

REGULAR SESSION MONDAY EVENING JANUARY 6, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening January 6, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Officer Call gave the monthly police report.

Officer Call presented council with information on a program the state offers to assist municipal courts in collecting delinquent accounts receivable such as traffic tickets. He explained how this programs works and suggested that City Attorney Hanson review the information on this program prior to council implementing it. No action was taken at this time.

Officer Call told council that D.A.R.E. classes are scheduled to begin on January 27, 2003. Officer Crow will be teaching these classes on Mondays thru Wednesdays.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on December 16, 2002 be accepted with the following correction being made: The following meeting will be held on Wednesday, January 22, 2003, due to the Martin Luther King Jr. holiday on January 20, 2003.

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 by Councilman Ross and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1899.

Councilman Boxberger gave the monthly financial report.

City Engineer Dekat was present to discuss why the 2002 Street Improvement was not completed in 2002 as planned. Dekat explained that Andrews Asphalt & Construction completed a portion of this project but could not complete the entire project due to the weather getting colder. Council and City Engineer Dekat agreed that Andrews Asphalt & Construction had plenty of time to complete this project after their contract was accepted in September. They recommended City Engineer Dekat contact Andrews Asphalt & Construction and ask that they provide a written response acknowledging that the remaining portion of this project will be a top priority this spring. Council also discussed requiring a deadline on all future street improvement projects.

City Engineer Dekat also reported that the Kansas Department of Health & Environment requested a few more monitoring reports to assure that the chemical Klenphos is continuing to keep the copper in the water system at acceptable levels. Dekat provided council with a chart showing that as of December 18, 2002, the copper level is still in compliance with regulations.

Motion was made by Councilman Ross to adopt the Water Drought/Emergency Ordinance as prepared with the assistance of the Kansas Rural Water Association. This ordinance authorizes the declaration of a water watch, warning or emergency; establishing procedures and voluntary and mandatory conservation measures; authorizing the issuance of administrative regulations; and prescribed certain penalties. Motion was seconded by Councilman Bryant and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1900.

Regular session January 6, 2003 cont'd.

City Clerk Stadler informed council that local access channel has been installed at the high school. The school district would like to have this channel operating within two (2) weeks.

Motion was made by Councilmember Bryant to approve written request received from the Shawnee County Election Office to use the community building on Tuesday, February 25, 2003 for the primary election and on Tuesday, April 1, 2003 for the general election. Motion was seconded by Councilmember Deiter and approved.

Utility Superintendent Kalcik provided council with a bid from Reddiservices to clean the wet wells. This maintenance should be done occasionally to remove grease from the inside of the wet wells. The bid was for \$155.00 per hour with a \$0.10 per gallon disposal fee. Motion was made by Councilman Ross, seconded by Councilman Kruger and approved that this bid be accepted.

Utility Superintendent Kalcik also informed council that the Kansas Department of Transportation has removed the "Jake Braking Prohibited" signs that Utility Superintendent Kalcik erected as the verbiage on the signs did not comply with their specifications. Council discussed whether or not to replace these signs. No action was taken at this time.

City Attorney Hanson has reviewed the information that Officer Call presented earlier in the meeting regarding the state program that assists municipal courts in collecting delinquent traffic tickets. Hanson indicated that this looks like a good program and recommended that Officer Call also review this information to make sure the city meets all of the participation criteria.

Council briefly discussed the lawsuit that is being filed on behalf of the League of Municipalities members against the State of Kansas. This lawsuit stems from a decision made by the Governor to withhold \$48 million in transfer payments to cities and counties. Mayor Smith indicated that he would contact the League of Municipalities again to determine if they have a breakdown of how much money the city will lose as a result of this action being taken by the Governor.

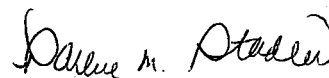
Council discussed the property that is for sale west of city hall. Councilman Kruger has talked to the property owner about the cost of this property and recommended that council look at the houses on this property prior to the next meeting. City Attorney Hanson explained financing options for this property.

Mayor Smith told council that Waste Management increased the cost of trash service \$5.00 per month. The monthly cost for the city will now be \$42.00.

Mayor Smith updated council on an upcoming Topeka/Shawnee Metropolitan Planning meeting.

It was noted that the next meeting is scheduled for January 22, 2003 at 5:30 P.M. Council will meet at 5:15 P.M. to look at the property for sale west of city hall.

With no further business to come before the council, Councilman Kruger moved to adjourn the meeting at 7:00 P.M. The motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION WEDNESDAY EVENING JANUARY 22, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening January 22, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Bill Ross (3) Absent: Jean Deiter, Mike Kruger (2).

Council exited the meeting to look at the property that is for sale west of city hall.

Charles McAtee, an Attorney from Topeka was present and asked that council consider adopting a Diversion Program for traffic offenses such as speeding. The only Diversion Program that the city currently offers is for D.U.I. offenses. He presented an Attorney General Opinion relating to this diversion issue along with some information concerning the City of Topeka Traffic Diversion Program. Mayor Smith advised Mr. McAtee that the city would have City Attorney Hanson review this information along with the criteria for Diversion Program participation. Also, City Attorney Hanson advised that he would prepare a cost estimate for initiating and operating a Diversion Program. Council also asked Officer Call to contact several other cities to determine if they have Diversion Programs.

A written complaint has been received from a resident concerning the size of the print that the Ledger uses to publish the city minutes. Bonnie Chockley, a representative from the Ledger was present and explained that the minutes are scanned and that this may make them a little difficult to read at times. Mrs. Chockley suggested that the city provide her the minutes in disk format as this might solve the problem. Mayor Smith indicated that he would write the complainant and advise that the Ledger is working to solve this problem. He will also mentioned that these minutes are published at no cost to the city.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on January 6, 2003 be accepted.

Council questioned the bill being paid to the Helping Hands Humane Society. Officer Call explained that the city has a contract with Helping Hands Humane Society and this bill is for dogs that the animal control officer has picked up and took to the shelter. He noted that it has been awhile since the city has been billed for dogs taken to the shelter.

A question was asked about the bill being paid to Bartlett & West Engineers. City Clerk Stadler indicated that this bill is for services City Engineer Dekat provided for the 2002 Street Repair Project.

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 by Councilman Ross and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Bill Ross (3) NAY: None. Ordinance was declared passed and was given no. 1901.

Council discussed the letter that City Engineer Dekat sent to Andrews Asphalt & Construction regarding the 2002 Street Repair Project not being completed in 2002 as planned. Dekat has requested that they provide a written response acknowledging that the remaining portion of this project will be a top priority this spring. As of this date, Andrews Asphalt & Construction has not responded to this letter. Council tabled this issue until the next meeting.

Mayor Smith presented council with information on City Hall Day at the Capitol scheduled for Thursday, January 30, 2003. The League of Kansas Municipalities sponsors this day at the capitol, which includes presentations by legislative leader and league staff. Mayor Smith and City Attorney Hanson are planning

Regular session January 22, 2003 cont'd.

on attending. Mayor Smith advised that if any other Councilmembers want to attend they must be registered by January 28, 2003. The cost per person is \$25.00 and the council authorized the city paying this registration fee.

Motion was made by Councilman Boxberger that \$300.00 be donated to the Silver Lake After Prom Party. Motion was seconded by Councilmember Bryant and approved.

Motion was made by Councilman Ross to approve the Farm Lease Agreement with Wendall Mohler, Dennis Mohler, Robert Mohler and Frank Dougan. The terms of this agreement are for the 2003 crop season and are the same as previous agreements. Motion was seconded by Councilmember Boxberger and approved.

Utility Superintendent Kalcik also reported that Reddiservices recently cleaned the wet wells. This maintenance is done occasionally to remove the grease from the inside of the wet wells. The city has not yet received a bill for these services.

Utility Superintendent Kalcik reported that lift station no. 3 is not working properly. He is trying to rectify this problem but will have to call and have it serviced if he is unable to make the repairs.

Motion was made by Councilman Ross that Utility Superintendent Kalcik attend the annual water and wastewater conference being held in Wichita on March 25 – 27, 2003. The fee for this conference is \$75.00 plus the cost for two (2) nights lodging. Motion was seconded by Councilmember Bryant and approved.

Officer Call told council that a Silver Lake resident has asked him when the city is planning on having the city wide clean up. After discussion council agreed to schedule the city wide clean up sometime this fall, possibly the Saturday after the city wide garage sales.

Council was advised that the filing deadline for city office was Tuesday, January 21, 2003 at Noon. Mayor Smith, Councilman Boxberger and Councilman Kruger have all filed for re-election.

Council commented on the good job that Utility Superintendent Kalcik and Building/Grounds Superintendent Taylor did on snow removal following a recent snowstorm. Councilman Boxberger made Utility Superintendent Kalcik aware of a complaint he received concerning some damage that was done to a yard.

Council briefly discussed the lawsuit that is being filed on behalf of the League of Kansas Municipalities members against the State of Kansas. This lawsuit stems from a decision made by the Governor to withhold \$48 million in transfer payments to cities and counties. Mayor Smith has researched this issue and said that it is possible that the city will not receive approximately \$33,000.00 in demand transfer payments. He will continue to try and confirm this amount.

The city has received a letter from the Kansas Department of Health & Environment regarding the Technical, Financial and Managerial Capacity Survey the city recently completed. This survey helps the Kansas Department of Health & Environment identify and address the priority needs of public water supply systems throughout the State of Kansas. The City of Silver Lake system's score was 19, which means the city is considered low priority in needing assistance from the state.

Regular session January 22, 2003 cont'd.

Mayor Smith reminded council that the Silver Lake Senior Citizens will be having their 11th Annual Pancake Feed on February 8, 2003, from 7:00 A.M. to 12:00 Noon. This pancake feed will be held at the Silver Lake Community Building.

Mayor Smith gave Utility Superintendent Kalcik some information on an OSHA Compliance Update Workshop that is being held in Topeka on March 12, 2003. Kalcik will review this information to determine if he should attend.

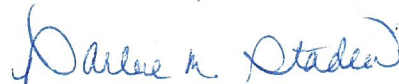
Mayor Smith provided council with information on several House Bills that will be considered by the legislature in the near future.

Mayor Smith told council that he would like Councilmember Deiter and Councilman Kruger to look at the property that is for sale west of city hall prior to making any decisions on the property. City Clerk Stadler will contact both of them when they get back in town about meeting with the property owner to look at this property.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that council adjourns into executive session at 6:25 P.M. to discuss matters relating to land acquisition. The regular session was scheduled to resume at 6:40 P.M. City Attorney Hanson was asked to be present during this session.

The regular session resumed at 6:40 P.M.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 6:40 P.M. The motion was seconded by Councilman Boxberger and approved.



Darlene M. Stadler,
City Clerk

SPECIAL SESSION WEDNESDAY JANUARY 29, 2003

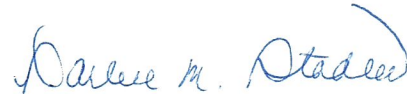
The Governing Body of the City of Silver Lake met in special session at city hall on Wednesday, January 29, 2003 with Mayor Mack Smith and the following Councilmembers present: Dave Boxberger, Nancy Bryant, Bill Ross (3) Absent: Jean Deiter, Mike Kruger (2).

Motion was made by Councilman Boxberger, seconded by Councilman Ross and approved that council adjourns into executive session at 12:00 Noon to discuss matters relating land acquisition. The regular session was scheduled to resume at 12:15 P.M. City Clerk Stadler was present during this executive session.

The regular session resumed at 12:15 P.M.

It was noted that the next meeting is scheduled for February 3, 2003 at 5:30 P.M. The following meeting will be held on Wednesday, February 19, 2003, due to the Presidents' Holiday on February 17, 2003. This meeting will also begin at 5:30 P.M.

There being no further business to come before the council at the present time, by motion duly made and carried the meeting adjourned at 12:15 P.M.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING FEBRUARY 3, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening February 3, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: Nancy Bryant, Jean Deiter, Bill Ross (3) Absent: David Boxberger, Mike Kruger (2).

Motion was made by Councilman Ross, seconded by Councilmember Deiter and approved that the minutes from the last regular session held on January 22, 2003 and the special session held on January 29, 2003 be accepted.

Motion was made by Councilmember Deiter to renew the Certificates of Deposit that are maturing at Silver Lake Bank on February 20, 2003. Motion was seconded by Councilmember Bryant and approved.

Council reviewed the monthly financial report prepared by Councilman Boxberger.

Mayor Smith told council that City Clerk Stadler has included the 4th quarter of 2002 and the year end 2002 financial reports in their packets.

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 by Councilman Ross and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: Nancy Bryant, Jean Deiter, Bill Ross (3) NAY: None. Ordinance was declared passed and was given no. 1902.

Mayor Smith discussed the letter that City Engineer Dekat sent to Andrews Asphalt & Construction regarding the 2002 Street Repair Project not being completed in 2002 as planned. Dekat has requested that they provide a written response acknowledging that the remaining portion of this project will be a top priority this spring. As of this date, Andrews Asphalt & Construction has not responded to this letter.

Officer Call gave the monthly police report.

Officer Call told council that he has contacted several cities to determine if they offer Diversion Programs. He explained the different programs that are offered and the fees that are charged. Council asked Officer Call to meet with City Attorney Hanson about this matter prior to the next meeting, as council would like to know the criteria for Diversion Program participation. City Attorney Hanson has also advised that he would prepare a cost estimate for initiating and operating a Diversion Program.

Motion was made by Councilman Ross that Officer Call attend Kansas Narcotics Officers Association Annual Conference being held in Wichita next month. The fee for this conference is \$80.00 plus the cost for four (4) nights lodging. Motion was seconded by Councilmember Deiter and approved.

Motion was made by Councilmember Bryant that Officer Call be authorized to purchase needed leather equipment with the price not to exceed \$300.00. Motion was seconded by Councilmember Deiter and approved.

Building/Grounds Superintendent Taylor reported that repairs have been made to lift station no. 3 and it is now working properly.

Brief discussion was held concerning the property that is for sale west of city hall. Council has decided not to further consider the purchase of this property.

Regular session February 3, 2003 cont'd.

Mayor Smith reminded council that the Silver Lake Senior Citizens will be having their 11th Annual Pancake Feed on February 8, 2003, from 7:00 A.M. to 12:00 Noon. This pancake feed will be held at the Silver Lake Community Building.

Mayor Smith mentioned several House Bills that will be considered by the legislature in the near future.

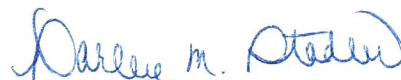
A letter has been received from the Shawnee County Audit-Finance Office regarding distribution dates for taxes collected during 2003. Mayor Smith asked City Clerk Stadler to compare these distribution amounts with the amounts received last year.

The Kansas Department of Health & Environment has sent a letter regarding the Consumer Confidence Report requirements. All public water supply systems are required by the State Drinking Water Act to provide their customers with an annual water quality report. This report must be distributed to customers by July 1, 2003. A Certificate of Delivery, certifying when and how the report was delivered to your customers is due in the state office by October 1, 2003. Utility Superintendent Kalcik will be directed to proceed with these reporting requirements.

A comment was made concerning the last minutes that were published in the Ledger. After a complaint was received at the last meeting concerning the size of the print of the minutes, the council decided to provide the Ledger a copy of the minutes in disk format. The size of the print has improved with this new format.

Mayor Smith and City Attorney Hanson attended City Hall Day of the Capitol on Thursday, January 30, 2003. Mayor Smith told council that this day was very informative with presentations by legislative leaders and league staff.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 6:05 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION WEDNESDAY EVENING FEBRUARY 19, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening February 19, 2003 with President of Council, Jean Deiter conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (5) Absent: Mayor Mack Smith (1).

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on February 3, 2003 be 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 by Councilmember Bryant and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1903.

Council reviewed information received from the State of Kansas regarding the 48.8 million Demand Transfer Reductions as Ordered by the Governor in FY 2003. The amount of Demand Transfer Reductions for the City of Silver Lake was \$6,728.67.

The Kaw Valley Heritage Alliance has provided the city with information concerning the "Rolling Down the River Festival" scheduled for mid-September. This month long event is a series of educational programs held from one end of the Kaw Valley to the other. This matter was tabled until the next meeting, as council would like Mayor Smith to review this information.

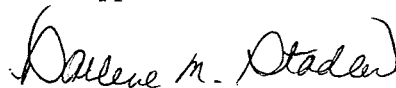
A letter has been received from Brad Snyder with Energy Management Group, advising they would like to evaluate the City's electric and natural gas accounts as part of an energy assessment audit. Council agreed that they should meet with Mr. Snyder about this proposed audit prior to making any decisions. City Clerk Stadler will contact Mr. Snyder about attending a meeting in March.

Council briefly discussed the upcoming primary election.

Councilman Boxberger asked if Andrews Asphalt & Construction has replied to the letter that City Engineer Dekat sent them regarding the 2002 Street Repair Project not being completed in 2002 as planned. City Clerk Stadler indicated that they have not responded to this letter. City Clerk Stadler will contact City Engineer Dekat about this issue.

Due to scheduling conflicts, the meeting scheduled for March 3, 2003 will begin at 5:00 P.M. instead at 5:30 P.M.

With no further business to come before the council, Councilman Boxberger moved to adjourn the meeting at 5:50 P.M. The motion was seconded by Councilman Ross and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MARCH EVENING MARCH 3, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening March 3, 2003 with President of Council, Jean Deiter conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Bill Ross (4) Absent: Mike Kruger, Mayor Mack Smith (2).

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on February 19, 2003 be approved.

Councilman Boxberger gave the monthly financial report.

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 by Councilmember Bryant and seconded by Councilman Boxberger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1904.

City Clerk Stadler advised that Andrews Asphalt & Construction has replied to the letter that City Engineer Dekat sent them regarding the 2002 Street Repair Project not being completed in 2002 as planned. Michael Walshire the Project Manager has advised that the city street projects for 2002 will be their top priority when the 2003 construction season begins. Council discussed starting the plans for the 2003 Street Repair Project during the next couple of months in order to prevent a similar delay in the completion of the project. Further discussion will be held when Utility Superintendent Kalcik is present.

Officer Call gave the monthly police report.

Officer Call updated council on circumstances concerning the bank robbery that occurred in Silver Lake in December.

The U.S. Department of Agriculture has presented the city with a Power of Attorney form for all FSA and CCC Programs. This form gives Robert J. Mohler the authority to sign on behalf of the city all documents relating to the FSA and CCC Programs needed for the city property that he leases and farms. Councilmember Deiter executed this form.

Councilman Kruger entered the meeting at 5:30 P.M.

Building/Grounds Superintendent Taylor told council that the bed of the 1988 GMC truck has rusted out. He has received two (2) bids and the lowest bid of \$1,300.00 was received from Rossville Machine and Weld. This bid includes removing the old bed and replacing it with a new metal bed. It was noted that if the city decides to sell this truck, this new bed could be transferred to the new truck. Motion was made by Councilman Ross, seconded by Councilmember Bryant and approved that the bid of \$1,300.00 received from Rossville Machine and Weld be accepted.

Building/Grounds Superintendent Taylor told council that they would like to purchase a power washer for the shop. He noted that the purchase of a power washer is included the 2003 Budget. Council asked Taylor to obtain prices for power washers and present them at a future meeting.

Regular session March 3, 2002 cont'd.

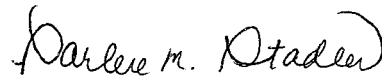
Officer Call asked council to consider purchasing shoes for full time police officers. Previous councils have chosen not to provide shoes for police officers or utility employees. After discussion council agreed to table this issue until Mayor Smith is present, as they would like his opinion prior to taking final action.

City Attorney Hanson reported that he has researched the criteria for Diversion Program participation but would like to wait until Mayor Smith is present to discuss it with council.

Council was advised that Mayor Smith's father passed away last week. They agreed that \$50.00 should be donated to the memorial fund. If there is no memorial fund established, City Clerk Stadler was instructed to purchase a plant after Mayor Smith returns home.

Councilman Ross told council that he would not be able to attend the next meeting that is scheduled for March 17, 2003 at 5:30 P.M. Councilmember Bryant indicated that she may not be able to attend but would let City Clerk Stadler know as soon as possible.

With no further business to come before the council, Councilmember Bryant moved to adjourn the meeting at 5:55 P.M. The motion was seconded by Councilman Boxberger and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MARCH EVENING MARCH 17, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening March 17, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger (4) Absent: Bill Ross (1).

Motion was made by Councilman Boxberger, seconded by Councilman Kruger and approved that the minutes from the last regular session held on March 3, 2003 be approved.

Council briefly discussed the bill being paid tonight to renew the city insurance policy with Bolz Insurance, Inc.

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 by Councilmember Bryant and seconded by Councilmember Deiter that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger (4) NAY: None. Ordinance was declared passed and was given no. 1905.

A Silver Lake resident was present to discuss issues concerning the recent drug arrests in Silver Lake. Officer Call addressed her concerns. This resident also expressed concern about the number of vehicles sitting on the property where these drug arrests occurred. Officer Call stated that all of the vehicles sitting on this property are properly tagged.

Council discussed donations for the 2003 ball diamond upkeep. Mike Burton was present representing the American Legion and Jason Seele was present representing the Silver Lake Ball Association. They both updated council on the diamond upkeep projects they have planned for this year. Council discussed whether or not they could continue donating comparable amounts as in previous years due to deductions in fund transfers from the State of Kansas. They agreed that these deductions in fund transfers won't affect the ball diamond donations this year but it may affect the donations for next year. Motion was then made by Councilmember Bryant that \$2,000.00 be donated to the Silver Lake Ball Association and \$1,000.00 be donated to the American Legion for ball diamond upkeep. Motion was seconded by Councilman Kruger and approved.

Part Time Officer Brad Snyder was present and told council that he recently presented plaques of appreciation to Herman Stehlin, Sam Kelsey and Lowell Koelling for the many years they have assisted with the Bicycle Safety Rodeo.

Mr. Brad Snyder and Mr. Greg Wright with Emergency Management Group, L.L.C. were present and advised council that they would like the opportunity to evaluate the City's electric and natural gas accounts as part of an energy assessment audit. They explained that the purpose of this audit is to research energy savings. They presented an Energy Assessment Agreement for council to review. Motion was made by Councilman Kruger that the city present this Energy Assessment Agreement to City Attorney Hanson for his review prior to proceeding with this agreement. Motion was seconded by Councilmember Deiter and approved.

Utility Superintendent Kalcik updated council on the 2002 Street Repair Project. He indicated that they are replacing the curb and guttering in front of city hall and they wanted to know if the city wanted to extend the curb and guttering an additional 53 feet to the east. Andrews Asphalt & Construction gave him the estimated cost for extending this curb and guttering but council instructed him to obtain an additional quote

Regular session March 17, 2003 cont'd.

from another company. They advised Utility Superintendent Kalcik to proceed with the lowest price for this project. Council discussed the crack sealing that was done to the parking lot at city hall. It appears the sealant did not work as the cracks look like they did before the sealant was put down. Utility Superintendent Kalcik was asked to contact City Engineer Dekat about this matter.

The Kaw Valley Heritage Alliance has provided the city with information concerning the "Rolling Down the River Festival" scheduled for mid September. This month long event is a series of educational programs held from one end of the Kaw Valley to the other. Council reviewed this information but no action was taken at this time.

Motion was made by Councilman Boxberger that \$100.00 be donated to the Annual Community Easter Egg Hunt. This event has been scheduled for April 12, 2003. Motion was seconded by Councilmember Bryant and approved.

Assistant City Attorney Tom Barnes was present and advised they have researched the cost to initiate and operate a diversion program for traffic offenses such as speeding. At a previous meeting, Charles McAtee, an Attorney from Topeka asked council to consider adopting a diversion program for such offenses as the only diversion program the city offers is for D.U.I offenses. Assistant Attorney Barnes indicated that the cost to initiate and operate a diversion program would be costly and therefore recommended that the council elect not to participate in the diversion program. After considering this recommendation, council agreed not to proceed any further with the request to initiate a diversion program.

A letter has been received from Personal Technology Consultants, L.L.C. requesting the use of the water tower for an antenna to service homes in the Silver Lake area. Council agreed that they would like a representative from Personal Technology Consulting, L.L.C. to attend the next meeting to discuss this request with council.

Motion was made by Councilman Boxberger, seconded by Councilmember Deiter and approved that a power washer be purchased for the shop with the price not to exceed \$1,200.00.

Council was reminded that Officer Call would be attending the Kansas Narcotics Officers Association Annual Conference being held in Wichita this month.

The annual Bicycle Safety Rodeo has been scheduled for April 26, 2003. The alternate rain date is April 27, 2003.

Council continued discussion from the last meeting concerning a request from Officer Call for council to consider purchasing shoes for the full time police officers. Previous councils have chosen not to provide shoes for the police officers or utility employees. Mayor Smith explained that in the past it was decided that shoes would have to be purchased for all full time and part time police officers and utility employees. This could become costly if shoes were purchased on a regular basis. The city would also have to regulate what type of shoes they wear. After further consideration, motion was made by Councilman Boxberger to leave this policy as is. Employees will continue purchasing their own shoes. Motion was seconded by Councilman Kruger and approved.

Discussion was held concerning the Part Time Summer Help position. Building/Grounds Superintendent Taylor will be asked to contact Mindy Pfannenstiel and ask if she is interested in this position. Ms.

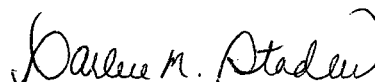
Regular session March 17, 2003 cont'd.

Pfannenstiel has held this part time position for the last several years. Brief discussion was held concerning the salary for this position.

Council discussed starting the plans for the 2003 Street Repair Project. Utility Superintendent Kalcik was asked to prepare a street repair priority list prior to the next meeting.

It was noted that the next meeting is scheduled for April 7, 2003 at 5:30 P.M. The following meeting will be held on April 21, 2003. This meeting will also begin at 5:30 P.M.

With no further business to come before the council, Councilman Kruger moved to adjourn the meeting at 7:25 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MARCH EVENING APRIL 7, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening April 7, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Mayor Smith introduced Rex Kraus, Mayor of Eskridge, to the council. He noted that he was present to observe the meeting.

Motion was made by Councilmember Deiter, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on March 17, 2003 be approved.

Councilman Boxberger gave the monthly financial report.

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 by Councilmember Bryant and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1906.

Motion was made by Councilmember Deiter, seconded by Councilman Ross and approved that David Stadler be appointed to vote for the City of Silver Lake at the annual meeting to elect supervisors for Tri-County Drainage District No. 1.

Council reviewed the monthly police report prepared by Officer Call. Mayor Smith questioned why there were no police officers present tonight. Councilmember Deiter noted that Officer Call asked for the evening off and that Officer Crow would be attending the next meeting scheduled for April 21, 2003.

Mr. Todd Beemer with Personal Technology Consulting, LLC was present and advised that his company is in the process of expanding their wireless broadband internet access service to towns around the Topeka area. He indicated they would like to use the water tower to service homes within a four (4) mile radius of the Silver Lake area. He distributed an illustration of the antenna that would be mounted on the tower. Mayor Smith expressed his concern about this antenna interfering with the Verizon Wireless antenna that is already mounted on the tower. Mr. Beemer indicated that he would guarantee that their antenna would not interfere with the Verizon Wireless equipment or service. Council asked Mr. Beemer to prepare a proposal for council to review. This proposal should include the monthly rent they would pay the city. Mr. Jim Yette with MidUSA Wireless was present and advised that his company would also like to erect an antenna on the water tower to provide wireless broadband internet service to the area. He indicated they thought the city was no longer allowing antennas on the water tower. Therefore, they never made a request. Mayor Smith indicated that both companies should submit a proposal for council to review at the next meeting. The deadline for submitting these proposals is 12:00 Noon on April 21, 2003.

City Engineer Dekat was present to update council on the 2002 Street Repair Project. He indicated they are waiting for the grate that is needed to complete the patching project in the alley that adjoins 101 Madore. The asphaltic overlay and storm sewer project on Thomas Road has been delayed because the contractor wants to reevaluate this project due to fiber optic being in this area. The parking lot seal coat at the community building will be completed as soon as weather permits. Council indicated that the parking lot seal coat that was done at city hall is not satisfactory. The cracks are just as bad as they were prior to

Regular session April 7, 2003 cont'd.

the seal coat being put down. City Engineer Dekat indicated that he would discuss this issue with Andrews Asphalt & Construction.

City Engineer Dekat also mentioned that Utility Superintendent Kalcik was having trouble with the chemical Klenphos clogging up the injector line of the well. He indicated that this problem has been taken care of and it is now working properly.

Utility Superintendent Kalcik asked council if they want to have the streets cleaned this year. He said that Delta Street Sweeping charges \$115.00 per hour port to port. Council agreed that the streets should be cleaned but suggested that he contact the county public works department regarding this issue prior to proceeding with Delta Street Sweeping.

Utility Superintendent Kalcik asked council if they want him to purchase additional mosquito magnets this year. He noted that there is \$4,000.00 included in the 2003 Budget for mosquito magnets. Council discussed with Kalcik the continuous problems with mosquitoes and the effectiveness of the mosquito magnets. Motion was then made by Councilman Ross that Utility Superintendent Kalcik purchase three (3) mosquito magnets at a cost of \$1,200.00 per magnet. Motion was seconded by Councilman Kruger and approved. Council also asked Utility Superintendent Kalcik to provide them with mosquito insecticide costs and safety information.

Council discussed starting the plans for the 2003 Street Repair Project. Utility Superintendent Kalcik presented council with a street repair priority list. Council asked Kalcik if he would be willing to contact several contractors about their cost per square foot for street projects as they would like him to oversee as much of the 2003 Street Repair Project as possible.

The city has received a request from the Shawnee County Health Agency to use the community building for a Mass Pharmaceutical and Immunization Potential Distribution Site. They would only use the building for this site if an emergency situation exists. Council approved this request and asked City Clerk Stadler to complete the questionnaire as requested.

City Clerk Stadler advised council that Mindy Pfannenstiel has accepted the position of Part Time Summer Help. She will start work as soon as school is out.

Councilman Ross told council that he would like to look at other health insurance options for the employees prior to the renewal date this fall. City Clerk Stadler was instructed to contact Blue Cross & Blue Shield and obtain information on other health plans available. She will also contact the League of Kansas Municipalities to see if they have any information concerning insurance options for municipalities.

Councilman Kruger questioned the current agreement the city has with Shawnee County Fire District No. 1 in regards to their use of the city building.

Council discussed the police officers schedule for the month of April. Councilmember Deiter will talk to Officer Call about some concerns the council has with this schedule.

Mayor Smith reminded council that the Bicycle Safety Program has been scheduled for April 26, 2003, 1:00 P.M. to 3:00 P.M.

The Annual City Wide Easter Egg Hunt is scheduled for April 12, 2003 at 11:00 A.M.

Regular session April 7, 2003 cont'd.

Utility Superintendent Kalcik recently attended the annual water and wastewater conference held in Wichita. He noted that this was a very informational conference.

Mayor Smith updated council on a municipal court issue.

Mayor Smith told council that City Attorney Hanson is reviewing the Energy Assessment Agreement prepared by Energy Management Group, L.L.C. Further discussion concerning this agreement will be held when City Attorney Hanson is present.

Mayor Smith thanked council for the monetary donation in memory of his father who died recently.

With no further business to come before the council, Councilmember Bryant moved to adjourn the meeting at 7:15 P.M. The motion was seconded by Councilman Boxberger and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING APRIL 21, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening April 21, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Silver Lake resident Bonnie Chockley was present to discuss the proposal council received for expanding wireless broadband internet access service to town. Mrs. Chockley indicated that she uses MidUSA Wireless and they provide a quality service.

Silver Lake resident Janie Warren was present to confirm that the two (2) pit bulls have been removed from the property across the street from her house. She was advised that the owners of the dogs have taken them out of the city limits. She thanked Officer Call and Officer Crow for assisting with this matter.

Motion was made by Councilmember Deiter, seconded by Councilmember Bryant and approved that the minutes from the last regular session held on April 7, 2003 be 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 by Councilmember Bryant and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1907.

Mayor Smith reported that the city has received one (1) proposal for providing wireless broadband internet access service. Mr. Yette with MidUSA Wireless advised that his company would probably be the only one submitting a proposal, as Mr. Todd Beemer with Personal Technology Consulting, Inc. does not want to duplicate services. Mr. Yette also indicated this internet service might not be available to all residents because of the location of their homes. City Attorney Hanson was asked to review this proposal prior to the next meeting.

City Attorney Hanson has reviewed the Energy Assessment Agreement presented by Energy Management Group, L.L.C. They presented this agreement, as they would like the opportunity to evaluate the City's electric and natural gas accounts as part of an energy assessment audit. City Attorney Hanson told council that Kansas Rural Water Association would provide this service to the city at no cost. He also noted that the city's electric and natural gas providers would also provide this audit service if requested. Also, City Attorney Hanson indicated that council can not obligate the city for more than (1) year and this agreement would obligate the city for three (3) years. Motion was then made by Councilman Ross to decline the Energy Assessment Agreement presented by Energy Management Group, L.L.C. Motion was seconded by Councilman Boxberger and approved.

Utility Superintendent Kalcik told council that he has nothing to report in regards to the 2002 Street Repair Project. Councilman Kruger advised that prior to the next meeting he will contact City Engineer Dekat regarding this matter.

Council discussed the plans for the 2003 Street Repair Project. They directed Utility Superintendent Kalcik to meet with City Attorney Hanson prior to the next meeting regarding the preparation of the bid package for this project.

Regular session April 21, 2003 cont'd.

City Clerk Stadler told council that she contacted Blue Cross & Blue Shield regarding information on other health plans available. She was informed that they will not provide information on other options available until sixty (60) days prior to the renewal date. Mayor Smith mentioned forming a committee to review insurance options prior to the renewal date. Further action will be taken at a future meeting.

Mr. Eldon Roberson was present to discuss a problem with drainage from Lakeland Subdivision to the inlet tube on the property north of Casey's General Store. Utility Superintendent Kalcik indicated that the city has a drainage easement in this area but it is the responsibility of the property owner to maintain this drainage ditch. Council asked Utility Superintendent Kalcik to follow up on this matter and talk to all property owners about maintaining their portion of the easement. If they do not maintain their portion of the easement, the city will maintain it and bill them accordingly.

Mr. Roberson also mentioned that some of the streets in Lakeland Subdivision are starting to develop cracks. Council instructed Utility Superintendent Kalcik to follow up on this matter.

Council was advised that the United Methodist Church is extending their church parking lot and they would like to have some of the asphalt millings from the 2003 Street Repair Project. Utility Superintendent Kalcik will look into this request.

Councilman Boxberger asked Eldon Roberson questions concerning the excavation being done in the new subdivision. Mr. Roberson explained they are constructing a catch basin for drainage in the new subdivision. After the ground dries, the adjoining property owners will seed and landscape this area.

A Silver Lake resident was present to ask whether or not a garage behind a house in Silver Lake could be converted into a small residence for a member of their family. City Attorney Hanson explained that city code permits only one (1) single family dwelling structure per lot. These code regulations are intended to control density of population and to provide adequate open space around structures. Hanson indicated that it is possible to split lots but they probably would not be able to meet the required 10,000 square feet per lot. Utility Superintendent Kalcik was instructed to research this issue further.

Utility Superintendent Kalcik presented council with mosquito insecticide costs and safety information. He noted that he currently has enough spray to last approximately two (2) months. Council briefly discussed the other options that have been used in the past to control the mosquitoes. Mayor Smith noted that these options were not effective. Utility Superintendent Kalcik indicated he would begin spraying in May. He will spray on Wednesday as he has done in the past.

Officer Call thanked everyone for the gift certificate they gave his family after the birth of his son.

Officer Call reminded council that the Bicycle Safety Program has been scheduled for April 26, 2003, 1:00 P.M. to 3:00 P.M.

Motion was made by Councilman Ross, seconded by Councilman Kruger and approved that Officer Crow be authorized to purchase the materials needed for the 5th Grade D.A.R.E. Graduation that is scheduled for May 5, 2003 at 7:00 P.M. The total cost for these materials is \$629.22.

Officer Call asked council to consider enrolling the police officers in Kansas Police and Fire Retirement instead of Kansas Public Employees Retirement System. City Clerk Stadler was instructed to research this matter prior to the next meeting.

Regular session April 21, 2003 cont'd.

Utility Superintendent Kalcik reported that the state recently swept the streets in the downtown area. He contacted Delta Street Sweeping and they advised that they would sweep the remaining streets when they are in the area. Kalcik was instructed to cancel their service if the current rains clean the streets.

Councilman Kruger inquired about the recent problem with pit bulls in Silver Lake. Officer Call reported that the current ordinance was enforced and the pit bull owners removed them from Silver Lake.

Councilmember Deiter advised that she would like to see the city purchase holiday flags. She indicated that she would be looking at different styles available.

Council was advised that the Annual City Wide Easter Egg Hunt went well. Mayor Smith told Silver Lake Resident Janie Warren that council appreciates all their hard work in making this event a success.

Mayor Smith updated council on House Bill No. 2212. This bill which was recently vetoed by Governor Sebelius related to annexation.

Mayor Smith told council he received a letter from the Shawnee County Recycling Department advising they are looking for individuals who would like to serve on the Shawnee County Solid Waste Management Planning Committee. Mayor Smith must appoint several individuals to serve on this committee. No action was taken.

Officer Call told council that he received valuable training at the Kansas Narcotics Officer Annual Conference he attended recently.

It was noted that the next meeting is scheduled for May 5, 2003 at 5:30 P.M. The following meeting will be held on May 19, 2003. This meeting will also begin at 5:30 P.M.

City Attorney Hanson discussed the pit bull issue further. He explained the current ordinance and how the process works. He noted that it is an enforceable ordinance.

With no further business to come before the council, Councilmember Bryant moved to adjourn the meeting at 7:10 P.M. The motion was seconded by Councilman Boxberger and approved.

Darlene M. Stadler

Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING MAY 5, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening May 5, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (4) Absent: David Boxberger (1).

Motion was made by Councilman Ross, seconded by Councilmember Bryant and approved that the minutes from the last regular session held on April 21, 2003 be approved.

Council reviewed the monthly financial report prepared by Councilman Boxberger.

Motion was made by Councilman Ross to renew the Certificate of Deposit that matures at Silver Lake Bank on May 20, 2003. Motion was seconded by Councilman Kruger 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 by Councilman Ross and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1908.

City Engineer Dekat was present to discuss the 2002 Street Repair Project. He informed council that the drainage catch basin project on Thomas Road has been changed to a drainage swale project due to telephone fiber optic that is buried in this area. This swale will run along the west side of Thomas Rd. Dekat indicated the bill for this project would be changed accordingly, as the cost for the swale will be less than the catch basin. The parking lot seal coat at the community building will be completed as soon as weather permits. They will also re-seal the parking lot at city hall, as it was not done satisfactorily in the fall. The cracks are as bad as they were prior to the seal coat being put down. City Engineer Dekat indicated that he discussed the delay in completing this project with Andrews Asphalt & Construction. He reminded council that the contract for this project was not signed until October 12, 2002.

City Attorney Hanson reported that Mid USA Wireless has presented a Lease Agreement for erecting an antenna on the water tower located on Railroad Ave. Mid USA Wireless decided not to proceed with the Lease Agreement for erecting an antenna on the water tower located on E. Lake as they do not want to wait thirty (30) days for Verizon Wireless to review and approve their information. City Attorney Hanson explained the terms of this agreement to council. He noted that he needs to make several changes to this agreement. These changes include an equipment removal deadline of ninety (90) days after the agreement is terminated and a clause stating that if the tower coating is damaged it must be repaired immediately. Motion was made by Councilman Ross that this Lease Agreement with Mid USA Wireless be approved providing that Mid USA Wireless is agreeable to the changes made by City Attorney Hanson. Motion was seconded by Councilmember Bryant and approved. City Attorney Hanson noted that this is not an exclusive agreement. Council can consider other requests to use the tower for this purpose.

City Attorney Hanson told council he is preparing the bid packet for the 2003 Street Repair Project. He will meet with Utility Superintendent Kalcik about this packet after it is completed. It will then be ready for bid letting.

Accordance with the statues, Mayor Smith presented to council for their approval the following names for appointive offices to the City of Silver Lake: City Clerk - Darlene Stadler, Assistant City Clerk - Deloris Bell, Utility Superintendent - Russell Kalcik, Building/Grounds Superintendent - Ronald Taylor, Chief of Police - Randall Call, Police Officer - Kent Crow, Part Time Police Officer - Bradley Snyder, Part Time

Regular session May 5, 2003 cont'd.

Police Officer – Tracey Trammel, Part Time Police Officer – Anthony Garcia, Part Time Police Officer – Rick Miller, Part Time Light Custodian – Monica Juedes-Essman, City Attorney – Gary Hanson, Assistant City Attorney – Tom Barnes, City Judge – Karen Wittman, City Engineer – Greg Dekat. By motion duly made by Councilmember Deiter, the council approved the list of names submitted by Mayor Smith for their appointive positions for a term of one (1) year. Motion was seconded by Councilman Kruger and approved.

A written request has been received from Shawnee County Parks and Recreation to use the community building for two (2) upcoming classes. They would like use of the building on Monday and Wednesday evenings beginning June 2, 2003 for aerobics and on Saturday, June 28, 2003 for an Emergency Preparation Class. Motion was made by Councilmember Bryant seconded by Councilman Ross and approved that these requests be accepted.

Officer Call gave the monthly police report.

Officer Call updated council on some recent vandalism in Silver Lake. He indicated that other towns have curfews to help control vandalism problems. No action was taken on this issue.

Officer Call reported lower attendance than previous years at the Bicycle Safety Rodeo that was held on April 26, 2003. He noted that the participants were younger than usual.

Mayor Smith noted that he would not be able to attend the D.A.R.E. Graduation tonight as he is going out of town.

Utility Superintendent Kalcik told council that last year he did not start spraying for mosquitoes until June. He indicated that this year he would begin spraying as soon as mosquitoes start hatching.

Council was advised that Part Time Summer Employee Mindy Pfannenstiel should start work in approximately two (2) weeks.

Utility Superintendent Kalcik told council he followed up on the complaint received regarding a problem with drainage from Lakeland Subdivision to the inlet tube on the property north of Casey's General Store. The city has a drainage easement in this area but it is the responsibility of the property owner to maintain this easement. Kalcik indicated he has talked to the property owners about maintaining their portion of the easement. They indicated they would clean their portion of the easement and burn the debris.

Council was advised that several property owners were sent weed notices as their weeds are in violation of the weed ordinance. If they do not cut the weeds within ten (10) days from receipt of this notice, the city will cut them and they will be billed for the costs. If they fail to pay these costs, it will be added to the property taxes as a special assessment. Council briefly discussed increasing the costs the city charges for mowing. Further discussion will be held at a future meeting.

Council discussed investment options available to municipalities. City Attorney Hanson explained other options available.

Council reviewed information concerning the services provided by Worksite Solutions. No action was taken.

Regular session May 5, 2003 cont'd.

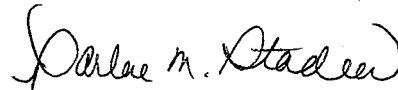
Councilman Ross exited the meeting at 6:25 P.M.

Mayor Smith updated council on information City Clerk Stadler received concerning Kansas Police and Fire Retirement. If the city enrolled in this retirement system, both full time officers would have to participate. No action was taken.

Mayor Smith told council that the U.S. Department of Justice has sent a letter regarding the National Night Out scheduled for Tuesday, August 5, 2003. A copy of this letter is included in their packets for review.

Council discussed a possible change to the next meeting time due to several conflicts. The meeting will be held at 8:00 A.M. on May 19, 2003 if there are not enough council members that can attend at 5:30 P.M. on May 19, 2003.

With no further business to come before the council, Councilmember Bryant moved to adjourn the meeting at 6:30 P.M. The motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION TUESDAY MORNING MAY 20, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Tuesday morning May 20, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) Absent: Jean Deiter (1).

Motion was made by Councilman Ross, seconded by Councilman Kruger and approved that the minutes from the last regular session held on April 21, 2003 be approved as amended by Mayor Smith.

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 by Councilman Ross and seconded by Councilman Boxberger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1909.

Officer Crow advised council that the Kansas Highway Patrol Training Academy in Salina is offering several training courses in June that he and Officer Call would like to attend. The hours for these courses will go towards their mandatory training hours for the year. Council approved their request to attend. Officer Crow noted that no lodging would be required.

Building/Grounds Superintendent Taylor told council the Silver Lake Senior Citizens would like to construct a flowerbed in front of the community building. Motion was made by Councilman Ross, seconded by Councilmember Bryant and approved that the senior citizens proceed with this project. Council appreciates their efforts to beautify the community building.

Council was advised that Part Time Summer Employee Mindy Pfannenstiel should start work sometime next week.

City Clerk Stadler reported that City Attorney Hanson has provided a Lease Agreement to Mid USA Wireless for erecting an antenna on the water tower located on Railroad Ave. Hanson has not received a response from them in regards to this Lease Agreement.

Mayor Smith told council that mosquito spraying normally begins in June, but the mosquitoes have started hatching and he would like the spraying to start as soon as possible.

City Clerk Stadler updated council on the weed notices that were sent out to property owners that are in violation of the weed ordinance. The city has mowed one (1) of these properties as the owner failed to cut the weeds within ten (10) days from receipt of their notice. City Attorney Hanson has to research several issues prior to the city mowing the other property that is in violation of this ordinance.

The city has received a letter from the Kansas Department of Health and Environment regarding the submission of projects for potential funding from the Kansas Public Water Supply Loan Fund. No action was taken.

Mayor Smith reported that the League of Kansas Municipalities has provided the city with several copies of the Governing Body Handbook.

The city has received a copy of the Use of Right of Way Agreement between the Kansas Department of Transportation and Eldon Roberson. This agreement is needed so Mr. Roberson can grade Lots 1, 2, 3 and 4 of Lakeside Subdivision.

Regular session May 20, 2003 cont'd.

Mayor Smith distributed an updated roster of city employees and council.

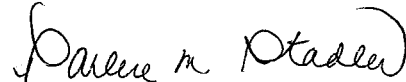
Mayor Smith updated council on the Kansas Open Meetings Act.

Due to scheduling conflicts, the next meeting will be held on Tuesday, June 3, 2003 at 5:00 P.M. instead of Monday, June 2, 2003 at 5:30 P.M. The following meeting will be held on Monday, June 16, 2003 at 4:30 P.M. instead of 5:30 P.M.

Mayor Smith told council that Ms. Shari Denney has agreed to serve on the Shawnee County Solid Waste Management Planning Committee.

Mayor Smith provided City Clerk Stadler with a copy of the Land Use and Growth Management Plan.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 7:45 A.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION TUESDAY EVENING JUNE 3, 2003

The Governing Body of the City of Silver Lake met in regular session at City Hall on Tuesday evening June 3, 2003 with Mayor Mack Smith and the following Councilmembers present: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) Absent: Jean Deiter (1).

Motion was made by Councilmember Bryant, seconded by Councilman Ross and approved that the minutes from the last regular session held on May 20, 2003 be accepted.

Councilman Boxberger gave the monthly financial report.

An appropriation claim voucher was submitted to the council for payment. The ordinance entitled: "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Boxberger and seconded by Councilman Kruger that the ordinance be accepted as read was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) NAY: None. The ordinance was declared passed and was given no. 1910.

Council reviewed the current Certificate of Deposit list prepared by Councilman Boxberger. No action was taken.

Mayor Smith informed council of the change in companies for the City Employees Group Life and Disability Policy. The new coverage is with Minnesota Life Ins. Co.

Utility Superintendent Kalcik advised council that he has distributed the bid packets for the 2003 Street Repair Project. These bids are due by 4:00 P.M., June 16, 2003, at which time they will be opened and reviewed.

Council asked Utility Superintendent Kalcik the status of the 2002 Street Repair Project. He was asked to contact City Engineer Dekat for the estimated completion date for this project.

Councilmember Deiter entered the meeting at 5:20 P.M.

Utility Superintendent Kalcik advised council that the mosquito magnets are working well. He provided information on the current locations of these magnets.

Utility Superintendent Kalcik advised council that the city cell phones are all now sharing the same account with Verizon Wireless.

Building/Grounds Superintendent Taylor advised council that Summer-Help Mindy Pfannenstiel has begun work.

Building/Grounds Superintendent Taylor advised council that the Silver Lake Senior Citizens wanted the city to help them purchase landscaping materials for the flowerbed in front of the community center. Council agreed to assist with this project.

Building/Grounds Superintendent Taylor asked council if he and Summer Employee Mindy Pfannenstiel could begin working summer hours. Council approved this request.

Regular session June 3, 2003 cont'd.

City Attorney Hanson advised council that the city would no longer be mowing the property at the east edge of town as a mortgage company advised him that they would do the mowing.

City Attorney Hanson told council that he has not heard from Mid USA Wireless in regards to the lease agreement. Council advised that they wanted the agreement completed and ready to review at the next meeting.

Mayor Smith told council that the Blue Cross and Blue Shield coverage for the employee health insurance would be expiring soon. They will be receiving packets on different plans so as to compare rates and benefits. Councilmember Ross asked if they could have a representative from Blue Cross and Blue Shield explain the plans to the employees and council. Council agreed.

Council agreed that the June 16th meeting would be held at 4:30 P.M.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 5:50 P.M. The motion was seconded by Nancy Bryant and approved.

Deloris Bell,
Assistant City Clerk

REGULAR SESSION TUESDAY EVENING JUNE 17, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Tuesday evening June 17, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) Absent: Mike Kruger (1).

Officer Call gave the monthly police report.

Officer Call updated council on several training classes that he and Officer Crow will be attending this month.

Mayor Smith asked Officer Call if he is going to fill the part time police officer position that recently came open. Call indicated that he is not going to fill the position at this time as the other part time officers would like to work more hours.

Motion was made by Councilmember Bryant to adopt a Resolution authorizing the discharge of fireworks between the hours of 8:00 A.M. and 12:00 midnight on the days of July 4th and 5th, 2003. Motion was seconded by Councilman Ross and approved.

Officer Call told council that the front end of the 1997 patrol car needs some work. He said that he would like to include a new patrol car in the 2004 Budget instead of paying a lot of money to repair a car that has approximately 84,000 miles. Council asked Officer Call to obtain prices for a new patrol car and provide this information to City Accountant Glenn.

Officer Call discussed issues concerning his upcoming vacation time.

Utility Superintendent Kalcik reported that bids have been received for the 2003 Street Improvement Project. The bids were received as follows: Bettis Asphalt & Construction - \$29,002.40, Andrews Asphalt & Construction - \$28,043.20. Motion was made by Councilman Boxberger to accept the bid from Andrews Asphalt & Construction upon review and approval by City Attorney Hanson. Motion was seconded by Councilman Ross and approved.

City Accountant Glenn distributed and briefly discussed the 2002 Audit.

Motion was made by Councilman Ross, seconded by Councilman Bryant and approved that the minutes from the last regular session held on June 3, 2003 be approved as amended by Mayor Smith and Councilmember Bryant.

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 by Councilman Boxberger and seconded by Councilmember Deiter that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1911.

Council briefly discussed the Copper and Lead Study that was included in the 2003 Budget. Utility Superintendent Kalcik said the proposed budgeted amount for this project could be decreased as the chemical Klenphos is controlling this problem and it will not be necessary to do further studies on this project.

Regular session June 17, 2003 cont'd.

Council also discussed future improvements at the city park. They agreed that they would like to have a parking lot constructed near the park sometime in the near future.

City Accountant Glenn also discussed preparation of the 2004 Budget. He asked council to prepare a list of items that need to be included in the budget. He also noted that the city would not receive approximately \$14,000.00 in demand transfer payments from the State of Kansas. The time frame for the completion of the budget was discussed. The budget hearing was tentatively set for August 18, 2003. City Accountant Glenn briefly discussed making a change in the way the audit and budget are prepared. No action was taken.

City Clerk Stadler told council that the city has received an application for amendment to the district zoning map and a preliminary plat for Silver Lakeside Subdivision.

Discussion concerning a Lease Agreement with Mid USA Wireless was tabled until City Attorney Hanson is present.

Councilman Ross advised that he would not be able to attend the next meeting scheduled for 4:30 P.M. on July 7, 2003.

A letter has been received from Bucher, Willis & Ratliff Corporation advising that they have been selected by the Kansas Department of Transportation to provide the Traffic Engineering Assistance Program for the next year. No action was taken.

Council reviewed a letter received from the Kansas Department of Transportation regarding their upcoming Road Safety Audit. This letter stated that the city needs to inform them in writing by July 7, 2003, of locations within or surrounding the city that the community believes safety improvements need to be considered.

Councilmember Deiter presented information on holiday flags. After discussion council agreed that before proceeding any further, KPL should be contacted regarding erecting these flags on their poles in Silver Lake. Also, council suggested that Councilmember Deiter get a correct count on the number of flags that she would like the city to purchase.

Mayor Smith briefly discussed Blue Cross and Blue Shield Insurance premiums and employee pay increases. This matter was tabled until the rate increase is received from Blue Cross and Blue Shield.

Mayor Smith asked if a demolition permit was issued for a house that was recently demolished in Silver Lake. Utility Superintendent Kalcik indicated that a demolition permit was issued.

A letter has been received from the Shawnee County Health Agency regarding Shawnee County Biological Exercises being held on June 25, 2003. Councilmember Deiter will talk to Officer Call about attending these exercises. Mayor Smith indicated that he would also like to attend.

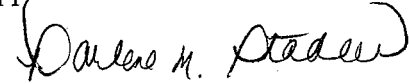
Council reviewed some information received from Galaxy Cablevision concerning several changes in their line up.

There was no action take on the information received concerning the upcoming Kansas Shrine Bowl.

Regular session June 17, 2003 cont'd.

Council agreed that the July 7, 2003 meeting and the July 21, 2003 meeting would begin at 4:30 P.M. instead of 5:30 P.M.

With no further business to come before the council, Councilmember Deiter moved to adjourn the meeting at 6:05 P.M. The motion was seconded by Councilman Ross and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING JULY 7, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening July 7, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter (3) Absent: Mike Kruger, Bill Ross (2).

Motion was made by Councilmember Bryant, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on June 17, 2003 be 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 by Councilman Boxberger and seconded by Councilmember Deiter that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter (3) NAY: None. Ordinance was declared passed and was given no. 1912

Councilman Boxberger gave the monthly financial report.

Discussion concerning parking and curb issues on Highway 24 was tabled until both parties that want to address council are present.

City Attorney Hanson reported that the city has received from Andrews Asphalt & Construction, Inc., all the required documents for the 2003 Street Repair Project. All documents have been executed and the project bonds were acceptable. Motion was made by Councilman Boxberger that the Notice to Proceed be accepted and forwarded to Andrews Asphalt & Construction, Inc. Motion was seconded by Councilmember Bryant and approved.

Officer Call gave the monthly police report.

Linda Mitchell and Alma Whitelaw were present and told council that they will soon be opening a law office on the property adjoining the fire station in Silver Lake. A concern they wanted to discuss with council is the standing water in front of their business. They said when there is water in the gutter it will be difficult for their customers to get to their business. Mayor Smith explained that it is too late to include this in the 2003 Street Repair Project. He indicated that the council would direct Utility Superintendent Kalcik to research this issue to determine if there is anything that can be done to alleviate this problem until it can be included in a street repair project. Mrs. Mitchell also asked if there is anyway the public parking in front of her property could remain open for her customers between the hours of 9:00 AM and 5:00 PM. The fire department personnel currently parks in front of her property as those stalls are close to the fire department business door. City Attorney Hanson noted that the city can not regulate public parking. They discussed other parking options in regards to this matter. It was suggested that they attend a Silver Lake Fire Board meeting regarding this matter. In the meantime Mayor Smith indicated that he would look into this matter further. Mrs. Mitchell also questioned the issue of handicapped parking in public parking stalls. City Attorney Hanson indicated that he would research this question further.

Council approved Building/Grounds Superintendent Taylor attending the annual Water & Wastewater Operators School being held in Lawrence in August.

Motion was made by Councilmember Bryant that an electric roll shutter be purchased for the community building at a cost of \$350.00. This electric shutter will replace the rope operated shutter that is continuously breaking. Motion was seconded by Councilmember Deiter and approved.

Regular session July 7, 2003 cont'd.

Building/Grounds Superintendent Taylor reported that he would be attending the upcoming Senior Citizens Board Meeting to clarify some issues concerning the flowerbed the seniors are going to construct.

Councilmember Deiter presented additional information on holiday flags. Council discussed how many flags should be purchased. They suggested that Deiter request a sample of the flag she has selected and the pole brackets so council can confirm that it is exactly what they want. Building/Grounds Superintendent Taylor told council that he has contacted KPL and they gave verbal approval to place these flag brackets on their poles in Silver Lake.

Councilman Kruger entered the meeting at 5:25 P.M.

City Accountant Glenn was present to discuss the preparation of the 2004 Budget. Prior to the meeting Glenn was provided lists of items that need to be included in the budget. He said that due to the city no longer receiving demand transfers from the State of Kansas, it will not be possible to fund all the items included on these lists. Glenn explained that the total demand transfer revenue loss over a three (3) year period is \$36,000.00. He also noted that over a three (3) year period the city will lose approximately \$30,000.00 in interest rate revenue. Council discussed with Glenn what could be done to make up for this loss of revenue. He said the city could consider raising the current mill levy, which hasn't been raised in numerous years. If they increase the mill levy by two (2) mills, the revenue generated will be comparable to the amount of the demand transfer loss. Glenn is also looking into changing the percentage breakdown for funding the salaries and benefits of the city clerk and assistant clerk. They will advise council prior to the next meeting of the recommended change in this percentage breakdown. The time frame for completion of the budget was discussed. At the next meeting, council will vote to publish the notice of budget hearing, which has been set for August 18, 2003.

Council briefly discussed funding options for a new city truck. Building/Grounds Superintendent Taylor will be directed to obtain leasing information for a new truck.

Mr. Dan Mitchell was present and said he hopes there is a workable solution to the parking concern at the business that adjoins the fire station in Silver Lake. He also questioned what could be done about the water that stands in the gutter in front of this business. Mayor Smith advised him that Utility Superintendent Kalcik would be directed to research this issue to determine if there is anything that can be done to alleviate this problem until it can be included in a street repair project.

Mayor Smith reported that an issue concerning liquor sales on Sunday might come before the council in the near future. He updated council on the history of this issue. No action was taken.

Council reviewed Mayor Smith's response letter to Kansas Department of Transportation concerning their Road Safety Audit. In this letter he expressed council's concern with the current speed limit on the curve on Highway 24 near the east city limits. He also requested that a K.D.O.T. representative meet with Police Chief Call during their field review in Silver Lake.

Council briefly discussed the 2002 Audit and the internal control structure recommendation that was made by City Accountant Glenn.

Mayor Smith reminded council that the next meeting will be held at 4:30 P.M. on July 21, 2003.

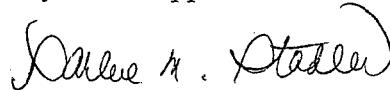
Regular session July 7, 2003 cont'd.

Officer Call reported that there has been a continuous problem with parking violations on Shawnee St.. A request has been made by several property owners in this area to put an alley in behind the houses to provided extra parking. Council agreed that due to recent budget cuts this request would not be feasible at this time. Officer Call said he would look into the possibility of allowing parking on one (1) side of Shawnee St.

Officer Call reported that there are dual tread marks being made on the streets in Silver Lake. He has determined that it is the trash truck making this marks.

Officer Call reported on several incidents that occurred involving fireworks over the recent holiday. Prior to next year council will consider making changes to the hours that fireworks can lawfully be discharged within the corporate limits of Silver Lake.

With no further business to come before the council, Councilmember Deiter moved to adjourn the meeting at 7:10 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING JULY 21, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening July 21, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Jean Deiter, Mike Kruger, Bill Ross (4) Absent: Nancy Bryant (1).

Motion was made by Councilmember Deiter, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on July 7, 2003 be 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 by Councilman Boxberger and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Jean Deiter, Mike Kruger, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1913.

Councilmember Bryant entered the meeting at 5:00 P.M.

Council reviewed the information prepared by City Accountant Glenn in regards to the 2004 Budget. This draft budget allows for an approximate two (2) mill increase. Council was concerned about the analysis of unencumbered cash carry over to 2005. They thought this carry over would be more if they approved a two (2) mill increase. They briefly discussed approving a three (3) mill increase so the unencumbered cash carry over would increase in 2005. They also discussed revising the clerical staff allocations for the rest of 2003 as recommended by City Accountant Glenn. Council agreed that before taking any further action on this issue they want to meet with City Accountant Glenn. City Clerk Stadler will contact him about attending the next meeting. At that meeting council will approve the Notice of Public Hearing which has been scheduled for August 18, 2003 at 6:00 P.M.

Utility Superintendent Kalcik told council that the 2001 Dodge truck was hit by an unknown driver while parked in the parking lot west of the city warehouse. He presented the bid received from Carstar to make the necessary repairs. He was unsure as to whether the insurance company would require additional bids. Motion was then made by Councilman Ross that these repairs be made at the direction of the insurance company. Motion was seconded by Councilmember Bryant and approved.

A written request has been received from Shawnee County Parks and Recreation to use the community building for several upcoming classes. They would like to use the building on Tuesday and Thursday evenings for aerobics, on numerous Monday evenings for craft classes and on Tuesday, September 23, 2003 for art class. They also wanted use of the building on a Monday for a babysitting clinic but they will have to come up with an alternate day as the building is occupied until 1:00 P.M. every Monday. Motion was made by Councilmember Deiter, seconded by Councilmember Bryant and approved that these requests be accepted.

A Silver Lake resident on Shawnee has asked Utility Superintendent Kalcik if the city could install a tube and then place dirt in the ditch that runs along the front of his property. No action was taken on this request but council did instruct Utility Superintendent Kalcik to look at this ditch and determine if altering the slope will help in anyway. Kalcik indicated that he would talk to the property owner about this issue.

Motion was made by Councilman Boxberger that Utility Superintendent Kalcik purchase mosquito spray, as he does not have enough to last the remaining spray season. Motion was seconded by Councilman Ross and approved.

Regular session July 21, 2003 cont'd.

Utility Superintendent Kalcik reported that the latest water analysis showed that the copper in the water system has remained at an acceptable level using the chemical Klenphos. City Engineer Dekat has recommended that council consider making the chemical Klenphos a permanent installation to the water system. Prior to making this change, approval must be received from the Kansas Department of Health & Environment. City Engineer Dekat will write the Kansas Department of Health & Environment regarding their approval for this change to the water system.

Councilman Ross mentioned that the lines on the tennis court at the City Park are starting to fade. Building/Grounds Superintendent Taylor will be asked to paint these lines. Council briefly discussed the lights at the tennis court. No action was taken.

Building/Grounds Superintendent Taylor will also be asked to place more asphalt millings in the low spots of the parking lot next to the ball diamonds at the City Park.

Councilman Kruger expressed his concern regarding the number of children roaming the streets of Silver Lake late at night. There recently have been a lot of vandalism and numerous school burglaries that may relate to these groups of children being allowed to roam late at night. Officer Crow indicated that the officers send the children on bicycles home if there is no light on the bike. He also noted that without a curfew they can not send the children home if they have parental permission to be out. Council discussed a possible curfew to help control the increased vandalism and burglaries. No action was taken at this time. Councilman Kruger discussed the police reports that are given monthly and asked that council be updated regularly on recent crime in Silver Lake.

Building/Grounds Superintendent Taylor attended a recent Senior Citizens Board Meeting to clarify some issues concerning the flowerbed the seniors are going to construct at the community building. At this time he is not sure if they are going to proceed any further with this project.

Mayor Smith and Officer Call met with a representative from the Kansas Department of Transportation regarding their upcoming Road Safety Audit. They made this representative aware of council's concern with the current speed limit on the Highway 24 curve near the east city limits. In the initial phase of this audit he said there may be some changes near the school zones. They will notify the city in writing prior to making any change.

Councilmember Deiter said she is waiting to receive a sample of the holiday flag and pole bracket that council would like to see prior to placing an order.

Mayor Smith told council that there is leasing information for a new truck included in their packets.

Mayor Smith asked if Officer Call has followed up on the parking problems on Shawnee St.. At the last meeting he had indicated that he would look into the possibility of allowing parking on one (1) side of Shawnee St.. City Clerk Stadler advised that she would remind Officer Call to follow up on this matter.

Council was advised that the Silver Lake Planning Commission is scheduled to meet at the community building on August 12, 2003 to review an application received for amendment to the district zoning map and the preliminary plat for Silver Lakeside Subdivision. Mayor Smith recommended that they attend this meeting if possible. He noted that City Attorney Hanson would be present at this meeting.

Regular session July 21, 2003 cont'd.

Council briefly discussed the parking issue in front of the business just west of city hall in Silver Lake. Council thought that there would be a workable solution to this problem by now. Mayor Smith or Councilmember Deiter will discuss this issue with the Silver Lake Fire Board at their next meeting.

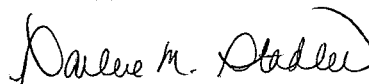
Utility Superintendent Kalcik report that he has met with the owner of the business just west of city hall regarding the standing water in the gutter. He noted that there is nothing that can be done at this time to alleviate this problem.

Council agreed that the August 4, 2003 meeting would start at 4:30 P.M. The meeting scheduled for August 18, 2003 will start at 5:30 P.M.

The city has received a revised Lease Agreement from Mid USA Wireless. This matter was tabled until City Attorney Hanson has reviewed this agreement.

Officer Crow advised that he is scheduled to attend D.A.R.E. training next Monday.

With no further business to come before the council, Councilmember Deiter moved to adjourn the meeting at 6:15 P.M. The motion was seconded by Councilman Ross and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING AUGUST 4, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening August 4, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Several Silver Lake residents were present to discuss the continuous parking problem on Shawnee St.. They said the residents along this street continually park on Shawnee St. even though there are "No Parking" signs posted on both sides of the street. They also park on the private property on the east side of Shawnee St.. At a previous meeting council instructed Officer Call to look into the possibility of allowing parking on one (1) side of Shawnee St.. Call determined that this road is too narrow to allow parking on the street. Even if it were allowed on one (1) side, there would not be enough room for emergency vehicles to go down this street safely. Council discussed this issue with Officer Crow and he indicated that he would start issuing citations to those residents that continually violate the parking regulations on Shawnee St..

There were also several Silver Lake residents present to express their concern regarding the number of children roaming the streets of Silver Lake late at night. They also roam the streets during the day and verbally abuse other children and adults. These children have become a nuisance to everyone and these residents would like the Silver Lake Police Department to assist with the problem. It was recommended that the city initiate the Neighborhood Watch Program again. Council indicated that this is an option but they would like Officer Call to be part of this discussion and he is currently on vacation. There were several other options discussed such as regular visits with the parents of these children as problems arise. Further discussion concerning this issue will be held at the next meeting. Officer Call and Officer Crow will be asked to attend this meeting. One of the residents present expressed concerns about the time that Officer Call spends out of town during his shift. Mayor Smith indicated that the Silver Lake Police Officers do respond to calls out of town if requested by the Shawnee County Sheriffs Department. He also noted that in return, the Shawnee County Sheriffs Department and the Rossville Police Department back up our officers and patrol the city when there is not an officer on duty. Councilmember Deiter was asked to follow up on this resident's concern.

Motion was made by Councilmember Deiter, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on July 21, 2003 be approved as amended by Mayor Smith and Councilmember Bryant.

Councilman Boxberger gave the monthly financial report.

Motion was made by Councilman Ross that the clerical staff allocation be changed to the following effective August 1, 2003: General Fund – 30%, Law Enforcement – 20%, Waterworks – 50%. Motion was seconded by Councilmember Bryant 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 by Councilman Ross and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1914.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved to accept the Lease Agreement with Mid USA Wireless.

Regular session August 4, 2003 cont'd.

City Accountant Doug Glenn and his assistant Gloria Keating were present to discuss the 2004 Budget. At the last meeting council was presented a draft budget that allowed for an approximate two (2) mill increase but they were concerned with the analysis of unencumbered cash carry over to 2005. They asked City Accountant Glenn to prepare a draft budget that allowed for a three-(3) mill increase so the unencumbered cash carry over would increase in 2005. City Accountant Glenn also discussed other options to increase the unencumbered cash carry over. These options included utility fund transfers, an additional mill increase next year and additional revised fund allocations for expenses such as audit fees and insurance fees. He also mentioned that a recent change to the sales tax laws might provide additional sales tax revenue to the city. Council also discussed having City Accountant Glenn review the fund cash balances in October so they can have a better estimate of what the unencumbered cash carry over will be. Council will discuss this issue after Glenn has presented a proposal for providing this additional service. Motion was then made by Councilman Ross that the Notice of Budget Hearing be published in the Ledger. This hearing has been set for August 18, 2003 at 6:00 P.M. Motion was seconded by Councilmember Bryant and approved.

Motion was made by Councilman Ross to adopt an ordinance attesting to an increase in tax revenues for budget year 2004. Motion was seconded by Councilmember Deiter and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1915.

A letter has been received from the Kansas Department of Transportation regarding their recent field review of Shawnee County including Highway 24 through Silver Lake. In this letter they recommended that the school crossing sign on Pottawatomie be raised to the required 7' and that the trees limbs be trimmed back as they hinder the sign visibility. Utility Superintendent Kalcik advised that he has taken care of this issue.

Utility Superintendent Kalcik advised that to be in compliance with Kansas Department of Health & Environment regulations it is necessary to add a room addition to well no. 4. This regulation states that chlorine cylinders must be stored in a room separate from the well. He estimates that the cost of this project will not exceed \$7,000.00 and this does include the purchase of a self-contained building. Motion was made by Councilmember Bryant that Utility Superintendent Kalcik proceeds with the project with the cost not to exceed \$7,000.00. Motion was seconded by Councilman Ross and approved.

Utility Superintendent Kalcik reminded council that the purchase of hand held meter reading equipment was included in the current budget. This matter was tabled until council discusses the purchase of a computer later in the year.

Officer Crow distributed copies of the D.A.R.E. workbook that the 5th grade students will be using this year. He reported that this workbook includes the recent changes to the D.A.R.E curriculum. He also noted that he would be teaching D.A.R.E. earlier in the school year.

Officer Crow told council there have been problems with children trespassing on the private property just south of the City Park. He talked to the property owner about posting "No Trespassing" signs and he has also told these children to keep off this property.

City Clerk Stadler told council that a representative from Westar Energy would be present at the next meeting to discuss the upcoming franchise renewal.

Regular session August 4, 2003 cont'd.

City Clerk Stadler also reported that Officer Call is scheduled to attend a class in Wellington, Kansas on the use of force issues. There is no fee to attend this class but there will be lodging for one (1) night.

Councilmember Bryant asked where the proposed Silver Lake Lakeside Subdivision No. 2 is located. She was informed that this proposed subdivision is just south of the Silver Lake Animal Practice.

Councilman Ross asked if the recent Drought Watch issued by Governor Sebelius for Shawnee County would effect the City of Silver Lake. Utility Superintendent Kalcik indicated that he is measuring the water table on a regular basis and at this time it is at an acceptable level.

Mayor Smith has received information from the Topeka/Shawnee Metropolitan Planning Department advising that they are beginning the process of developing a new Transportation Improvement Program for the year 2004 through 2008. They would like the city to complete a project submission form for this program. Mayor Smith asked Utility Superintendent Kalcik to review this information to determine if the city is eligible.

Utility Superintendent Kalcik reported to council that he told the resident on Shawnee St. that the council did not take action on his request that the city install a tube and then place dirt in the ditch that runs along the front of his property.

Council was advised that the lines on the tennis court at the City Park were recently repainted.

Utility Superintendent Kalcik reported that as soon as they have some asphalt millings they will fill the low spots in the parking lot next to the ball diamonds at the City Park.

Mayor Smith briefly discussed the upcoming Road Safety Audit being conducted by the Kansas Department of Transportation.

Councilmember Deiter said she is still waiting to receive a sample of the holiday flag and pole bracket that council would like to see prior to placing an order.

Council briefly discussed the parking issue in front of the business just west of city hall in Silver Lake. Mayor Smith thought there would be a workable solution to this problem by now. Mayor Smith will discuss this issue with the Silver Lake Fire Board at their next meeting.

Mayor Smith asked if the property owner that received notice of violation of the weed ordinance has mowed their property. City Clerk Stadler indicated that the ten (10) days that city allows them to mow is not up yet.

Mayor Smith questioned the letter included in their packets regarding the zoning of the property at 222 – 224 Railroad Ave. in Silver Lake. Utility Superintendent Kalcik explained that this property owner needed confirmation that their property is currently designated “C-2” Central Business District but could be used for single or multi- family residential as well as certain business purposes.

Mayor Smith has received a complaint about tree limbs hanging in the roadway in several locations in Silver Lake. Officer Crow was directed to look into this matter.

Regular session August 4, 2003 cont'd.

Mayor Smith reminded council that the Silver Lake Planning Commission is scheduled to meet at 7:00 P.M., August 12, 2003. The purpose of this meeting is to review an application received for amendment to the district zoning map and the preliminary plat for Silver Lakeside Subdivision No. 2. This meeting will be held at the Silver Lake Community Building.

Mayor Smith reminded council that the August 18, 2003 meeting will start at 5:30 P.M.

Mayor Smith distributed an article concerning the loss of demand transfer payments from the State of Kansas.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 6:30 P.M. The motion was seconded by Councilman Boxberger and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING AUGUST 18, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening August 18, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Mr. Jon Rueck, President of the Friends of the Silver Lake Library was present to discuss a banner they would like to hang across the intersection of Beaubain and Highway 24. This banner would advertise the upcoming Annual Library Book Sale/Citywide Garage Sales scheduled for September 5th and 6th. Mr. Rueck indicated that they have received tentative approval from the Kansas Department of Transportation. They also received approval from Westar Energy as long as a Westar representative is allowed to erect this banner. Utility Superintendent Kalcik indicated as long as they have approval from the Kansas Department of Transportation and Westar Energy, there is nothing they need from the city.

Motion was made by Councilmember Deiter, seconded by Councilman Kruger and approved that the minutes from the last regular session held on August 4, 2003 be 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 by Councilmember Bryant and seconded by Councilmember Deiter that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1916.

Mr. Bill Howgill, a Community Support Representative from Westar Energy was present and advised that the current Franchise Agreement between the City of Silver Lake and Westar Energy expires on February 1, 2004. Mr. Howgill would like council to consider the renewal of this agreement with a possible increase in the current franchise fee of three (3) percent. He noted that that statutory limit for electric franchise agreements is five (5) percent. He also presented draft franchise agreements for City Attorney Hanson to review. After discussion council agreed to have Mr. Howgill return to the September 15, 2003 meeting to discuss the finalization of this franchise agreement. This will allow time for City Attorney Hanson to review the draft agreement and for council to consider an increase to the current franchise fee. Mayor Smith noted that this would also be the time to consider other Westar Energy needs such as additional lighting and tree trimming around power lines.

Council approved the renewal of the Certificate of Deposit that matures at Silver Lake Bank on August 21, 2003.

Officer Call gave the monthly police report.

Motion was made by Councilman Kruger to enter into public hearing at 6:00 P.M. to discuss the 2004 Budget. Motion was seconded by Councilmember Deiter and approved.

The attention of all present was called to the published notice given for this hearing. There was nobody present to question the published budget. Motion was made by Councilmember Bryant, seconded by Councilman Ross and approved that this budget be accepted as published.

Motion was made by Councilman Kruger, seconded by Councilman Boxberger and approved to adjourn this public hearing at 6:05 P.M.

Regular session August 18, 2003 cont'd.

Council continued from the last meeting discussion regarding the number of children roaming the streets of Silver Lake late at night. This has caused an increase in vandalism to private property. They also roam the streets during the day and verbally abuse other children and adults. Officer Call was present and advised that he is aware that these children have become a nuisance to everyone. He said that it is very important that victims of this vandalism and abuse report every incident to the police department. If a complaint is filed and the victim knows the individual that has committed the abuse or vandalism the officer can then make contact with the parents of this individual. If the city has records of all incidents and it is the same individuals involved, the officers can cite them into Silver Lake Municipal Court. Officer Call indicated that he would be willing to have a public meeting to determine if there are enough individuals that are interesting in starting up the Neighborhood Watch Program again. Discussion concerning the scheduling of this meeting will be held at a later date. Council asked Officer Call if the children that are continuously out late at night can be take to juvenile intake as a child in need of care. Call indicated that he would research this matter prior to the next meeting.

Utility Superintendent Kalcik advised that he is measuring the water table on a regular basis and at this time it is at an acceptable level.

Dr. Pegram with U.S.D. #372 has contacted Utility Superintendent Kalcik regarding making alterations to their sign that is located west of the football field. Kalcik reminded council that when this sign was erected the school district had to obtain a variance from the Silver Lake Board of Zoning Appeals. City Attorney Hanson said he would research the original variance to determine if this alteration can be made without obtaining another variance.

Utility Superintendent Kalcik also reported that the Silver Lake United Methodist Church will need a variance to erect a sign they recently purchased.

Building/Grounds Superintendent Taylor updated council on the flowerbed that the senior citizens are going to construct at the community building. Motion was made by Councilman Ross that the city purchase the needed landscape materials and then have the senior citizens reimburse the city for these materials. Councilman Kruger seconded this motion and this matter was then open for discussion. Council agreed that prior to taking further action on this purchase, they would like Building/Grounds Superintendent Taylor to visit with Skinner Garden Store about the billing for this project. Councilman Ross and Councilman Kruger agreed to withdraw their vote on this issue.

Officer Crow told council that the 2000 patrol car has not been running properly. He said it possibly needs a new head gasket. The approximate cost for this repair is \$1,800.00 to \$2,000.00. He noted that if the heads are cracked, this repair will cost an additional \$900.00. Council agreed that with the problems this car has been having it might be better to put in a new engine instead of making additional repairs. He talked to Kruger Auto Service about making these repairs and they indicated that it would take a minimum of five (5) days to make these repairs. Council agreed that they like to keep the business local but due to the necessity of having the patrol car fixed as quickly as possible, the car should be taken to Laird Noller Ford as they estimated that it would take two (2) days to make the repairs. Officer Crow will take the patrol car to Laird Noller Ford tomorrow for a diagnostic inspection. He will then contact Mayor Smith who will decide which way to proceed with these repairs.

Officer Call reminded council that he would be attending a class in Wellington, Kansas this week on the use of force issues.

Regular session August 18, 2003 cont'd.

Council reviewed the minutes from the Silver Lake Planning Commission meeting that was held on August 12, 2003. The purpose of this meeting was to review an application received for amendment to the district zoning map and the preliminary plat for Silver Lakeside Subdivision No. 2. The planning commission recommended to council the approval of the rezoning request from "R" Single Family Dwelling to "C-2" Central Business District. Council can not take action on this issue until the next meeting, as there is a fourteen (14) day protest period. In regards to the preliminary plat, the planning commission approved the preliminary plat providing that several items are amended on the final plat.

Council briefly discussed the number of cars for sale on private property at the intersection of Chestnut and Aquarius. No action was taken.

Councilman Ross thanked Utility Superintendent Kalcik for the good job he did on preparing the crosswalks and school zone lights prior to school starting.

Councilman Ross mentioned that the dirt pile in front of the newly constructed fourplex on Center should be removed as construction is almost completed. Utility Superintendent Kalcik indicated that he would talk to the property owner about this matter. Kalcik will also follow up on the occupancy permit requirement for new construction.

Councilman Ross asked Officer Call questions concerning the recent break in at the school.

Councilman Ross told council that the school district has an insurance broker researching other health insurance options, as the current insurance they offer has become very costly. After discussion council agreed that City Clerk Stadler should contact this insurance broker and obtain information about this service.

Council was advised of some recent repairs that were made to the mower.

Councilmember Deiter has received a sample of the holiday banner and pole bracket that the council was interested in purchasing. This particular banner will not work, as Westar Energy will only allow a banner that is 2 x 4 or smaller on their electric poles. Building/Grounds Superintendent Taylor was instructed to contact the City of Topeka and the City of Rossville to determine where they purchased their banners as they meet the size requirement.

Officer Call reported that the Kansas Department of Transportation has not notified him as to when they will be conducting the Road Safety Audit in Silver Lake.

Mayor Smith reported that he recently attended the Silver Lake Fire Board meeting to discuss the parking issue in front of the business just west of city hall. They were able to come up with a workable solution to this problem.

Council was advised that the property owner that received notice of violation of the weed ordinance has mowed their property.

Officer Crow reported that he has not had to issue any citations for violations to city parking regulations on Shawnee St..

Regular session August 18, 2003 cont'd.

Mayor Smith advised council that he would be writing a letter to Galaxy Cablevision regarding a change that residents would like them to make in their channel lineup.

Mayor Smith reminded council that the next meeting is scheduled for September 3, 2003 at 5:30 P.M. due to September 1, 2003 being a holiday. The following meeting is scheduled for September 15, 2003 at 5:30 P.M.

Officer Call told council that there would be an officer on duty both days of the upcoming citywide garage sales.

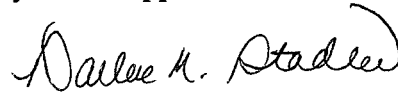
Motion was made by Councilman Boxberger, seconded by Councilmember Bryant and approved that council adjourns into executive session at 7:35 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 7:40 P.M. City Clerk Stadler and City Attorney Hanson were asked to be present during this executive session.

The regular session resumed at 7:40 P.M.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that council adjourns into executive session at 7:45 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 8:00 P.M. City Attorney Hanson was asked to be present during this executive session.

The regular session resumed at 8:00 P.M.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 8:00 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION WEDNESDAY EVENING SEPTEMBER 3, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Wednesday evening September 3, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Motion was made by Councilman Boxberger, seconded by Councilmember Bryant and approved that the minutes from the last regular session held on August 18, 2003 be approved as amended.

Councilman Boxberger gave the monthly financial report.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilmember Bryant and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1917.

Council was advised that Skinner Garden Store has agreed to give the senior citizens a 25 % discount on the landscape materials they need to construct a flowerbed at the community building. The senior citizens will discuss this issue at their next board meeting.

Council reviewed two (2) quotes received for the purchase of four (4) new tires for the 1994 Chevy truck. Councilman Ross pointed out that the quote received from Kruger Auto Sales was for five (5) tires instead of four (4) tires. If one (1) tire is taken off this quote, the quotes are comparable. Motion was then made by Councilman Ross to accept the quote received from Kruger Auto Sales for four (4) new tires for the 1994 Chevy truck. Motion was seconded by Councilmember Deiter and approved.

It was noted that recent repairs to the 1994 Chevy truck included a new water pump and a fan clutch.

Councilmember Deiter reported that she has requested a sample of a holiday banner and pole bracket from another company. This particular banner meets Westar Energy's banner size requirement. Mayor Smith noted that along with these samples Councilmember Deiter needs to have a total cost for these banners and brackets so council can take final action on this issue.

City Attorney Hanson has reviewed the draft Franchise Agreement that was presented by Westar Energy. He noted that this agreement is acceptable and that council needs to decide if they want to increase the current franchise fee three (3) percent. Council discussed their opinions on whether or not an increase should be made. They also discussed whether or not to include an option to this agreement that would allow the city to consider making changes to the franchise fee every five (5) years even though the term of the Franchise Agreement is twenty (20) years. Motion was then made by Councilman Boxberger to increase the franchise fee to five (5) percent and to include an option that would allow the city to consider franchise fee changes every five (5) years. Motion was seconded by Councilmember Deiter and was approved with the following vote: AYE: David Boxberger, Jean Deiter, Mike Kruger (3) NAY: Nancy Bryant, Bill Ross (2). Council then discussed other Westar Energy needs of the city. City Attorney Hanson indicated that he would contact Westar Energy about the needs discussed which included tree trimming around electric poles and the need for poles for a lighting project at the school district. Utility Superintendent Kalcik was asked to meet with Officer Call and prepare a list of streets where trees need to be trimmed. Council will then take final action on this Franchise Agreement at the next meeting.

Regular session September 3, 2003 cont'd.

A letter has been received from Sprint regarding a Kansas Legislature bill passed last year that clarifies the definition of "gross receipts" as it applies to telecommunication franchise tax. This legislature bill expands the services in the franchise fee's taxable base to include other calling features and services. City Attorney Hanson told council that prior to taking action on this issue he would like to contact Sprint to clarify this change.

The next order of business was consideration of an application for the rezoning of property located near the intersection of Chilson Road and Chestnut. The present zoning is "R" Single Family Dwelling District and the request zoning is "C-2" Central Business District. Council was advised that the Silver Lake Planning Commission has recommended that this rezoning request be approved. Motion was then made by Councilman Ross that this recommendation be accepted and that the rezoning request be approved. Motion was seconded by Councilman Boxberger and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1920.

Mayor Smith told council that the 95th Annual League of Kansas Municipalities Conference will be held in Topeka on October 11 – 14, 2003. He asked council to let him know if anyone is interested in attending.

Officer Call gave the monthly police report.

Officer Call reported that the number of children roaming the streets of Silver Lake late at night has decreased since school started. He noted that he has researched the regulations concerning taking children into juvenile intake as a child in need of care if they are continuously out late at night. In the future they will keep records of juveniles that they make contact with late at night. If it happens numerous times they will take them to juvenile intake and the parents will have to go pick them up. If there are still problems after they have been taken to juvenile intake, SRS will be contacted. Officer Call also presented a copy of Rossville's curfew. No action was taken.

Officer Call discussed police coverage for the upcoming citywide garage sales and football games.

Utility Superintendent Kalcik told council that he would like to replace the water meter main line and approximately fifty (50) water residential meters between now and the end of the year. He noted that this routine maintenance is needed in order to keep the water system adequately updated. The approximate cost to replace the water meter main line is \$600.00 to \$800.00 and the approximate cost for residential meters is \$35.00. Council discussed with Utility Superintendent Kalcik the warranty on these meters and his method of tracking residential meter replacement. It was suggested that he put some type of stamp with the date installed on all residential meters. Motion was then made by Councilman Ross that Utility Superintendent Kalcik be authorized to purchase a water meter main line and fifty (50) residential meters with the total cost not to exceed \$2,500.00. Motion was seconded by Councilman Kruger and approved.

Utility Superintendent Kalcik told council that he would like to attend the Floodplain Management Program workshop that is being held in Salina on September 18, 2003. Council approved this request.

Motion was made by Councilmember Bryant and seconded by Councilman Ross that the 2003 Standard Traffic Ordinance be approved as prepared by City Attorney Hanson. This ordinance was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1918.

Regular session September 3, 2003 cont'd.

Motion was made by Councilman Ross and seconded by Councilman Kruger that the 2003 Uniform Public Offense Code be approved as prepared by City Attorney Hanson. This ordinance was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1919.

Councilman Ross asked Utility Superintendent Kalcik when the roof of the old water tower is scheduled to be repainted. He noted that it looks very worn. Kalcik indicated that he would look into this prior to the next meeting.

Utility Superintendent Kalcik reported that he has some miscellaneous items to donate to the Silver Lake Lions Club Annual Auction that is scheduled for October 4, 2003.

Council directed Utility Superintendent Kalcik to contact Andrews Asphalt & Construction and ask when they are planning on starting the 2003 Street Repair Project.

Utility Superintendent Kalcik told council that the owner of the newly constructed fourplex on Center should remove the dirt pile off that property sometime this week.

Council inquired as to whether or not an occupancy permit has been issued for the fourplex. Utility Superintendent Kalcik indicated that an occupancy permit has only been issued for the completed unit of this fourplex. The remaining units still are not ready for occupancy.

Council was advised that the school district has decided not to make alterations to their sign that is located west of the football field.

It was also noted that Utility Superintendent Kalcik has advised the Silver Lake United Methodist Church that they will need a variance to erect a sign they recently purchased.

Council continued from the last meeting discussion concerning the number of cars for sale on private property at the intersection of Chestnut and Aquarius. If a resident has a problem with cars being parked on this property they need to file a complaint with city hall. No other action was taken at this time.

Mayor Smith told council that included in their packet is a copy of the letter he sent Galaxy Cablevision regarding a change that residents would like them to make in their channel lineup.

Council reviewed information received from Donald Short and Associates regarding group health insurance quotes. This matter was tabled until the renewal rates are received from Blue Cross and Blue Shield.

Mayor Smith reminded council that the next meeting is scheduled for September 15, 2003 at 5:30 P.M.

Motion was made by Councilmember Deiter, seconded by Councilman Kruger and approved that council adjourns into executive session at 7:05 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 7:20 P.M. City Attorney Hanson was asked to be present during this executive session.

The regular session resumed at 7:20 P.M.

Regular session September 3, 2003 cont'd.

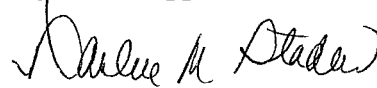
Motion was made by Councilmember Deiter, seconded by Councilman Ross and approved that council adjourns into executive session at 7:20 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 7:35 P.M. City Attorney Hanson and Officer Call were asked to be present during this executive session.

The regular session resumed at 7:35 P.M.

Motion was made by Councilman Kruger, seconded by Councilman Boxberger and approved that council adjourns into executive session at 7:35 P.M. to discuss matter relating to personnel. The regular session was scheduled to resume at 7:50 P.M. City Attorney Hanson and Officer Call were asked to be present during this executive session.

The regular session resumed at 7:50 P.M.

With no further business to come before the council, Councilman Boxberger moved to adjourn the meeting at 7:50 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION WEDNESDAY EVENING SEPTEMBER 15, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening September 15, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) Absent: Jean Deiter (1).

Motion was made by Councilman Boxberger, seconded by Councilman Kruger and approved that the minutes from the last regular session held on September 3, 2003 be accepted with the following correction being made: Utility Superintendent Kalcik told council that he would like to replace the master meter for the main line and approximately fifty (50) residential water meters between now and the end of the year.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilmember Bryant and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Mike Kruger, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1921.

Bill Howgill with Westar Energy was present with the final draft Franchise Agreement with the City of Silver Lake. As requested by council this agreement increases the franchise fee to five (5) percent and includes an option that would allow the city to consider franchise fee changes every five (5) years. The term of this Franchise Agreement is twenty (20) years from the effective date of the ordinance. Mr. Howgill also indicated that City Attorney Hanson contacted him about other needs of the city which included tree trimming around electric poles and the need for poles for a lighting project at the school district. He said that a crew is scheduled to meet with Utility Superintendent Kalcik tomorrow to discuss the locations where trees need to be trimmed. In regards to the poles needed for the lighting project at the school district, the school district wants metal poles and Westar Energy only has wood poles. Motion was then made by Councilman Boxberger to approve the Franchise Agreement with Westar Energy for a term of twenty (20) years. Motion was seconded by Councilmember Bryant and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Mike Kruger (3) NAY: Bill Ross (1). Ordinance was declared passed and was given no. 1922. Mr. Ross noted that he did not support this issue as he was not in favor of increasing the franchise fee.

Motion was made by Councilman Kruger to renew the Certificate of Deposit that matures at Silver Lake Bank on September 18, 2003. Motion was seconded by Councilman Boxberger and approved. Council discussed other investment options available to municipalities.

Utility Superintendent Kalcik reported that he contacted Andrews Asphalt & Construction to find out when they are planning on starting the 2003 Street Repair Project. They indicated they do not know when they will start this project. Kalcik noted that Andrews Asphalt & Construction has approximately fifty (50) days in which to complete this project.

Council was advised that the health insurance benefit plan with Blue Cross and Blue Shield is being discontinued. They did provide a proposal for several other optional health benefit plans. Council reviewed these options which would increase the deductible and change several options that the employees now have. City Clerk Stadler was asked to contact Donald Short and Associates regarding them obtaining group health insurance quotes on behalf of the city. Also, she was instructed to contact Blue Cross and Blue Shield regarding whether or not the employees have to enroll in same plan and what the cost of these plans would be if someone wanted to enroll as an individual and not a group. Councilmember Bryant stated that she would look into the state health insurance plan that is available to municipalities. This matter was then tabled until the next meeting.

Utility Superintendent Kalcik told council that he has obtained a quote of \$2,400.00 to paint the roof of the old water tower. He noted that it has been fifteen (15) years since the outside of this tower has been

Regular session September 15, 2003 cont'd.

painted. The inside of the tower is inspected and painted as needed every two (2) years. The cost for this service is \$1,000.00. Council agreed that prior to taking action on this quote they would like Utility Superintendent Kalcik to obtain quotes to paint the entire water tower. They would also like a similar quote for inspecting and painting the new water tower as needed. This matter was tabled until the next meeting.

City Clerk Stadler has been contacted by U.S.D. #372 Superintendent Pegram regarding the city allowing a special education student to clean the community building once a week for a nine (9) week period. She noted that this student would be supervised at all times. Council approved this request.

Councilman Kruger exited the meeting at 6:45 P.M.

Mayor Smith updated council on the flowerbed that the senior citizens are going to construct at the community building. It was agreed that the city would purchase the needed landscape materials and then have the senior citizens reimburse the city for these materials.

It was noted that four (4) new tires were purchased and installed on the 1994 Chevy truck by Kruger Auto Sales.

City Attorney Hanson reported that he contacted Sprint about the letter the city received regarding a Kansas Legislature bill passed last year that clarifies the definition of "gross receipts" as it applies to telecommunications franchise tax. This legislature bill expands the services in the franchise fee's taxable base to include other calling features and services. Motion was then made by Councilman Ross that the city sign and return the form stating that the city agrees to apply the current franchise fee percentage rate to all services now included in the gross receipts definition. Motion was seconded by Councilman Boxberger and approved.

Mayor Smith reminded council that the 95th Annual League of Kansas Municipalities Conference is being held in Topeka on October 11 – 14, 2003. There was no one interested in attending this conference.

It was noted that there were no problems in the city during the citywide garage sales.

Council was advised that the property owner that received notice of violation of the weed ordinance has mowed their property.

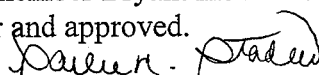
Council reviewed a letter received from the City of Rossville regarding a project they are sponsoring to improve the Topeka Juvenile Correctional Facility Library. No action was taken.

Council continued from the last meeting discussion concerning the number of cars for sale on private property at the intersection of Chestnut and Aquarius. If a resident has a problem with cars being parked on this property they need to file a complaint with city hall. No other action was taken at this time.

City Clerk Stadler advised that she would be advertising for the Part Time City Clerk position.

Mayor Smith reminded council that the next meeting is scheduled for October 6, 2003 at 5:30 P.M. The following meeting is scheduled for October 20, 2003 at 4:30 P.M.

With no further business to come before the council, Councilmember Bryant moved to adjourn the meeting at 7:05 P.M. Motion was seconded by Councilman Boxberger and approved.


Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING OCTOBER 6, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening October 6, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) Absent: Mike Kruger (1).

Motion was made by Councilmember Bryant, seconded by Councilmember Deiter and approved that the minutes from the last regular session held on September 15, 2003 be accepted as amended.

Councilman Boxberger gave the monthly financial report

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Ross and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1923.

Ms. Diana Buechle, a Community Relations Representative for Kansas Gas Service was present and advised that the current Franchise Agreement between the City of Silver Lake and Kansas Gas Service expires on February 1, 2004. Ms. Buechle would like council to consider the renewal of this agreement with a possible increase to the current franchise fee of two (2) percent. It was noted that the statutory limit for natural gas franchise agreements is five (5) percent. Ms. Buechle presented a draft Franchise Agreement that includes an option to the agreement that would allow the city to renegotiate the franchise fee every five (5) years even though the agreement would be for twenty (20) years. She will also provide the city an additional draft Franchise Agreement that includes three (3) provisions that would allow the franchise to be opened for renegotiations at anytime. City Attorney Hanson will be asked to review these draft ordinances prior to the council taking any action on this franchise agreement.

Mr. Jeff Rogers, a Contract Agent with Westar Energy was present and advised that Westar Energy would like to purchase an underground electric line Grant of Right of Way along and parallel with Silver Lake's east city limit between Lake St. and the Union Pacific Railroad Right of Way. This proposed underground electric line installation is a project connecting electric substations in Silver Lake and Rossville. Along with this Grant of Right of Way they enclosed a Right of Way Settlement form in the amount of \$1,000.00. Councilmen Ross suggested that council discuss this settlement amount prior to signing the contract. Motion was then made by Councilman Ross that this Right of Way Agreement be approved upon reaching an acceptable Right of Way Settlement. Motion was seconded by Councilmember Deiter and approved.

Utility Superintendent Kalcik reported that the 2003 Street Repair Project has been completed. He did note that there is a low spot that holds water in front of the building located at 307 W. Railroad. Kalcik will contact Andrews Asphalt & Construction regarding overlaying this low spot prior to winter. Council instructed Utility Superintendent Kalcik to proceed with this project prior to the next meeting if the total cost is approximately \$200.00.

Councilman Kruger asked Utility Superintendent Kalcik what can be done to alleviate the drainage problem in front of the barber shop. Kalcik discussed several options, which included the construction of curb and guttering or an underground storm drain. This matter will be considered next year along with the 2004 Street Repair Project.

Utility Superintendent Kalcik presented proposals from Utility Service Co. for washout and inspection of the 200,000 gallon water tower and for painting the roof on the 50,000 gallon water tower. Council agreed that they would like to obtain an estimate for complete yearly maintenance of both towers prior to

Regular session October 6, 2003 cont'd.

approving the proposal for the painting of the roof on the 50,000 gallon tower. Motion was made by Councilman Boxberger to approve the proposal for washout and inspection of the 200,000 gallon water tower. The total cost of this proposal is \$950.00. Motion was seconded by Councilman Ross and approved.

Motion was made by Councilman Bryant that at the recommendation of Mayor Smith, Councilman Boxberger be appointed to fill the vacancy on the Board of Zoning Appeals. Motion was seconded by Councilman Ross and approved with Councilman Boxberger abstaining from the vote.

A written request has been received from the Silver Lake Fire Auxiliary to use the community building for a chili feed on October 25, 2003. Motion was made by Councilman Ross that this request be approved and the fee for this use be waived. Motion was seconded by Councilmember Deiter and approved.

Officer Call gave the monthly police report.

Officer Call told council that he would like them to consider adopting a noise ordinance that would include music being played too loud in vehicles. Also, an ordinance prohibiting the riding of all-terrain vehicles on city streets. Call indicated that he would obtain copies of similar ordinances that have been adopted by other cities for council to review.

Council briefly discussed the parking problem on Shawnee Street. Utility Superintendent Kalcik has obtained prices for the purchase of "No Parking on Grass" signs to prohibit individuals from parking on the private property in the area. The estimated cost for these signs is \$111.00. No action was taken.

Utility Superintendent Kalcik reported that there was recently a bypass near Lift Station No. 3. The repair has been made and the Kansas Department of Health and Environment has been contacted about this matter.

Council was also advised that the motor on Lift Station No. 1 was recently pulled and sent in for repairs.

Councilman Ross inquired as to whether or not a building permit was issued for a room addition to a residence on E. Lake St. Utility Superintendent Kalcik indicated that a permit was issued for this room addition.

Councilman Ross has received a complaint regarding motorist speeding in Lakeland Subdivision. Council discussed the current speed limits in residential areas. Officer Call indicated that he would provide additional patrol in this subdivision.

Councilmember Deiter has received a sample of the holiday banner and pole bracket that council is interested in purchasing. She indicated that the flags are \$60.00 each and the brackets are \$40.00 each. Motion was then made by Councilmember Deiter that the city purchase thirty three (33) flags and brackets with the cost not to exceed \$3,500.00. Motion was seconded by Councilman Ross and approved. Councilmember Deiter asked council to review the flag options and let her know which would be the most appropriate.

Councilman Kruger entered the meeting at 6:55 P.M.

Regular session October 6, 2003 cont'd.

Mayor Smith reported that an issue concerning liquor sales on Sunday might come before the council in the near future. He updated council on the history of this issue.

Mayor Smith asked Utility Superintendent Kalcik if Westar Energy has indicated when they would be trimming the trees around electric poles in Silver Lake. Kalcik said that Westar Energy did not give him a time frame of when this trimming would be completed.

Mayor Smith told council that he recently represented the city at an education meeting with Governor Sebelius.

Mayor Smith reminded council that the next meeting is scheduled for October 20, 2003 at 4:30 P.M.

Officer Call told council that he would like to purchase a copy machine for the police station. Mayor Smith told him that if he can find a copier for less than \$200.00 he can go ahead and purchase it but if the cost exceeds \$200.00 he will have to get council approval.

Council continued discussion regarding the Right of Way Settlement form presented by Mr. Jeff Rogers, a Contract Agent with Westar Energy. Westar Energy offered a settlement of \$1,000.00 for the purchase of an underground electric line Grant of Right of Way. Motion was made by Councilman Ross that the city requests a settlement of \$2,500.00 with Mayor Smith negotiating this amount if necessary. Motion was seconded by Councilman Kruger and approved.

Mayor Smith reported that Don Short and Associates have obtained numerous health insurance quotes on behalf of the city. It was noted that Mr. Short attached a memo stating that the rates they obtained are not firm rates. In order to obtain firmer rates each employee would have to fill out health statements for each company. Councilmember Bryant advised that she has received information on requirements for non-state groups to participate in the State of Kansas Health Benefits Program. She said the city would be able to participate with this program but not until next year. Council asked Councilmember Bryant to contact the representative from the state health care program about meeting with council and the city employees sometime in February or March to explain this program. Council reviewed the other optional health benefit plans offered by Blue Cross and Blue Shield. City Clerk Stadler was asked to find out if the rates they quoted are offered month to month. Council discussed the health insurance and other benefits that employees receive. This matter was then tabled until the next meeting.

Motion was made by Councilmember Bryant, seconded by Councilman Kruger and approved that council adjourns into executive session at 7:50 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 8:05 P.M. Utility Superintendent Kalcik was asked to be present during this executive session.

The regular session resumed at 8:05 P.M.

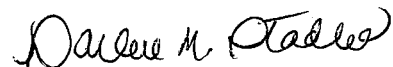
Motion was made by Councilman Kruger, seconded by Councilman Boxberger and approved that council adjourns into executive session at 8:05 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 8:15 P.M. City Clerk Stadler was asked to be present during this executive session.

The regular session resumed at 8:15 P.M.

Regular session October 6, 2003 cont'd.

Motion was made by Councilman Boxberger that Janie Gowin be offered the position of Part Time City Clerk at a salary of \$9.00 per hour. Motion was seconded by Councilmember Deiter and approved.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 8:15 P.M. Motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING OCTOBER 20, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening October 20, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Motion was made by Councilmember Deiter, seconded by Councilmember Bryant and approved that the minutes from the last regular session held on October 20, 2003 be accepted as amended.

Mr. Brian Fox, owner of Fox Retail Liquor in Silver Lake was present and asked council to consider adopting a charter ordinance that would allow the sale of alcoholic liquor on Sundays. Mayor Smith explained that state law prohibits liquor sales on Sundays but other cities are opting out citing home-rule statutes. It was noted that the legislature may consider acting on this issue when the reconvene. City Attorney Hanson explained the procedure for enactment of a charter ordinance. It was decided that prior to acting on this issue council would like to hear opinions from the residents of Silver Lake about the sales of alcoholic liquor on Sundays. Council asked Mr. Fox if he could provide at the next meeting a list of cities and counties that have opted out of this state law.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Ross and seconded by Councilman Boxberger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1924.

City Attorney Hanson told council that he has reviewed the draft franchise ordinances provided at the last meeting by Ms. Diana Buechle, a Community Relations Representative for Kansas Gas Service. He indicated that he has some questions regarding this ordinance to discuss with Utility Superintendent Kalcik prior to making a recommendation to council. Council will also have to consider a possible increase to the current franchise fee of two (2) percent. It was noted that the statutory limit for natural gas franchise agreements is five (5) percent. This matter was tabled until the next meeting.

Council reviewed an engagement letter received from City Accountant Glenn for projecting year-end cash fund balances as of December 31, 2003. Councilman Boxberger will contact City Accountant Glenn about this engagement letter as council has several questions regarding this service and their rates. This matter was tabled until the next meeting.

Council reviewed the Facility Use Agreement received from Meals on Wheels, Inc. This agreement allows them to use the community building for the Senior Nutrition Program. Motion was made by Councilman Ross, seconded by Councilman Kruger and approved that this agreement be accepted.

City Clerk Stadler reported that she contacted Blue Cross and Blue Shield and found the rates they quoted for a new health insurance policy are offered month to month. This rate will remain the same until the policy expires November 2004. Councilmember Bryant has also received information concerning the requirements for non-state groups to participate in the State of Kansas Health Benefit Program. She indicated that a representative from the State of Kansas would probably be available after the first of the year to meet with council and employees and explain the State of Kansas Health Benefit Program. Council could then decide whether they would like to continue with Blue Cross & Blue Shield or change to the State of Kansas Health Benefit Program. If a change were made, council would take into consideration the deductibles that the employees have to pay and possibly reimburse them for these deductibles. Motion was then made by Councilmember Bryant to accept the quote received from Blue Cross and Blue

Regular session October 20, 2003 cont'd.

Shield for Blue Choice – Comprehensive Major Medical Triple Option – Plan 2. Motion was seconded by Councilman Kruger and approved.

Utility Superintendent Kalcik told council that he has received a quote from Andrews Asphalt & Construction for repairing the low spot that holds water in front of the building located at 307 W. Railroad. The quote for this asphalt overlay repair was \$800.00. Council briefly discussed other street repair projects in this area. Motion was then made by Councilman Boxberger, seconded by Councilman Kruger and approved that this quote of \$800.00 be accepted.

A Silver Lake resident has asked Utility Superintendent Kalcik if the city would allow him to landscape the drainage ditch located on his property. City Attorney Hanson explained that the city owns these ditches but it is to property owner's responsibility to maintain them. This matter was tabled until the next meeting.

Motion was made by Councilman Ross that Officer Crow purchases materials needed for the D.A.R.E. Graduation. The total cost for these materials is \$620.49. Motion was seconded by Councilmember Bryant and approved.

Officer Call told council that he would provide Assistant City Attorney Barnes with copies of other cities ordinances regulating loud noise and the riding of all-terrain vehicles on city streets. Call would like the council to consider adopting similar ordinances.

Officer Call told council that he has been providing additional patrol in Lakeland Subdivision in response to a complaint received concerning motorist speeding in this neighborhood.

Council was advised that the Kansas Department of Transportation has conducted the Road Safety Audit in Silver Lake. The city has not received information concerning the outcome of this audit.

Motion was made by Councilman Boxberger to adopt an ordinance amending the current franchise agreement with Sprint. This ordinance clarifies the definition of "gross receipts" as it applies to telecommunications franchise tax. Motion was seconded by Councilman Ross and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1925.

City Clerk Stadler reported that Janie Gowin has accepted the position of Part Time City Clerk.

Mayor Smith told council that Westar Energy agreed to a settlement amount of \$2,000.00 for the purchase of an underground electric line Grant of Right of Way.

Utility Superintendent Kalcik reported that mosquito spraying has ended for the year.

Utility Superintendent Kalcik has presented a cost estimate to alleviate the drainage problem on Madore Street. He explained what areas would benefit from this drainage project. Councilman Kruger recommended that council review the Storm Drainage Master Plan and consider proceeding with the next phase of this project in 2004. This matter was tabled until the next meeting.

Mayor Smith reminded council that the annual hotdog roast will be held on October 31, 2003. Officer Call noted that anyone wanting to assist with the hotdog roast should be there between 4:00 P.M. and 5:00 P.M.

Regular session October 20, 2003 cont'd.

Utility Superintendent Kalcik reported that he has not received the estimates for yearly maintenance of both water towers.

Mayor Smith told council that City Attorney Hanson has determined that there would be no conflict with Councilman Bryant serving on the Board of Zoning Appeals.

Utility Superintendent Kalcik has heard no reply from the Kansas Department of Health & Environment regarding the report he filed with them regarding the recent bypass near Lift Station No. 3.

Mayor Smith inquired as to whether Westar Energy had the trees trimmed around the electric poles. Utility Superintendent Kalcik said they were suppose to trim these trees last Friday but the weather prohibited them from trimming them. Councilman Boxberger noted that they may have started today.

Councilmember Deiter has ordered the holiday banners that were approved at the last meeting. Mayor Smith noted that Councilmember Deiter was able to obtain these banners for a lower price.

Mayor Smith asked Officer Call about the letter included in the packets regarding participation in the Technology Transfer Program. Call noted that the city would only participate in the program if a requested grant is received.

Mayor Smith noted that a letter has been received from the American Legion Post No. 31 concerning proposed community events to coincide with the national dedication of the WWII memorial in Washington D.C. on May 29, 2004. No action was taken.

A letter has been received from Galaxy Cablevision advising that they are exploring the possibility of a sale of its system.

Mayor Smith updated council on the upcoming Topeka/Shawnee Metropolitan Planning Commission meeting scheduled for November 10, 2003.

Mayor Smith reminded council that the next meeting is scheduled for November 3, 2003 at 5:30 P.M. The following meeting is scheduled for November 17, 2003 at 4:30 P.M.

An inquiry was made as to the status of Local Access Channel 29. Mayor Smith indicated that he would contact Superintendent Pegram about this matter.

With no further business to come before the council, Councilmember Bryant moved to adjourn this meeting at 6:05 P.M. Motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING OCTOBER 20, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening October 20, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Motion was made by Councilmember Deiter, seconded by Councilmember Bryant and approved that the minutes from the last regular session held on October 20, 2003 be accepted as amended.

Mr. Brian Fox, owner of Fox Retail Liquor in Silver Lake was present and asked council to consider adopting a charter ordinance that would allow the sale of alcoholic liquor on Sundays. Mayor Smith explained that state law prohibits liquor sales on Sundays but other cities are opting out citing home-rule statutes. It was noted that the legislature may consider acting on this issue when they reconvene. City Attorney Hanson explained the procedure for enactment of a charter ordinance. It was decided that prior to acting on this issue council would like to hear opinions from the residents of Silver Lake about the sales of alcoholic liquor on Sundays. Council asked Mr. Fox if he could provide at the next meeting a list of cities and counties that have opted out of this state law.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Ross and seconded by Councilman Boxberger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1924.

City Attorney Hanson told council that he has reviewed the draft franchise ordinances provided at the last meeting by Ms. Diana Buechle, a Community Relations Representative for Kansas Gas Service. He indicated that he has some questions regarding this ordinance to discuss with Utility Superintendent Kalcik prior to making a recommendation to council. Council will also have to consider a possible increase to the current franchise fee of two (2) percent. It was noted that the statutory limit for natural gas franchise agreements is five (5) percent. This matter was tabled until the next meeting.

Council reviewed an engagement letter received from City Accountant Glenn for projecting year-end cash fund balances as of December 31, 2003. Councilman Boxberger will contact City Accountant Glenn about this engagement letter as council has several questions regarding this service and their rates. This matter was tabled until the next meeting.

Council reviewed the Facility Use Agreement received from Meals on Wheels, Inc. This agreement allows them to use the community building for the Senior Nutrition Program. Motion was made by Councilman Ross, seconded by Councilman Kruger and approved that this agreement be accepted.

City Clerk Stadler reported that she contacted Blue Cross and Blue Shield and found the rates they quoted for a new health insurance policy are offered month to month. This rate will remain the same until the policy expires November 2004. Councilmember Bryant has also received information concerning the requirements for non-state groups to participate in the State of Kansas Health Benefit Program. She indicated that a representative from the State of Kansas would probably be available after the first of the year to meet with council and employees and explain the State of Kansas Health Benefit Program. Council could then decide whether they would like to continue with Blue Cross & Blue Shield or change to the State of Kansas Health Benefit Program. If a change were made, council would take into consideration the deductibles that the employees have to pay and possibly reimburse them for these deductibles. Motion was then made by Councilmember Bryant to accept the quote received from Blue Cross and Blue

Regular session October 20, 2003 cont'd.

Shield for Blue Choice – Comprehensive Major Medical Triple Option – Plan 2. Motion was seconded by Councilman Kruger and approved.

Utility Superintendent Kalcik told council that he has received a quote from Andrews Asphalt & Construction for repairing the low spot that holds water in front of the building located at 307 W. Railroad. The quote for this asphalt overlay repair was \$800.00. Council briefly discussed other street repair projects in this area. Motion was then made by Councilman Boxberger, seconded by Councilman Kruger and approved that this quote of \$800.00 be accepted.

A Silver Lake resident has asked Utility Superintendent Kalcik if the city would allow him to landscape the drainage ditch located on his property. City Attorney Hanson explained that the city owns these ditches but it is to property owner's responsibility to maintain them. This matter was tabled until the next meeting.

Motion was made by Councilman Ross that Officer Crow purchase materials needed for the D.A.R.E. Graduation. The total cost for these materials is \$620.49. Motion was seconded by Councilmember Bryant and approved.

Officer Call told council that he would provide Assistant City Attorney Barnes with copies of other cities ordinances regulating loud noise and the riding of all-terrain vehicles on city streets. Call would like the council to consider adopting similar ordinances.

Officer Call told council that he has been providing additional patrol in Lakeland Subdivision in response to a complaint received concerning motorist speeding in this neighborhood.

Council was advised that the Kansas Department of Transportation has conducted the Road Safety Audit in Silver Lake. The city has not received information concerning the outcome of this audit.

Motion was made by Councilman Boxberger to adopt an ordinance amending the current franchise agreement with Sprint. This ordinance clarifies the definition of "gross receipts" as it applies to telecommunications franchise tax. Motion was seconded by Councilman Ross and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1925.

City Clerk Stadler reported that Janie Gowin has accepted the position of Part Time City Clerk.

Mayor Smith told council that Westar Energy agreed to a settlement amount of \$2,000.00 for the purchase of an underground electric line Grant of Right of Way.

Utility Superintendent Kalcik reported that mosquito spraying has ended for the year.

Utility Superintendent Kalcik has presented a cost estimate to alleviate the drainage problem on Madore Street. He explained what areas would benefit from this drainage project. Councilman Kruger recommended that council review the Storm Drainage Master Plan and consider proceeding with the next phase of this project in 2004. This matter was tabled until the next meeting.

Mayor Smith reminded council that the annual hotdog roast will be held on October 31, 2003. Officer Call noted that anyone wanting to assist with the hotdog roast should be there between 4:00 P.M. and 5:00 P.M.

Regular session October 20, 2003 cont'd.

Utility Superintendent Kalcik reported that he has not received the estimates for yearly maintenance of both water towers.

Mayor Smith told council that City Attorney Hanson has determined that there would be no conflict with Councilman Boxberger serving on the Board of Zoning Appeals.

Utility Superintendent Kalcik has heard no reply from the Kansas Department of Health & Environment regarding the report he filed with them regarding the recent bypass near Lift Station No. 3.

Mayor Smith inquired as to whether Westar Energy had the trees trimmed around the electric poles. Utility Superintendent Kalcik said they were suppose to trim these trees last Friday but the weather prohibited them from trimming them. Councilman Boxberger noted that they may have started today.

Councilmember Deiter has ordered the holiday banners that were approved at the last meeting. Mayor Smith noted that Councilmember Deiter was able to obtain these banners for a lower price.

Mayor Smith asked Officer Call about the letter included in the packets regarding participation in the Technology Transfer Program. Call noted that the city would only participate in the program if a requested grant is received.

Mayor Smith noted that a letter has been received from the American Legion Post No. 31 concerning proposed community events to coincide with the national dedication of the WWII memorial in Washington D.C. on May 29, 2004. No action was taken.

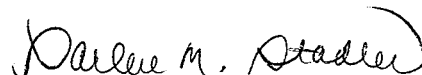
A letter has been received from Galaxy Cablevision advising that they are exploring the possibility of a sale of its system.

Mayor Smith updated council on the upcoming Topeka/Shawnee Metropolitan Planning Commission meeting scheduled for November 10, 2003.

Mayor Smith reminded council that the next meeting is scheduled for November 3, 2003 at 5:30 P.M. The following meeting is scheduled for November 17, 2003 at 4:30 P.M.

An inquiry was made as to the status of Local Access Channel 29. Mayor Smith indicated that he would contact Superintendent Pegram about this matter.

With no further business to come before the council, Councilmember Bryant moved to adjourn this meeting at 6:05 P.M. Motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING NOVEMBER 3, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening November 3, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Motion was made by Councilman Ross, seconded by Councilman Boxberger and approved that the minutes from the last regular session held on October 20, 2003 be accepted as amended.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilmember Deiter and seconded by Councilmember Bryant that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1926.

Mayor Smith asked council if they were able to get the opinions of residents concerning the sale of alcoholic liquor on Sundays. Council indicated that they did talk to residents about this issue and they discussed these opinions which were both positive and negative. Mayor Smith reminded council that state law prohibits liquor sales on Sundays but other cities are opting out citing home-rules. He noted that the legislature might consider acting on this issue when they reconvene. This matter was tabled until Mr. Brian Fox, owner of Fox Retail Liquor provides council with a list of cities and counties that have opted out of this state law.

City Attorney Hanson told council that he has reviewed the draft franchise ordinances provided at a recent meeting by Ms. Diana Buechle, a Community Relations Representative for Kansas Gas Service. He indicated that there are some questions regarding this ordinance that he would like to discuss with Utility Superintendent Kalcik prior to making a recommendation to council. Hanson does not agree with the section of this franchise agreement that relates to permits and fees for utility companies constructing on city right of way. He will prepare a draft ordinance for council to review at the next meeting that is similar to the franchise agreement that was recently approved for Westar Energy. He noted that council has to consider a possible increase to the current franchise fee of two (2) percent. It was noted that the statutory limit for natural gas franchise agreements is five (5) percent. Motion was made by Councilmember Bryant that City Attorney Hanson prepare a draft agreement proposing that the franchise fee remain two (2) percent and that it include any option that would allow the city to consider franchise fee changes every five (5) years. Motion was seconded by Councilman Ross and approved.

Council tabled until the next meeting discussion concerning the engagement letter received from City Accountant Glenn for projecting year-end cash fund balance as of December 31, 2003. Councilman Boxberger needs to contact City Accountant Glenn about this engagement letter as council has several questions regarding this service and their rates.

Council discussed the next phase of the Beaubain Storm Sewer Extension Project. The engineer's estimate, which was completed on April 15, 2002, gave a total estimated project cost of \$271,960.00. This would replace the storm sewer from Pottawatomie to the lake, which is approximately 1300 feet. Council discussed with City Attorney Hanson the possible funding options for this project. They also discussed completing this project in conjunction with replacing water main lines in this area. No action was taken at this time.

Motion was made by Councilman Ross to approve the Memorandum of Understanding for Mass Dispensing Sites in Shawnee County. This memorandum acknowledges the intent of the city to allow the

Regular session November 3, 2003 cont'd.

community building to serve as a local dispensing site for the Strategic National Stockpile in the event that the stockpile is requested to address a large scale communicable disease outbreak or bioterrorism event. Motion was seconded by Councilman Kruger and approved.

Officer Call gave the monthly police report.

Officer Call reported that the hotdog roast the Silver Lake Police Department hosted for the area children on Halloween was well attended. Mayor Smith thanked everyone including the Silver Lake Senior Citizens for all their hard work in making this event a success. Council discussed traffic safety issues concerning the location of this hotdog roast. Officer Call explained the steps that are taken to assure the safety of those attending this event.

Officer Call explained the circumstances surrounding a chase that occurred in the Silver Lake area.

Council discussed police coverage during the upcoming holiday.

Discussion was held concerning the recent vandalism that was done to the west "Welcome to Silver Lake" sign. Utility Superintendent Kalcik reported that they were able to clean this sign. He has contacted a stone company about possibly sealing this sign and was told not to do this, as the city would then have to seal the sign once a year. Officer Call updated council on circumstances surrounding the investigation of this vandalism.

Utility Superintendent Kalcik reported that Andrews Asphalt & Construction has completed the asphalt overlay project in front of the building located at 307 W. Railroad.

Mayor Smith asked Utility Superintendent Kalcik if he has followed up on a question that was asked regarding a resident wanting to landscape the drainage ditch located on his property. Kalcik indicated that he needs to discuss this issue with City Attorney Hanson.

Officer Call informed council that the 5th Grade D.A.R.E. Graduation is scheduled for November 13, 2003 at 7:00 P.M.

Officer Call told council that he has provided Assistant City Attorney Barnes with copies of other cities ordinances regulating loud noise and the riding of all-terrain vehicles on city streets. Call would like the council to consider adopting similar ordinances.

Utility Superintendent Kalcik reported that he has not received the estimates for yearly maintenance of both water towers.

Utility Superintendent Kalcik has heard no reply from the Kansas Department of Health & Environment regarding the report he filed with them regarding the recent bypass near Lift Station No. 3.

Mayor Smith inquired as to whether or not Westar Energy trimmed the trees as requested by the city. Utility Superintendent Kalcik indicated that Wright Tree Service has trimmed some trees but they did not remove the limbs as expected. Kalcik was instructed to contact Bill Howgill, a Community Support Representative from Westar Energy and advise that all of the trees have not been trimmed and that they are not being removed from the site as expected.

Regular session November 3, 2003 cont'd.

Councilmember Deiter reported that the holiday banners have been delivered and will soon be installed on the poles.

Mayor Smith reported that the city has received a Federal Local Law Enforcement Block Grant in the amount of \$1,432.00. This grant money will be used for patrol car equipment.

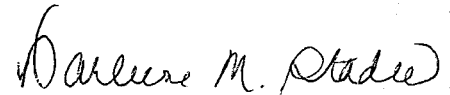
The city has been advised that American Legion Post No. 31 has scheduled a meeting for 1:30 P.M., November 9, 2003 to discuss local community events to coincide with the national dedication of the WWII memorial in Washington D.C. on May 29, 2004.

Mayor Smith told about the council the upcoming Topeka/Shawnee Metropolitan Planning Commission meeting scheduled for November 10, 2003.

Councilman Ross reported that Local Access Channel 29 has not been operating due to problems with the software. They are making repairs and it should be on the air sometime soon.

Mayor Smith reminded council that the next meeting is schedule for November 17, 2003 at 4:30 P.M.

With no further business to come before the council, Councilman Boxberger moved to adjourn the meeting at 7:00 P.M. Motion was seconded by Councilmember Deiter and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING NOVEMBER 17, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening November 17, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) Absent: Mike Kruger (1).

Motion was made by Councilmember Deiter, seconded by Councilman Ross and approved that the minutes from the last regular session held on November 3, 2003 be accepted as amended.

Councilman Boxberger gave the monthly financial report.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Ross and seconded by Councilman Boxberger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Bill Ross (4) NAY: None. Ordinance was declared passed and was given no. 1927.

Motion was made by Councilman Boxberger to renew the Certificate of Deposit that matures at Silver Lake Bank on November 18, 2003. Motion was seconded by Councilmember Bryant and approved.

Councilman Boxberger noted that there is another Certificate of Deposit that matures at Silver Lake Bank on November 30, 2003. This matter was tabled until the next meeting, as the city needs to determine if this certificate can be renewed at the nine (9) month promotional rate.

City Attorney Hanson told council that he has met with Utility Superintendent Kalcik about the draft franchise ordinances provided at a recent meeting by Ms. Diana Buechle, a Community Relations Representative for Kansas Gas Service. Hanson questioned the section of this franchise agreement that relates to permits and fees for utility companies constructing on city right of way. He will prepare a draft ordinance as directed by council and will forward it to Kansas Gas Service for their approval. At the last meeting council approved the franchise fee remaining at two (2) percent with an option included that would allow the city to consider franchise fee changes every five (5) years.

Councilman Kruger entered the meeting at 4:45 P.M.

Council discussed the engagement letter received from City Accountant Glenn for projecting year-end cash fund balance as of December 31, 2003. Councilman Boxberger noted that he has contacted City Accountant Glenn about this engagement letter as council had several questions regarding this service and their rates. Councilman Boxberger explained that the fees for projecting the year-end cash fund balance is not part of the audit agreement and therefore, the city would be charged for these additional services. After discussion council agreed to use the information provided on the quarterly financial report prepared by City Clerk Stadler to determine if the cash fund balances are at a satisfactory level. Councilman Boxberger said he could provide a summary report of previous cash balances if necessary. City Clerk Stadler was asked to contact City Accountant Glenn and advise that at this time; the city is not interested in this additional service.

Motion was made by Councilmember Deiter, seconded by Councilman Ross and approved to accept the final plat for Silver Lakeside Subdivision No. 2

Council signed the new signature letter for Silver Lake Bank. This letter notifies them who is allowed to transfer funds and issue checks on behalf of the city.

Regular session November 17, 2003 cont'd.

Building/Grounds Superintendent Taylor told council that the senior citizens have completed the flowerbed project at the community building. The senior citizens appreciate the city allowing Building/Grounds Superintendent Taylor to assist with the project.

Numerous complaints were received today concerning a resident that continually rakes his leaves into the drainage ditch on his property. According to city code it is unlawful for any person to accumulate leaves in or upon any street or public way within the city limits. Officer Call told council that he would contact the property owner about this issue.

Utility Superintendent Kalcik told council that he would like them to consider purchasing hand held meter reading equipment before the end of the year. He noted that the purchase of this equipment is included in the current budget. Earlier this year council talked about purchasing this meter reading equipment in conjunction with the purchase of a new computer. Utility Superintendent Kalcik was asked to obtain prices for this meter reading equipment. City Clerk Stadler was also asked to contact the utility billing company to determine if they sell meter reading equipment that is compatible with the billing software the city uses. If they do sell this equipment the city would like to know what hardware would be needed for this computer upgrade. This matter was tabled until the next meeting.

Utility Superintendent Kalcik has contacted Bill Howgill, the Community Support Representative from Westar Energy regarding the tree trimming issue that was discussed at the last meeting. Mr. Howgill explained that the trees that were trimmed and not removed by the company were trimmed due to an emergency. They are planning on trimming trees in the entire town in January or February, as they like to wait until the leaves are all off. At that time, all the limbs will be removed from the sites.

Officer Call told council he would like the city to erect three (3) additional speed zone signs on Highway 24 coming from the west. He would like a twenty (20) mph zone ahead erected at approximately Thomas Road and Highway 24 and twenty (20) mph zone signs erected near Beaubain and Highway 24 and Madore and Highway 24. Motion was made by Councilman Ross that the signs requested be approved. Motion was seconded by Councilmember Deiter and approved with Councilman Boxberger and Councilman Kruger voting NAY.

Officer Call told council that he would like the city to purchase the new video equipment and the radar unit for the new patrol car that is included in the 2004 Budget. The approximate total cost for these items is \$6,500.00. Call indicated that he would like these items purchased now as there will be money remaining in the 2003 Budget and these items were included in the current budget. Motion was then made by Councilman Ross that these items be purchased at an approximate cost of \$6,500.00. Motion was seconded by Councilmember Deiter and the matter was open for discussion. Council discussed whether or not these items should be purchased prior to purchasing the car. Officer Call explained the condition of the patrol cars and advised that they like to purchase new cars every three (3) year if it is feasible. Council then agreed that these items should not be purchased at this time as the cash fund balances are running low and it may not be feasible to purchase a new car next year. Councilman Ross and Councilmember Deiter then withdrew their earlier motions.

Council briefly discussed that Federal Local Law Enforcement Grant that the city received. This grant in the amount of \$1,432.00 will be used for police equipment. City Attorney Hanson was asked to review the regulations regarding this grant. It was noted that the money received from this grant must be used in one (1) year.

Regular session November 17, 2003 cont'd.

A question was asked concerning the 2003 Street Repair Project. Utility Superintendent Kalcik reported that this project has been completed.

Councilmember Bryant asked City Clerk Stadler if the employees are aware that the new employee health insurance policy only allows them to see doctors that are members of the Blue Choice Plan. City Clerk Stadler said that they are aware of the limitations.

Council asked City Clerk Stadler to begin making preparations for the holiday dinner that will be held after the meeting scheduled for December 15, 2003.

Councilman Ross informed council that the school district still has funds remaining in their budget that can be used for D.A.R.E. expenses. Officer Call will follow up on this issue.

Councilman Boxberger inquired about the previous vandalism done to the west "Welcome to Silver Lake" sign. He was updated on the circumstances surrounding the investigation of this vandalism.

Mayor Smith told council after the next meeting he would like to have an executive session to discuss employee benefits and salary increases.

Utility Superintendent Kalcik was asked if the asphalt overlay project in front of the building located at 307 W. Railroad is improving the ponding water in this area. Kalcik indicated that it has improved this problem.

Councilmember Deiter advised that she needs an executive session at the end of the meeting to discuss personnel matters.

Mayor Smith reported that the D.A.R.E. Graduation that was held on November 13, 2003 went well.

Officer Call told council that he has provided Assistant City Attorney Barnes with copies of other cities ordinances regulating loud noise and the riding of all-terrain vehicles on city streets. Call would like the council to consider adopting similar ordinances.

Utility Superintendent Kalcik reported that he would present the estimates for yearly maintenance of both water towers sometime after the first of the year.

Mayor Smith noted that the city has received a \$36.00 disbursement check from the Department of Agriculture.

Mayor Smith told council that a representative from Galaxy Cablevision has contacted him and advised that they would be adding Fox Sports Net (FSN) to the Silver Lake channel lineup in the near future.

Mayor Smith updated council on the Topeka/Shawnee Metropolitan Planning Commission meeting he attended on November 10, 2003.

Mayor Smith updated council on the parking issue in front the business west of city hall. He thought the fire personnel had agreed to a workable solution but problems are still occurring. Council discussed the agreement that allows the fire department to occupy the city building at no cost other than paying one half of the monthly Westar Energy bill. After further discussion council agreed that if this problem is still

Regular session November 17, 10023 cont'd.

occurring next week, they would like to request that a member of the fireboard attend the next meeting to address this issue.

Mayor Smith noted that there were several water issue articles in The Kansas Lifeline magazine that may be of interest to them. The magazine is published quarterly by the Kansas Rural Water Association.

Mayor Smith reminded council that the next meeting is scheduled for December 1, 2003 at 5:30 P.M. The following meeting is scheduled for December 15, 2003 at 5:30 P.M.

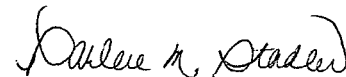
Motion was made by Councilmember Deiter, seconded by Councilman Kruger and approved that council adjourns into executive session at 6:35 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 6:50 P.M. Officer Call and City Attorney Hanson were asked to be present during this executive session.

The regular session resumed at 6:50 P.M.

Motion was made by Councilmember Deiter, seconded by Councilmember Bryant and approved that council adjourns into executive session at 6:50 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 7:00 P.M. Officer Call and City Attorney Hanson were asked to be present during this executive session.

The regular session resumed at 7:00 P.M.

With no further business to come before the council, Councilmember Deiter moved to adjourn the meeting at 7:00 P.M. Motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING DECEMBER 1, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening December 1, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Motion was made by Councilmember Deiter, seconded by Councilman Kruger and approved that the minutes from the last regular session held on November 17, 2003 be accepted as amended.

Councilman Boxberger gave the monthly financial report.

Motion was made by Councilman Boxberger to transfer the funds from the Certificate of Deposit that matured at Silver Lake Bank on November 30, 2003 to an eleven (11) month Certificate of Deposit at an interest rate of 1.80%. Motion was seconded by Councilmember Bryant and approved.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilmember Deiter and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1928.

City Attorney Hanson reported that he has forwarded a draft franchise ordinance to Ms. Diana Buechle, the Community Relations Representative from Kansas Gas Service. This matter was tabled until City Attorney Hanson is informed that Kansas Gas Service has accepted this draft ordinance.

Motion was made by Councilman Ross and seconded by Councilman Boxberger to approve the cereal malt beverage applications received from Wehner's Thriftway and Silver Lake 66. Final approval on this issue was tabled until Officer Call reviews these applications.

Mayor Smith reported that Mr. Brian Fox, owner of Fox Retail Liquor has not provided council with a list of cities and counties that have opted out of the state law that regulates the sale of alcoholic liquor on Sundays. As soon as council receives this list they will consider this request further.

Utility Superintendent Kalcik presented council with numerous prices for hand held meter reading equipment. Mayor Smith said that the current utility billing company has also provided information on the meter reading equipment that they sell and information on the cost for a computer upgrade. Smith would like to research this information before council proceeds any further. Utility Superintendent Kalcik was asked to contact other municipalities regarding the meter reading equipment and utility billing software that they are currently using. This matter was tabled until the next meeting.

Officer Call gave the monthly police report. He also advised that there were no emergency calls in Silver Lake over the Thanksgiving Holiday.

Council was given an update on the previous vandalism done to the west "Welcome to Silver Lake" sign. Officer Crow was asked to contact the sheriff officer that was working on this investigation about action that was taken against the individuals that did this vandalism.

A complaint letter has been received from a resident concerning the condition in which their neighbor's yard is kept. City Clerk Stadler indicated that the city recently mowed the property that this resident is complaining about.

Regular session December 1, 2003 cont'd.

Motion was made by Councilman Ross to adopt a Resolution that would waive the requirements of K.S.A. 75-1120a(a) for the year 2003. This statute relates to the generally accepted accounting principles (GAAP) in the preparation of financial statements and reports. It was the recommendation of City Accountant Glenn that the city request a waiver from these procedures as they have no significant value to the city. Motion was seconded by Councilman Boxberger and approved.

Councilmember Bryant commented that the holiday banners that were recently installed on thirty three (33) poles in Silver Lake looks great.

Councilmember Deiter advised that she needs an executive session at the end of the meeting to discuss personnel matters.

Motion was made by Councilman Boxberger that the next meeting begin at 4:30 P.M. followed by a holiday dinner at 5:30 P.M. Motion was seconded by Councilman Kruger and approved.

Officer Call indicated that he has reviewed the cereal malt beverage applications that were presented earlier and that council can proceed with final action as the applicants checked out okay. Council then gave final approval to the cereal malt beverage applications presented by Wehner's Thriftway and Silver Lake 66.

Officer Call presented council with information on the ordinance that the City of Topeka adopted to prohibit residents from putting leaves in the drainage ditch on their property, or from blowing the leaves into the street. After discussion with City Attorney Hanson it was agreed that the city has an existing ordinance that addresses these issues. No further action was taken.

Utility Superintendent Kalcik noted that he has ordered the three (3) speed zone signs that were approved at the last meeting.

City Clerk Stadler told council that she is going to make some changes to the letter recently sent to the school district regarding the funds remaining in the school budget for D.A.R.E. expenses.

Officer Call told council he has provided Assistant City Attorney Barnes with copies of other cities ordinances regulating loud noise and the riding of all-terrain vehicles on city streets. Call would like the council to consider adopting similar ordinances.

Mayor Smith updated council on the parking issue in front of the business west of city hall. He noted that the fire personnel have agreed to a workable solution to this problem.

Mayor Smith told council that he would be attending the Topeka/Shawnee Metropolitan Planning Commission meeting that is schedule for December 11, 2003 from 3:00 P.M. to 5:00 P.M.

Mayor Smith discussed possibly adopting a resolution that would allow residents to discharge fireworks on New Years Eve. No action was taken.

Motion was made by Councilmember Deiter, seconded by Councilman Kruger and approved that council adjourn into executive session at 6:23 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 6:38 P.M. Officer Call, Officer Crow and City Attorney Hanson were all asked to be present during this executive session.

Regular session December 1, 2003 cont'd.

The regular session resumed at 6:38 P.M.

Motion was made by Councilmember Bryant, seconded by Councilman Ross and approved that council adjourn into executive session at 6:38 P.M. to discuss matters relating to personnel. The regular session was scheduled to resume at 7:40 P.M.

The regular session resumed at 7:40 P.M.

Motion was made by Councilman Ross that the city employees receive salary increases as recommended by City Treasurer Boxberger. Motion was seconded by Councilman Kruger and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1929.

Motion was made by Councilman Ross that the city employees receive year end bonuses as recommended by City Treasurer Boxberger. Motion was seconded by Councilman Kruger and approved.

Motion was made by Councilman Ross that all city offices close at 12:00 Noon on December 24, 2003 and that all city offices be closed on December 26, 2003. Motion was seconded by Councilmember Bryant and approved.

With no further business to come before the council, Councilman Ross moved to adjourn the meeting at 7:45 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk

REGULAR SESSION MONDAY EVENING DECEMBER 15, 2003

The Governing Body of the City of Silver Lake met in regular session at city hall on Monday evening December 15, 2003 with Mayor Mack Smith conducting the meeting and the following Councilmembers present: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) Absent: None.

Mike Geer, a Silver Lake resident was present to discuss numerous concerns he has with the Silver Lake Police Department. He also discussed the circumstances regarding problems he had with a driver that was driving recklessly following the recent snowstorm.

Motion was made by Councilmember Deiter, seconded by Councilman Ross and approved that the minutes from the last regular session held on December 1, 2003 be accepted.

Claim voucher was submitted to the council for appropriation. An ordinance entitled "An ordinance appropriating money to pay certain claims" was introduced and read at length. Motion was made by Councilman Boxberger and seconded by Councilman Kruger that said ordinance be accepted as read and was then placed on final passage by roll call of the following vote: AYE: David Boxberger, Nancy Bryant, Jean Deiter, Mike Kruger, Bill Ross (5) NAY: None. Ordinance was declared passed and was given no. 1930.

Motion was made by Councilman Ross to approve the cereal malt beverage application received from Casey's General Stores, Inc. Motion was seconded by Councilmember Bryant and approved.

Motion was made by Councilman Boxberger to approve the liquor license application received from Fox Retail Liquor. Motion was seconded by Councilmember Deiter and approved.

A written request has been received from Shawnee County Parks & Recreation to use the community building for an upcoming aerobic class. They would like use of the building on Tuesday and Thursday evenings beginning January 6, 2004 and ending May 27, 2004. This class will be held from 6:30 P.M. to 7:30 P.M. Motion was made Councilmember Bryant, seconded by Councilman Ross and approved that this request be accepted. The fee for this use will be waived.

Council was advised that Utility Superintendent Kalcik has contacted other municipalities regarding the meter reading equipment and utility billing software that they are currently using. Council reviewed this information and decided to defer the purchase of this equipment at this time as they feel it should be purchased in conjunction with a new computer and software. If all of this equipment were purchased at the same time it would assure the council that it is all compatible.

Officer Call told council that Officer Crow and Part Time Officer Garcia need new bullet proof vests. He discussed the vests that are available and their warranties. Motion was then made by Councilman Ross that two (2) new bullet proof vests be purchased with the price not to exceed \$1,100.00. These vests should be purchased under state contract if possible. Motion was seconded by Councilmember Deiter and approved.

Officer Call reported that Utility Superintendent Kalcik has erected three (3) additional speed zone signs on Highway 24 coming from the west. These signs were approved at a recent meeting.

Council was given an update on the previous vandalism done to the west "Welcome to Silver Lake" sign. Officer Crow was asked to contact the sheriff officer that was working on this investigation about an apology letter from the individuals that did this vandalism. Mayor Smith indicated that he would like to have this letter by the next meeting.

Regular session December 15, 2003 cont'd.

Officer Call updated council on the sentencing that was imposed on the individual that committed the bank robbery in Silver Lake last year.

Officer Call thanked council for the year end bonuses and raises that they approved at the last meeting.

City Attorney Hanson told council an individual who would like to put a private club in a building that is currently empty has contacted him with questions concerning this matter. This building is located in a "C-1" Neighborhood Shopping District and this district does not permit taverns or private clubs. City Attorney Hanson discussed the several options that the council has in addressing this issue. After considering these options, motion was made by Councilman Ross that the council recommend that the Silver Lake Planning Commission consider an amendment to the Silver Lake Zoning Ordinance, Code Section 16-1503, to add as an additional authorized use in neighborhood shopping districts "taverns and private clubs". Motion was seconded by Councilman Boxberger and approved with one (1) abstention from this vote.

City Attorney Hanson presented council with the draft franchise ordinance approved by Kansas Gas Service. Ms. Diana Buechle, the Community Relations Representative from Kansas Gas Service has advised him that they would like to schedule this franchise agreement to be approved at the January 5, 2004 meeting so they can publish a notice of this meeting in the Ledger. City Attorney Hanson noted that this agreement sets the franchise fee at two (2) percent and it includes an option that would allow the city to consider franchise fee changes every five (5) years. The term of this agreement is twenty (20) years from the effective date of the ordinance. This matter was then tabled until the next meeting.

City Attorney Hanson also distributed a draft ordinance relating to excessive noise from motor vehicles within the City of Silver Lake. The matter was tabled to allow time for council and the police officers to review this ordinance.

Council discussed with City Attorney Hanson the Lease Agreement with Mid USA Wireless. Hanson indicated that he would review this lease agreement before that next meeting so he can address the question council has regarding this agreement.

Building/Grounds Superintendent Taylor told council that snow removal following the recent snowstorm went well.

Mayor Smith told council that he has the Statement of Municipal Policy published by the League of Kansas Municipalities if they would like to review it sometime.

Mayor Smith passed around several Christmas cards the city has received.

City Clerk Stadler has sent a Silver Lake resident a notice of violation for a public nuisance on their property. Further discussion on this matter was tabled as this resident has ten (10) days to complete the remedial action.


A letter has been received from the State of Kansas regarding the Federal Local Law Enforcement Block Grant that the City of Silver Lake was awarded. This letter noted that the Budget Summary Form and Budget Narrative that the city submitted were approved.

The council reviewed the information received regarding the workers compensation experience rating for the City of Silver Lake.

Regular session December 15, 2003 cont'd.

It was noted that the next meeting is scheduled for January 5, 2004 at 5:30 P.M. The following meeting will be held on Wednesday, January 21, 2004 due to the Martin Luther King, Jr. holiday. This meeting will also begin at 5:30 P.M.

With no further business to come before the council, Councilmember Deiter moved to adjourn the meeting at 5:25 P.M. The motion was seconded by Councilmember Bryant and approved.



Darlene M. Stadler,
City Clerk