reads that there should be 1 deductible per occurrence.

Council was advised that the Board of Zoning Appeals recently granted a variance request by Don Biege, to permit a fence to be constructed 26 feet south of the property setback line. Hanson said the fence will not interfere with traffic or public safety.

Mayor Brown reported that the Shawnee County Commissioners discussed at a recent meeting the preliminary study that relates to the problems with the lake near Silver Lake. Several options were discussed but they would like further research to be completed before any decisions are made.

Council informed City Engineer Bob Palmer that water has drained very well near Mariner and Lake during recent storms.

Mr. Duane Renfro has advised Mayor Brown that he can not serve on the Board of Zoning Appeals because of other commitments. A member of the Planning Commission will be contacted regarding filling this vacancy.

Council discussed the recent outstanding accomplishment of the Rocket Softball Team from Silver Lake. They recently participated in the National Softball Finals held in Salem, Oregon and they ranked 13th out of 56. Council agreed that this gave special recognition to our community at a national level therefore, a \$100.00 donation

Regular session August 20, 1990 cont'd.

out of the parks and recreation fund to help pay for the expenses was appropriate. Motion was then made by Councilman Rakestraw to donate \$100.00 to the Rocket Softball Team. Motion was seconded by Councilman Butler and approved with Councilman Huske abstaining from the vote.

Motion was made by Councilman Bennett that the subscription to Water Engineering and Management be renewed for 3 years at a cost of \$42.50. Motion was seconded by Councilmember Brady and approved.

Mayor Brown informed council that he must resign his position effective tonight as he is moving from Silver Lake. After his written resignation is received, President of the Council Rodney Butler will become mayor. The vacancy on the council will be discussed after City Attorney Hanson has reviewed the matter.

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.

Darlene M. Stadler
Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening, September 5, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Danny Huske, Kenneth Rakestraw (3) Absent: Martha Brady (1).

The minutes from the last regular session held on August 20, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that the \$50000.00 and \$25000.00 Certificates of Deposit that mature this month be renewed and that \$25000.00 be added to a seconded \$25000.00 Certificate of Deposit maturing this month and that this \$50000.00 be placed in a 91 day Certificate of Deposit. Motion was seconded by Councilman Bennett and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Danny Huske, Kenneth Rakestraw (3) NAY: None. Ordinance was declared passed and given no. 1470.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Terri Bahret of the Kaw Valley Baseball League returned the \$300.00 ball diamond donation check. She advised that the diamonds did not get much use this year, therefore, upkeep was not necessary. They are planning on rebuilding the diamonds next year and they will ask the city at that time for a donation.

Discussion was held concerning the vacancy on council. Councilman Huske advised that Susan Lindstrom has expressed her willingness to serve on the council. After further consideration, with the advice and consent of the council, Mayor Butler appointed Susan Lindstrom to fill the vacancy until the next election in April, 1991. Motion was then made by Councilman Huske and seconded by Councilman Rakestraw that the appointment of Susan Lindstrom to fill the vacancy on the council be accepted.

City Attorney Hanson advised that the hearing relating to our request to condemn land has been scheduled for September 12th at 8:30 AM. He also reported that the 3 appraisers he contacted regarding a report that is required have all agreed to work for the city. They will be appointed at the hearing.

Council approved a warrant payable to a property owner for a temporary easement.

Mr. Eldon Roberson was present and expressed his concern over the recent replat and proposed development of North Lakeview Subdivision No. 2. He feels that not all subdivision regulations are being met and he asked that the city review this matter. He also inquired as to why the developer was not required to improve the drainage in that area. Council informed him that City Engineer Palmer studied that area and determined that there would be adequate drainage if the area was developed. Mr. Roberson advised that in subdivisions he developed the city required additional drainage and after the drainage projects were paid for, he was told that several of the lots could not be used because they were located in the flood zone. Council advised that in regards to the water and sewer lines, the developer is required to extend the sewer line but because of earlier actions taken by the city, the city is obligated to take the water line to the property. City Attorney Hanson will review

the subdivision regulations to determine if they have all been met. He will report this to the council and Mr. Roberson at the next meeting. Discussion was also held regarding the narrowness of Shawnee St. in this subdivision. Council advised Kalcik and Shull to review the area and make recommendation to the council as to what can be done to improve the traffic flow.

Council was advised that there are still approximately 25 residents that have not complied with Ordinance No. 1454, Displayment of Numbers on Buildings. Clerk will contact these residents by phone and request that they comply.

The monthly police report was given by Councilman Bennett.

Motion was made by Councilman Bennett that Officer Shull attend the Kansas Crime Prevention Seminar being held in Hutchinson, Kansas on October 1 - 2, 1990. The fee for this seminar is \$25.00 and the city will provide the gas to and from Hutchinson. Motion was seconded by Councilman Huske and approved.

The Kansas Rural Water Association has informed the city that legislation has passed a bill that will allow municipalities to pool all employee groups for the purpose of health and accident insurance plans. They have formed a committee to study the feasibility of providing an association sponsored plan and they have asked those cities interested to return a questionnaire. Council agreed that this plan should be looked into and instructed the clerk to return the questionnaire.

Council reviewed the rate increase for health insurance provided by Blue Cross and Blue Shield. After discussing the present policy they accepted the rate increase but agreed that over the next year we should determine if there are ways to modify our group plan to include lower premiums.

Mayor Butler advised that he would like a councilmember to take his place on the Shawnee County Fire District No. 1 Board. Further discussion will be held when full council is present.

Utility Supervisor Kalcik inquired as to when the street improvements will be completed. He reported that there are 2 streets which included drain swale work in the contract and as of this date, this portion of the street improvement project has not been completed. Council advised him to contact City Engineer Palmer about this matter.

Kalcik asked council if they still wanted the lake aerial sprayed this year. Council agreed that it is too late in the year to aerial spray and the spray can be used next year.

Kalcik reported that due to the continuous vandalism to the park restrooms, he will begin locking them at 5:00 PM. If there is a scheduled event they will remain open and the police officer on duty will lock them after the event is over.

Councilmembers were advised that a weed notice was sent to a property owner and the day the city was to mow because the owners 5 days had expired, the owner requested additional time. Council advised Kalcik that if all of the lots have not been mowed by Friday, they should be mowed by the city and a bill for the cost incurred should be sent to the property owner.

Kalcik informed council that he has requested bids for the water line construction in North Lakeview Subdivision No. 2. Both bids he received exceeded his estimate so both bids were rejected. He said if the city was to do the work themselves the cost would be approximately \$2000.00. Council agreed to have our department install the water line.

Regular session September 5, 1990 cont'd.

Officer Shull will be attending the Hazardous Material Awareness Seminar being held in Rossville on September 8, 1990.

Council reviewed the new fine schedule that becomes effective on September 8, 1990.

Officer Shull reported that the school lights have been working accurately.

Discussion was held concerning the preliminary housing unit and population figures received from the United States Census Bureau. Council agreed the figures should be challenged because they are too low. The necessary forms with the correct counts will be returned to the census bureau.

Councilman Huske asked that a new flag be purchased for city hall.

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 PM.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, September 17, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) Absent: Danny Huske (1).

Newly appointed Councilmember Susan Lindstrom was sworn into office.

The minutes from the last regular session held on September 5, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1471.

Mayor Butler presented an appreciation plaque to former Mayor Charles Brown for his years of service to the City of Silver Lake.

Mayor Butler appointed Councilman Huske the Water Commissioner and Councilmember Lindstrom the Park Commissioner.

Following discussion, Councilman Rakestraw nominated Councilmember Brady as the President of the Council. This nomination was unanimously approved.

City Attorney Hanson advised that at the last meeting he was asked to review the recent replat and proposed development of North Lakeview Subdivision No. 2 to determine if all subdivision regulations were being made. Mr. Eldon Roberson was present at the last meeting and expressed that he felt the developers were not being made to meet the regulations that he had to when he was the developer of several subdivisions. In reviewing the matter Hanson has concluded that with the recent replat the required regulations have been met and it was approved in the same manner that the subdivisions Mr. Roberson developed were. He advised that the developments are different because North Lakeview Subdivision No. 2 already has the major public improvements at the subdivision or in the general vicinity. In regards to the street improvements, there is already a paved street fronting the lots and with no interior streets, street construction was not necessary. He did mention that the city may have to request an additional street easement in the future. Mr. Roberson stated that the street fronting these lots does not meet the city street standards and the narrowness of this street is a hazard for all those in the area. Council agreed with Mr. Roberson but they have already taken several solutions into consideration with making Shawnee Street a "one way" being the most favorable. They never considered making the developer meet the street standards an option and they could not deny the replat because the streets did not meet the standard regulations. Discussion was also held concerning the lots Mr. Roberson owns that are in the flood district. After he had already extended the public improvements to the lots he was not allowed to build on them because an ordinance had been enacted creating this floodway fringe district and these lots were located in this district. In discussing this floodway fringe district council agreed that there are some questions relating to the definition of a flood proof basement that they would like Hanson to research. The matter was then tabled to a future meeting.

Council discussed the possibility of homes being built on Sage Rd. They were advised that as of this date no plans have been submitted to the city.

Hanson advised that the hearing relating to our request to condemn land was held on September 12, 1990. The order appointing the appraisers was signed and they will be required to agree on a value of the land as part of the condemnation process.

Regular session September 17, 1990 cont'd.

City Engineer Palmer will be contacting the developer of North Lakeview Subdivision No. 2 to advise that they have specifications they have to meet when constructing the ditches in that subdivision.

After discussion, Mayor Butler appointed Councilman Huske to take his place on the Shawnee County Fire District No. 1 Board.

The Silver Lake Lions Club has asked if the city has any items for their annual auction being held on September 29, 1990. No action was taken.

Utility Supervisor Kalcik reported that he has almost completed extending the water line to the edge of North Lakeview Subdivision No. 2. He did have to remove an area of sidewalk and replacing this sidewalk will have to be discussed with City Engineer Palmer.

Kalcik inquired as to how long the fire department will be storing their car in the water department warehouse. Mayor Butler advised that this is only short term and if it becomes a problem Kalcik should let him know.

Kalcik has received a complaint regarding motorist not stopping before exiting the high school parking lot. It was agreed that the school superintendent should be contacted regarding stop signs possibly being erected at the exits.

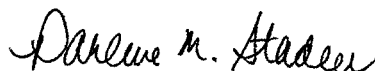
Councilmember Lindstrom questioned a bill received from the Helping Hands Humane Society. She was advised that the city pays a fee for every stray dog that is picked up by Shawnee County Animal Control and taken to the shelter.

Motion was made by Councilman Bennett that a long sleeve shirt, a pair of pants and a winter coat be purchased for Officer Shull. Motion was seconded by Councilmember Brady and approved.

Councilmember Brady inquired as to what is being done to those residents who have not complied with Ordinance No. 1454, Displayment of Numbers on Buildings. She was advised that the clerk is calling those residents and requesting that they comply.

Discussion was held regarding changing Shawnee Street to a "one way". Kalcik will get a list of signs that will be needed and action will be taken at that time.

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



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, October 1, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on September 17, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

The Certificate of Deposit that matures on October 4, 1990, will be renewed under the same terms following Councilman Rakestraw's recommendation.

Mrs. Virginia McDougal was present and expressed her concern over the number of motorists driving extremely fast down Masche Street. She also feels that if the city makes the next street to the west a "one way", this will make Masche Street more hazardous because there will be additional traffic. Councilman Bennett advised that he would have the police officers run radar on Masche Street during the early morning as this is when Mrs. McDougal feels that motorists drive faster.

Discussion also continued on the options available if the city was to decide to improve the condition of Shawnee Street. City Attorney Hanson advised that either the city would have to bear the cost or a special benefit district would have to be set up and the adjoining land owners would pay for it. City Engineer Palmer will be asked to study the street and determine what the estimated cost would be to make such improvements. Council also reviewed the report from Kalcik on street signs needed to make Shawnee Street a "one way". Motion was then made by Councilman Rakestraw that the necessary signs be purchased making Shawnee Street a "one way" and that additional stop signs be purchased and erected at the intersections of Masche/Pottawatomie and Beaubain/Pottawatomie. Motion was seconded by Councilman Huske and approved.

A hearing was scheduled relating to a delinquent water/sewer account. The customer receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

A letter designating signatures for transfers of funds and withdrawals at Silver Lake Bank was reviewed. The letter was approved and signed and will be given to Silver Lake Bank to be kept on file.

Motion was made by Councilman Rakestraw to sell the city share of corn crop and to allow the Hook Brothers to plant beans instead of corn next year. Motion was seconded by Councilman Bennett and approved.

Motion was made by Councilman Rakestraw that the Cross Connection Rules and Regulations prepared by City Attorney Hanson be approved subject to the Kansas Department of Health and Environment approval. Motion was seconded by Councilmember Brady and approved. The purpose of these rules and regulations is to protect our public water supply from pollution or contamination due to cross connection, to prohibit and eliminate all cross connection within our public potable water supply system and to provide for the maintenance of a continuing effective cross connection control program.

The monthly police report was given by Councilman Bennett.

Motion was made by Councilman Bennett that 50 patches be purchased from Golden Rule Creations at a price of \$3.12 per patch. The patches will be identical to the patches now being used. Motion was seconded by Councilmember Brady and approved.

Regular session October 1, 1990 cont'd.

Councilman Bennett reported that an inquiry has been made as to whether or not the city is interested in selling one of the 9mm handgun the police department has. Council was not interested in selling a gun.

Utility Supervisor Kalcik advised that the latest nitrate reading reported on September 24, 1990, was 8.30 parts per million.

Kalcik reported to council the total cost of the water main extension to North Lakeview Subdivision No. 2.

Motion was made by Councilmember Brady that Andrews and Walshire repair the street where it was cut to extend the water main. The estimated cost to repair this is \$800.00. Motion was seconded by Councilman Bennett and approved.

Council agreed that the sidewalk that was removed so the water main could be extended should be replaced. Kalcik will get prices from three (3) local contractors for council to review.

Mayor Butler explained to Councilmember Lindstrom her responsibilities as park commissioner.

Council was advised of a complaint received regarding an area resident working on race cars late at night and continuously parking cars on both sides of the street. Mayor Butler will contact the individual and make him aware that he is disturbing the neighbors and ask that he stop.

Councilman Rakestraw inquired as to why there was a person riding in the patrol car on Saturday evening. Councilman Bennett advised that the officers have been told that there should be no private citizens other than members of the council riding along in the patrol car. He will discuss this matter with the officer involved.

Council discussed the necessity of having an officer on duty Sunday mornings. Councilman Bennett advised that traffic flow is real steady on Sundays, therefore an officer is usually on duty.

City Attorney Hanson advised that the appraisers have scheduled a meeting to discuss and agree upon a value of the land the city is condemning for the purpose of digging test wells.

Hanson reported that he is still researching the questions raised by Eldon Roberson regarding the definition of a flood proof basement. He has been in contact with Kay Carder from the Federal Emergency Management Agency and is reviewing the City of Rossville ordinance relating to the floodway fringe district.

Hanson stated that he is in the process of updating the Standard Traffic Ordinance and the Uniform Public Offense Code.

Council discussed a written complaint received from an area business owner regarding the police officers sitting the patrol car across from there business. They feel this is effecting their business and they are asking that they not sit in the area during business hours. Councilmember Bennett will look into this matter.

Kalcik was asked to look at the demolition permit that was issued for a house on Pottawatomie to determine if the time limit has expired. Council agreed that leaving the house just partially demolished is not only making the area hazardous it it also a nuisance.

Regular session October 1, 1990 cont'd.

Mayor Butler requested that a weed notice be sent to a business in town that has weeds and foliage growing over the 12 inch limit.

Mayor Butler reported receiving a complaint about the condition of the lake near Silver Lake. He advised the party that the lake is not in the city, therefore it is not the responsibility of the city.

A letter was received from Peoples State Bank regarding the financial needs of the city. The branch manager of the bank will be contacted and asked to call Councilman Rakestraw regarding this matter.

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.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, October 15, 1990, with the following councilmembers present: William Bennett, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (4) Absent: Mayor Butler, Councilmember Brady (2).

Motion was made by Councilman Huske that Councilman Bennett be nominated as the acting president of council as both the mayor and the president of council are absent. Motion was seconded by Councilmember Lindstrom and unanimously approved.

The minutes from the last regular session held on October 1, 1990, were approved.

City Attorney Hanson advised that the condemnation process has been completed and the property owner was awarded \$1000.00 for the temporary easement. The city warrant for this amount is included in the bills being paid tonight. The bills for the appraisers have not yet been received so they will not be paid until a future meeting.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1472.

Councilman Bennett reported that a bill being paid tonight is for safety literature Officer Shull purchased for senior citizens.

Mr. Van Hawkins was present and asked if the city would consider allowing him to connect to the city water line. He stated that he lives at 21st and Chilson Road and this is approximately $\frac{1}{4}$ of a mile from the city water line. The rural water district has not yet provided service to his area and his well does not have suitable water for residential use. City Attorney Hanson advised that at the present time the city does not have an ordinance that would allow the city to extend the water line outside city limits but a new one could be adopted that would allow the city to provide water to those outside city limits. Mr. Hawkins asked if the city could provide an estimated cost to connect to the city line before any further decisions are made. Council asked City Engineer Palmer and Utility Supervisor Kalcik to prepare a list of an estimated price for the meter and line, hook up charge and any other related costs. Further discussion will be held when full council is present.

City Engineer Palmer has determined that if the city was to make improvements to the narrowness of Shawnee Street the estimated cost would be \$6600.00. This amount would include placing a tube along the west side of the street and then adding a 3 foot rock shoulder. This would aid in not only the narrowness of the street but also the drainage of Shawnee Street. Palmer also explained that over the next few years the storm sewer system in this area will need major improvements and he has suggested that adding this tube and the rock shoulder be held off until then so the two (2) projects are related. Further discussion was tabled until full council is present. Palmer also advised that the developer of North Lakeview Subdivision No. 2 should be told not to begin work on the driveways until council has decided if any improvements to the street are going to be made at this time.

Councilmembers were informed that the application made to the Board of Tax Appeals requesting that the ten (10) lots the city owns in Silver Lake Subdivision No. 1 be exempt from ad valorem taxation as real property has been denied. The request for exemption was made because the land was set aside for the purpose of development as a city park. The reasoning for the denial was because the city has owned the land

for three (3) years and has not begun to develop the land as park. Therefore, the city has failed to satisfy the use requirements set forth in the state statute. After discussion motion was made by Councilmember Lindstrom that Utility Supervisor Kalcik get an estimate to grade the lots to allow for proper drainage of the lots and that he also begin erecting the play equipment now being stored. Motion was seconded by Councilman Huske and approved.

Councilmembers were reminded of the hearing on October 16, 1990, before the Board of Zoning Appeals. The variance is requested in their County Flood and Protection Regulations to construct a third cell sewage lagoon at the present sewer lagoon top of dike elevation. If the third cell is raised to the regulatory flood elevation it will no longer function as a sewer lagoon. Those from the city attending this hearing will be Utility Supervisor Kalcik, City Engineer Palmer, Councilman Rakestraw and possibly Councilmember Lindstrom.

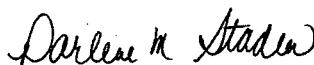
Utility Supervisor Kalcik has received two (2) proposals for the replacement of the sidewalk that was removed so the water main could be extended. The matter was tabled until the next meeting to allow time for Kalcik to get the two (2) additional proposals he requested.

Complaints will be filed in Silver Lake Municipal Court against five (5) residents who have failed to display building numbers as required by City Ordinance No. 1454. Kalcik will explain this ordinance to a resident who may have found some confusion with the ordinance.

Motion was made by Councilman Huske that Officer Shull attend a training seminar being held in Lenexa on October 23 + 25, 1990. The city cost will be the \$40.00 registration fee and \$10.00 per night for his motel room. Motion was seconded by Councilmember Lindstrom and approved.

Councilman Bennett explained that the person seen riding in the patrol car with an officer recently is a parole officer that needed the assistance of the Silver Lake Police Department.

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.



Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, November 5, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on October 15, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Councilman Rakestraw advised council that at the present time Peoples State Bank is paying a higher interest rate for 91 day Certificates of Deposit. Motion was then made by Councilman Rakestraw that the two (2) Certificates of Deposit that are maturing at Silver Lake Bank be combined and transferred to a 91 day Certificate of Deposit at Peoples State Bank. Motion was seconded by Councilman Bennett and approved.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1474.

Council discussed the request made by Mr. Van Hawkins to connect to the city water line. At the present time the city does not have an ordinance that would authorize the city to extend the water line outside city limits. Before an ordinance could be adopted that would allow the city to extend the line outside city limits, questions such as who would own the line, who would design and install the line and what the charge would be for hook up would have to be decided. After discussing these questions further, council determined that the amount the city would have to charge for such a service connection would be to cost prohibitive. They also agreed that such a connection would be the beginning of numerous others in the same situation wanting to connect and the city does not want to be a provider to those living outside city limits. Motion was then made by Councilman Rakestraw that for these reasons, the request made by Mr. Van Hawkins is denied. Motion was seconded by Councilman Huske and approved.

Utility Supervisor Kalcik reported that Strader Drilling has dug the test water wells west of town but they still have to pump each hole and submit the samples to the state before the results are known.

City Attorney Hanson advised that included in the bills being paid tonight are warrants for the appraisers that filed the condemnation report.

Kalcik informed council that the street signs have been erected on Shawnee Street designating that street a "one way". He has also erected stop signs at Pottawatomie/Beaubien and Pottawatomie/Masche.

City Engineer Palmer advised council of improvements that could be made to widen Shawnee Street. He also recommended that these improvements be related to the improvement project to the storm sewer system in that area. Council agreed that the widening of the street could be held off until the storm sewer project has been completed but something needs to be done to the extremely deep ditch running along that street. Palmer suggested that approximately 200 feet of storm sewer pipe be

Regular session November 5, 1990 cont'd.

installed in the ditch and then covered with enough dirt to bring the grade within 6 inches of the street. Council agreed with Palmer and asked that him and Kalcik request bids from several contractors. Motion was then made by Councilmember Brady that a special session be held on Friday, November 9, 1990 at 6:00 P.M. to open the bids so that this project can begin immediately. Motion was seconded by Councilman Rakestraw and approved.

Mr. Ron Bolz with Employers Mutual Insurance Company was present with a dividend check in the amount of \$2687.72. This dividend is calculated from the premium paid annually for the city insurance package.

Council opened bids received to replace the sidewalk on Pottawatomie that was removed to extend the water main. The bids were received as follows: Bahm Construction - \$1564.00, Pfannenstiel Construction Co. - \$1340.00, Valley Concrete, Inc. - \$1140.00. Kalcik reported that Pfannenstiel Construction Co. does not carry worker's compensation insurance and this is a requirement of the city. Motion was then made by Councilman Huske that the bid from Valley Concrete, Inc. be accepted and that he be told that the city wants the sidewalks meshed for reinforcement. Motion was seconded by Councilman Bennett and approved.

Motion was made by Councilman Bennett to approve written request received from Ellen Hippensteel to use city hall for a free income tax seminar. Motion was seconded by Councilmember Brady and approved.

Motion was made by Councilman Bennett to adopt the 1990 Standard Traffic Ordinance. Motion was seconded by Councilmember Brady and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1475.

Motion was made by Councilman Bennett to adopt the 1990 Uniform Public Offense Code. Motion was seconded by Councilman Rakestraw and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1476.

The monthly police report was given by Councilman Bennett and Officer Shull.

Council looked at pictures of the new patrol car. The car will not be picked up until January.

Officer Shull advised council of a recent incident in which he had to have a vehicle towed after the owner failed to remove the vehicle from the street after it had been ticketed and told to be removed by a specific date. Mayor Butler said he has received a positive statement about the way Officer Shull handled this situation.

Utility Supervisor Kalcik informed council that he will be purchasing approximately four (4) rolls of snow fence to replace the fencing that is no longer usable.

Kalcik estimated that it would take anywhere from \$750.00 to \$1000.00 to grade the lots the city owns in Silver Lake Subdivision No. 1 to allow for proper drainage. Council agreed this matter should be tabled until next spring.

Council discussed the condition of a vacant house that has several defects that are making it an unsafe structure and a public nuisance. City Attorney Hanson will research this matter further to determine what steps the city must take to require the property owner to make the necessary repairs and clean up the area.

Regular session November 5, 1990 cont'd.

Councilmember Brady asked City Engineer Palmer when Andrews and Walshire are planning to complete the drain swale work that was to be included in street improvements this year. Palmer will contact them regarding this matter.

Motion was made by Councilmember Brady that the city return the check received from the Lions Club for the city items that were sold at their annual auction. The city intended for the items to be a donation. Motion was seconded by Councilmember Lindstrom and approved.

Mayor Butler appointed Richard Mesloh to serve on the Board of Zoning Appeals.

Mr. Mike Deiter will be contacted and asked to submit a bid for snow removal so council can review it at the next meeting.

A questions has been asked regarding who is responsible for mailboxes located in easements. The party will be advised that the city does not regulate mailboxes and where they are located.

There being no further business to come before the council at the present time, by motion duly made and accepted the meeting adjourned at 9:05 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

SPECIAL SESSION FRIDAY EVENING NOVEMBER 9, 1990

The Governing Body of the City of Silver Lake met in special session at city hall on Friday evening, November 9, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) Absent: None.

The purpose of the meeting was to open bids for the installation of 200 feet of storm sewer pipe along Shawnee Street in North Lakeview Subdivision No. 2.

The bids were received as follows: Bahm Construction - \$3340.00, Clark Excavating - \$2822.18, R.D.R. Excavating - \$3208.75, Clarence Lyden - \$2652.00. After City Engineer Palmer reviewed the bids he recommended that the bid from Clarence Lyden be accepted. Motion was then made by Councilman Bennett that the bid from Clarence Lyden be accepted for the installation of approximately 200 feet of storm sewer pipe on Shawnee Street. Motion was seconded by Councilmember Brady and was unanimously approved.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 6:15 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, November 19, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) Absent: None.

The minutes from the last regular session held on November 5, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Danny Huske, Susan Lindstrom, Kenneth Rakestraw (5) NAY: None. Ordinance was declared passed and given no. 1477.

Mr. Mike Deiter was present with a bid for 1990/1991 snow removal. The bid was \$40.00 per hour, per machine plus reimbursement of \$955.00 for workers compensation upon acceptance of the bid. After discussing this bid, motion was made by Councilmember Brady that it be accepted. Motion was seconded by Councilman Rakestraw and approved.

Utility Supervisor Russell Kalcik reported that Strader Drilling pumped the test water wells west of town and submitted the water samples to the Kansas Department of Health and Environment. They will return to pull the casings but not until the results from the water samples are known.

Kalcik informed council that he is still renting as needed a backhoe from Bahm Construction. When it is not being used by the city it is being stored in the city warehouse so it is readily available when the city needs it. Council asked Kalcik to verify that the backhoe is insured just in case something would happen to it while being stored in the city warehouse.

Kalcik asked City Attorney Hanson if he has received the signed sewer easement from the owner of the property where the self storage unit is being built. Hanson has not received the signed easement but he has talked to the owner and he is intending on signing and returning it. Kalcik has used pins to mark the approximate location of the sewer easement on that property.

Discussion was held concerning hiring a part time employee to replace City Clerk Darlene Stadler during her upcoming maternity leave and also when she is off due to illness or vacation. The matter was tabled until the next meeting so the council can review the job description before advertising this part time position. It was also determined that in regards to maternity leave, it is covered under the employee sick leave and extended leave benefits. In discussing these benefits council agreed that sick leave can be used for not only when the employee is sick but also when a member of the family is sick and needs the employee to care for them.

Council continued from the last meeting discussion regarding a vacant house that has several defects making it a unsafe structure and a public nuisance. City Attorney Hanson explained the options available should the city decide to file a complaint against the property owner and direct such owner to either repair, demolish or remove the structure. Kalcik advised that someone has began making repairs and cleaning up the area. Council agreed not to file a complaint at the present time but to have Kalcik continue watching the repair and clean up progress and keep the council posted.

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.

Darlene M. Stadler

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, December 3, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) Absent: Danny Huske (1).

The minutes from the last regular session held on November 19, 1990, were approved.

The monthly financial report was given by Councilman Rakestraw.

Motion was made by Councilman Rakestraw that the three (3) Certificates of Deposit maturing at Silver Lake Bank in December be renewed. Motion was seconded by Councilmember Brady and 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1478.

A hearing was scheduled relating to several delinquent water/sewer accounts. Those customers receiving notice of the hearing failed to appear before the council so normal shut off procedures will begin.

Letters will be sent to Silver Lake Bank and Peoples State Bank advising that the \$100,000.00 Certificate of Deposit matures on December 20, 1990, and if they wish to bid on the interest rate for the next six (6) months the bids should be presented at the next meeting.

Mr. Mark Bachamp with BG Consultants was present with the preliminary plans for the construction of a third treatment cell just west of our existing two cell discharging sewage treatment facility. The third cell is needed to bring Silver Lake back into compliance with Kansas Department of Health & Environment requirements. He explained some changes that were made to the outflow of the lagoon. Council asked that they also provide the total cost for the interior dike erosion protection. Mr. Bachamp also advised that a meeting should be set up soon with the property owner so the amount of land the city is going to acquire for this project can be decided. The city does have an option to purchase agreement with the property owner. Following this discussion, motion was made by Councilman Bennett authorizing BG Consultants to submit these preliminary plans to the Kansas Department of Health and Environment after City Engineer Bob Palmer has reviewed and approved the plans. Motion was seconded by Councilmember Brady and was unanimously approved. He estimated the state would reply in approximately three (3) weeks and at that time they will begin the final design.

Applications for 1991 Cereal Malt Beverage Licenses were received from Wehners IGA, The Corner Bar, Uptown Bar and Casey's General Store. Gambino's Pizza will be contacted regarding submitting their application before the next meeting. Councilman Bennett will have the necessary background search completed on the new applicant so that final approval for all applications can be given at the next meeting.

Motion was made by Councilmember Brady to approve written request received from Shawnee County Parks and Recreation to use city hall for tumbling and craft classes. Motion was seconded by Councilmember Lindstrom and approved.

Mr. Ronald Whiteman was present to update the council on their progress to get something done to the lake near Silver Lake. Low water levels at the lake have resulted in fish kills and it also allows mosquitos to breed in weeds that grow in the lake

Regular session December 3, 1990 cont'd.

bed. Mr. Whiteman said that Shawnee County Commissioner Winnie Kingman has asked the health agency and public works to review this matter and make a recommendation as to what can be done to eliminate the low water problem that causes these fish kills and mosquitos. They will continue to keep the council updated as they would like the city to continue supporting their efforts to get this problem solved.

Council reviewed the city clerk job description. They then decided on an ad for a temporary part time clerk that will be published in the next issue of the St. Marys Star and for a week in the Topeka Capital Journal. The deadline for submitting the application will be 4:00 P.M. on December 14, 1990. Council will review the applications at the next meeting. Council agreed that the starting salary will be \$5.50 per hour with this rate being negotiable.

Mr. Sam Kelsey and Mr. Bill Frey representing the Silver Lake Senior Citizens were present to discuss the city possibly donating \$35000.00 to a community building. The city has passed a resolution donating this money but it was contingent on them receiving a grant from the Lions Club International Fund. They have not heard anything regarding this grant and have concluded that they were denied, so they have decided that they would like to begin construction with the \$33000.00 they have for the project and the \$35000.00 they would like the city to donate. They also stated that they can raise an additional \$17000.00 to add to their \$33000.00 making their total \$50000.00 by spring. They have determined that with this \$85000.00 and using a lot of volunteer labor they can build a usable building. The building would be owned by the city and would be used by the entire community. This matter was tabled until full council is present to vote on the \$35000.00 donation request. In the meantime, the city insurance agent will be contacted regarding whether or not we can use volunteer labor on a city project such as this. Mr. Frey will also have cost estimates at the next meeting.

The monthly police report was given by Councilman Bennett.

Council reviewed the results from the six (6) test wells drilled west of town. City Engineer Bob Palmer reported that he has discussed these results with Robert Vincent of Ground Water Associates, Inc. and there was only one (1) well that not only had an acceptable level of nitrate but also acceptable levels of iron and manganese. The nitrate level was 5.2 parts per million. Mr. Vincent would like two (2) additional test wells drilled in that area to determine if there is any change in water quality. Motion was then made by Councilman Rakestraw that two (2) additional test wells be drilled following the recommendation made by Mr. Vincent. Motion was seconded by Councilmember Brady and unanimously approved. Council asked Utility Supervisor Kalcik to determine who owns the property and to contact them regarding signing a temporary easement so these test wells can be drilled.

Mayor Butler advised that an inquiry has been made as to whether or not the city is going to put dirt along the sidewalk that was replaced on Pottawatomie. Kalcik will contact the contractor regarding this matter.

Council read a letter received from a individual who lives near Silver Lake that had asked to connect to the city water line but was denied by council. No action was taken.

Mayor Butler appointed Councilman Rakestraw as the alternate to serve on the Shawnee County Fire District No. 1 Board.

Motion was made, seconded and approved that council adjourn into executive session at 9:20 P.M. to discuss matter relating to personnel. Meeting was scheduled to resume at 9:35 P.M.

The regular session resumed at 9:35 P.M.

Regular session December 3, 1990 cont'd.

Motion was made by Councilman Rakestraw that the full time employees be given a \$250.00 Christmas Bonus and that the part time employees be given a \$50.00 Christmas Bonus. Motion was seconded by Councilmember Lindstrom and was unanimously approved.

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.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening, December 17, 1990, with Mayor Rodney Butler and the following Councilmembers present: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) Absent: Danny Huske (1).

The minutes from the last regular session held on December 3, 1990, 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 that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: William Bennett, Martha Brady, Susan Lindstrom, Kenneth Rakestraw (4) NAY: None. Ordinance was declared passed and given no. 1479.

Mayor Butler opened bids received for the \$100000.00 Certificate of Deposit that matures at Silver Lake Bank on December 20, 1990. The bids for the interest rate for a term of six (6) months were received as follows: Silver Lake Bank - 7.40% and Peoples State Bank - 6.85%. Motion was made by Councilman Rakestraw, seconded by Councilman Bennett and approved that the bid received from Silver Lake Bank be accepted.

Motion was made by Councilman Bennett that the Cereal Malt Beverage Applications received from Wehner's IGA, Gambino's Pizza, Casey's General Store, Uptown Bar and The Corner Bar be approved. Approval of the application from The Corner Bar was contingent upon the license fee and the additional fee being paid by a cashiers check or cash only. Motion was seconded by Councilmember Brady and approved.

Council continued discussion from the last meeting regarding possibly donating \$35000.00 towards a proposed Silver Lake Senior Citizens Community Building. Sam Kelsey and Walt Honeyman representing the Silver Lake Senior Citizens advised that they will be meeting with the Shawnee County Commissioners in the morning to ask that they consider giving \$15000.00 towards the construction of this building. The commissioners in the past have approved giving \$15000.00 towards the building but it was contingent upon the seniors acquiring a grant. They are pretty confident that the commissioners will give this \$15000.00 without this contingency. After further discussion, motion was made by Councilmember Brady that the city pay \$35000.00 towards the construction of a Silver Lake Senior Citizen Community Building. Provided, that the city's contribution be refunded in the event that the building project is abandoned. Motion was seconded by Councilmember Lindstrom and was unanimously approved.

Councilman Bennett left the meeting.

Utility Supervisor Kalcik reported that Strader Drilling has pulled the casings from the test water wells drilled west of town.

Kalcik also advised that he has put dirt along the sidewalk that was replaced on Pottawatomie.

Council reviewed the latest nitrate reading reported on December 13, 1990. The reading was 8.20 parts per million.

City Engineer Palmer informed council that Andrews and Walshire have completed the drain swale work that was included in the street improvement project for this year.

Motion was made, seconded and approved the council adjourn into executive session at 7:40 P.M. to discuss matters relating to land acquisition and the hiring of personnel. The meeting was scheduled to resume at 8:10 P.M.

The regular session resumed at 8:10 P.M.

Motion was made by Councilman Rakestraw that a resolution be adopted allowing the city to exercise its option to purchase real estate pursuant to the Contract to Sell and Option to Purchase Real Estate dated December 23, 1975. The amount of land to be purchased is the entire 17.9 acres with the purpose being to construct a third treatment cell just west of the existing two cell discharging sewage treatment facility. Motion was seconded by Councilmember Lindstrom and unanimously approved. City Attorney Hanson will contact the property owner immediately regarding this matter.

Motion was made by Councilmember Lindstrom that the applicant agreed upon in executive session be contacted and offered the position of temporary part time clerk at the starting salary established in executive session. Motion was seconded by Councilman Rakestraw and approved.

City Engineer Bob Palmer estimated it would cost between \$7500.00 and \$8000.00 to extend the sewer system to the proposed community building. He also determined that it would cost approximately \$1000.00 to move excess dirt from the east end of the property to the building site. Further discussion regarding this project will be held after a community building committee has been organized. Councilmember Brady volunteered to be the representative from the council to serve on this committee.

City Engineer Palmer explained that in regards to a letter received from the Kansas Department of Health and Environment, they will be adopting regulations requiring all public water suppliers to sample for volatile organic chemicals and several unrelated contaminants. He said regulations relating to public water supplies are becoming stricter and at some point a treatment plant will be necessary.

City Attorney Hanson reported that he is in the process of getting a signed temporary easement so two (2) additional test wells can be drilled on property west of town.

Council discussed but decided against increasing the service charge for checks returned for insufficient funds.

Hanson advised that in a letter received from the city insurance agent it was stated that they do not provide coverage for volunteers working on city projects. The insurance company would nonrenew this portion of the policy should the city decide to cover the volunteers working on the proposed community building. Walt Honeyman advised that he is familiar with this particular insurance situation and he feels that since this would be a one time basis only, the insurance company would not cancel this portion of the policy. He will do some further checking and advise the council of his findings.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 8:35 P.M.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk