

MINUTES OF THE REGULAR COUNCIL MEETING HELD SEPTEMBER 16, 1973.

COUNCIL MET IN REGULAR SESSION, MAYOR MURRAY PRESIDING.

COUNCILMEN PRESENT:

HANSBRAUGH
BAILEY

LATURNER
BOGLE

KAHLER
BROWN

BANKSON
DAVIES

BARKER
JAY

MINUTES OF THE PREVIOUS MEETING, HELD SEPTEMBER 4, 1973, WERE PRESENTED TO THE COUNCIL. IT WAS POINTED OUT BY COUNCILMAN LATURNER THAT THE MINUTES SHOULD BE AMENDED TO READ THAT ON THE ROLL CALL VOTE, PERTAINING TO THE MATTER OF A BEER LICENSE, THAT COUNCILMAN DAVIES VOTED YES AND COUNCILMAN BANKSON VOTED NO. MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN LATURNER THAT THE MINUTES BE APPROVED AS AMENDED. MOTION CARRIED.

MAYOR MURRAY READ THE APPOINTMENT OF ROBERT BROWN FOR JUDGE PRO-TEM. MOTION WAS MADE BY COUNCILMAN JAY AND SECONDED BY COUNCILMAN LATURNER THAT THE APPOINTMENT BE CONFIRMED. UPON ROLL CALL VOTE, THE FOLLOWING VOTED YEA: HANSBRAUGH, LATURNER, BANKSON, BARKER, BAILEY, BOGLE, BROWN, DAVIES, AND JAY. NAY: KAHLER.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN DAVIES THAT THE CITY OBTAIN A POSTAGE MACHINE FROM PITNEY BOWES. THE COST OF THE MACHINE BEING \$22.50 PER CALENDAR QUARTER. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BANKSON AND SECONDED BY COUNCILMAN JAY THAT THE CITY ATTORNEY DRAW UP AN ORDINANCE PERTAINING TO TRESSPASSING ON PRIVATE PROPERTY. MOTION CARRIED.

A LETTER FROM WEDA REED WAS READ TO THE COUNCIL, COMPLAINING ABOUT WEEDS, DEBRIS, ETC., AT THE LOCATION OF 22 BLOCK, EAST OF MAIN STREET. MOTION WAS MADE BY COUNCILMAN DAVIES AND SECONDED BY COUNCILMAN LATURNER THAT THE CITY CLERK NOTIFY THE OWNERS OF THE PROPERTY TO COMPLY WITH THE CITY ORDINANCE WITHIN TEN DAYS. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN BARKER THAT THE BID OF \$275.00, SUBMITTED BY DAN F. WILLIAMS, BE ACCEPTED FOR REPAIRS TO THE EMPIRE WELL FOR DAMAGES CAUSED BY THE STORM. IT WAS POINTED OUT THAT ALL BUT \$50 WAS TAKEN CARE OF BY INSURANCE. MOTION CARRIED.

THE COUNCIL WAS NOTIFIED BY THE MAYOR THAT PERMISSION HAD BEEN GIVEN BY BILL SHOEMAKER TO USE PIGEON CAVE FOR A DUMPING GROUND, WITH THE AGREEMENT THAT LIABILITY BE ACCEPTED BY THE CITY. THERE WAS NO ACTION TAKEN.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN BOGLE THAT THE MATTER PERTAINING TO WATER ADJUSTMENTS, THE WATER COMMITTEE, MAYOR, AND THE CITY CLERK AS A GROUP, BE AUTHORIZED TO MAKE ADJUSTMENTS AS THEY BE NECESSARY. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN DAVIES AND SECONDED BY COUNCILMAN LATURNER THAT THE STREET LIGHT BE TRANSFERRED FROM NEAR THE OLD HIGH SCHOOL BUILDING TO THE ALLEY WAY IN BACK OF THE NEW MASONIC HALL. MOTION CARRIED.

A LETTER FROM THE ATHLETIC COMM. OF BAXTER SPRINGS THANKING THE CITY COUNCIL FOR OFFERING THE USE OF THE CITY SWIMMING POOL FOR THEIR ATHLETIC CLUB, WAS READ TO THE COUNCIL. IN ADDITION TO THE LETTER, COUNCILMAN LATURNER POINTED OUT THAT THE CITY POOL FUND OPERATED IN THE AMOUNT OF \$783.72 DEFICIT.

ON THE MATTER PERTAINING TO SEWER CHARGES FOR LAUNDRY MATS, TRAILER COURTS, AND INDUSTRIES, THE ORDINANCE CONSISTED OF 25 PAGES. IT WAS POINTED OUT THAT THE CITY ATTORNEY SHOULD GO OVER THIS ORDINANCE, AND THE CITY CLERK RUN OFF COPIES FOR THE COUNCIL TO STUDY. ACTION TO BE TAKEN AT THE NEXT MEETING.

FINAL PAYMENT TO TRI CITY CONSTRUCTION COMPANY, IN THE AMOUNT OF \$44,541.63, WAS PRESENTED TO THE COUNCIL. MOTION WAS MADE BY COUNCILMAN JAY AND SECONDED BY COUNCILMAN BOGLE THAT THE MATTER BE TABLED UNTIL MEMBERS OF THE COUNCIL COULD RECEIVE A COPY OF THE FINAL STATEMENT FOR STUDY AND REVIEW BEFORE PAYMENT WAS MADE. MOTION CARRIED.

A LETTER FROM PAUL ARMSTRONG, IN BEHALF OF THE MUSICIANS LOCAL, WAS READ BY THE MAYOR. THE CITY CLERK WAS REQUESTED TO PLACE THE LETTER ON FILE.

THE CITY OWNED PROPERTY, LOCATED AT 6TH & SHORT STREET, WAS DISCUSSED AT THE MEETING PERTAINING TO THE TWO BIDS WHICH WERE RECEIVED FOR THE PROPERTY. THE FIRST BID, IN THE AMOUNT OF \$1250.99, WAS MADE BY THE GILSTRAP DRUG STORE. THE SECOND BID, IN THE AMOUNT OF \$607.00, WAS MADE BY MR. & MRS. BOB MURRAY. MOTION WAS MADE BY COUNCILMAN BARKER AND SECONDED BY COUNCILMAN BOGLE THAT THE CITY REJECT THE BIDS AND KEEP THE PROPERTY. UPON A ROLL CALL VOTE, NINE YEARS WITH ONE NAY.

MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN JAY THAT THE CITY ATTORNEY REVIEW ALL RECORDS, AS TO LEGALITY, PERTAINING TO THE STREET REFERRED TO AS OAK OR KELLER STREET, BEFORE FURTHER ACTION BE TAKEN ON CONDEMNATION PROCEEDINGS ON THE STREET. MOTION CARRIED.

COUNCILMAN JAY POINTED OUT THAT HE WOULD ACCEPT AN ALTERNATE ROUTE TO HIS PROPERTY AND THAT HE WOULD MEET WITH THE STREET COMMISSIONER AS TO THE POSSIBILITY OF A DIFFERENT ROUTE.

MOTION WAS MADE BY COUNCILMAN LATURNER AND SECONDED BY COUNCILMAN BOGLE THAT MARVIN MONTEE BE PAID \$40 FOR REMOVING TREES FROM SCHERMERHORN PARK, AND THAT THE SAID SUM BE INCLUDED IN ORDINANCE #707. MOTION CARRIED.

DISCUSSION WAS HELD PERTAINING TO HUNTING DUCKS ON THE LAGOON, IT WAS GENERALLY AGREED UPON THAT THE CITY ORDINANCE OF NO FIRE ARMS TO BE DISCHARGED WITHIN CITY LIMITS, BE ENFORCED.

MOTION WAS MADE BY COUNCILMAN BOGLE AND SECONDED BY COUNCILMAN JAY THAT THE MATTER PERTAINING TO THE ENTRANCE AND EXIT WAY AT 7th & WATER FOR THE SCHOOL, BE TABLED UNTIL MORE DETAILED INFORMATION BE RECEIVED. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN HANSBRAUGH AND SECONDED BY COUNCILMAN BANKSON THAT THE BONDS & INTEREST PAYMENT DUE AT THE STATE OFFICE, IN THE AMOUNT OF APPROXIMATELY \$36,000 BE PAID WHEN MONIES ARE MADE AVAILABLE. MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN LATURNER THAT ORDINANCE #707, CLAIMS AGAINST THE CITY, BE AMENDED TO INCLUDE THE \$40 PAYMENT TO MARVIN MONTEE, THUS MAKING THE ORDINANCE IN THE AMOUNT OF:

PAYROLL -	\$5763.28
REGULAR -	9565.48
TOTAL	\$15328.76

MOTION CARRIED.

MOTION WAS MADE BY COUNCILMAN BROWN AND SECONDED BY COUNCILMAN JAY THAT THE MEETING BE ADJOURNED. MOTION CARRIED BY STANDING.



JACK MURRAY, MAYOR

JOE LATURNER, CITY CLERK