

MINUTES

REGULAR COUNCIL MEETING

JANUARY 10, 2001

**MEMBERS PRESENT:** Dale Fox, Rich Hamit, Jason Florance, Bruce Smith, Mayor Glyn Day. Wally Thomas absent; Smith was absent during part of meeting.

**OTHERS PRESENT:** Scout Leader Jon Metcalf, other leaders and scouts, Marian Massoth, Bob Sisson, Max Friesen, Ed Harmison, Cheryl Brown

Mayor Day called the meeting to order at 7:30 P.M. Roll was called; there was a quorum present

**MINUTES/WARRANTS:** Jason Florance made a motion, seconded by Bruce Smith, to approve the minutes of the December meeting as written. Motion carried 4-0.

Bruce Smith made a motion, seconded by Dale Fox, to pay all warrants presented. Motion carried 4-0.

**HEARING TO VACATE PLAT:** Mayor Day opened the floor for discussion regarding vacating Meadowbrook I. Max Friesen explained that this is being done to expedite his deeding the city lake property to the city because it will eliminate his having to have all the lots re-surveyed. As there was no one present to protest, Dale Fox made a motion, seconded by Rich Hamit, to adopt Ordinance No 231 which vacates Meadowbrook I. Motion carried 4-0; Meadowbrook I Subdivision was thereby vacated.

**BOY SCOUT PROJECT:** Scout leader Jon Metcalf explained to the council that the troop is wanting to present a proposal to build a nature trail around Friesen Lake. They need tentative approval so they can use this as an Eagle Scout project, with each scout taking responsibility for a section. Mayor Day explained that there is a planning committee for development of this sort of project, and that Chief Ed Harmison is a member of this committee. Harmison said that the committee would contact Metcalf to discuss this at the next meeting. It was also suggested that Leonard Jirek and Max Friesen should also be present at the meeting. Marian Massoth said that the 4H club may also be interested in helping with the project.

**WATER TREATMENT:** Bob Sisson reported that the AquaMag treatment to contain the iron in the well water will cost approximately \$450 to \$600 for the pump, and \$600 per barrel of the chemical. It will probably take three barrels per year according to estimates to take care of our water system. Sisson said that the three companies he's contacted are very comparable price-wise, but he would like to talk to people that are currently using this system. The start-up price will be approximately \$1500. Sisson said that there will still be occasional problems due to breaks, and the AquaMag representative warned that it may make it worse in the very beginning. It was decided to table the matter until the February meeting. Mayor Day presented some water rates from several

neighboring communities for the purpose of comparing our rates to their's. The mayor asked the council to study these numbers as the rates haven't been raised since 1995, and may need to be increased to partially pay for necessary improvements in the water system

**OFFICIAL DEPOSITORIES:** Rich Hamit made a motion, seconded by Dale Fox, to name Kansas State Bank and First Security Bank as financial depositories. Motion carried.

**OFFICIAL NEWSPAPER:** Dale Fox made a motion, seconded by Jason Florance, to name Osage County Chronicle to be the official newspaper for required publishing. Motion carried.

**OFFICIAL CHECKSIGNERS:** Dale Fox made a motion, seconded by Rich Hamit, to authorize Glyn Day, Max Friesen, Cheryl Brown, Bruce Smith and Wally Thomas to sign checks for the city. Motion carried.

**EXECUTIVE SESSION:** Dale Fox made a motion, seconded by Jason Florance, to recess the meeting from 8:00 to 8:15 P.M. to discuss personal matters not related to elected officials. Motion carried; meeting was recessed. Rich Hamit moved to recess the meeting for an additional 5 minutes; Dale Fox seconded. Meeting was recessed. Rich Hamit made a motion, seconded by Dale Fox, to hold a special meeting on January 18th at 7:30 P.M. to interview for the pool manager position. Motion carried.

**ENGINEERING REPORT:** Marian Massoth gave the council a copy of the final "as built" plans for the city lake that is required by the state.

Massoth reported on the lagoon soluble BOD tests done by QWAL labs. The test result was 26 parts per million, and the permit requirement is 30 parts per million, so the result was acceptable. Massoth and Sisson think there is a possibility that QWAL labs are not sampling at the correct location, and Massoth has talked to them about taking the sample in a different place. There was some discussion about applying for grants.

Massoth also said that the process for setting up smoke-testing by the Kansas Rural Water Association has been started.

**PLANNING COMMISSION:** Mayor Day reported that the Planning Commission has recommended that the zoning at 406, 408, and 410 Walnut be changed from Single-Family Residential to Multiple-Family Residential, with the condition that the zoning remain as is if the owner, Gayle Warren, sells the property before construction. Warren has stated that he intends to build one or two duplexes. The clerk noted that the Planning Commission voted 3-2 for the change. The next step is to wait 14 days to allow official letters of protest to be filed before the council acts, or doesn't act, at the February meeting.

**LAW REPORT:** Police Chief Harmison reviewed his monthly report for the council. Chief Harmison told the council that as part of his crime prevention program, the department will be working more closely with the school, and would like to do a newsletter to better inform the public. He is also considering ways to better educate the

businesses regarding prevention and recognition.

Harmison reported that Jeff Good has been cited for violation of the "inoperable vehicle" ordinance, and has requested a trial. He will appear in court in February.

Harmison asked permission for he and Officer Dannar to attend a class in Kansas City on "Officer Survival & Tactics 2001" from March 13 to March 15. The cost will be \$279 per person, including hotel rooms. Dale Fox made a motion, seconded by Rich Hamit, to approve the training. Motion carried.

Harmison also asked the council to consider hiring someone to do tree-trimming this year and in the future, partly for public relations. After discussion of liability requirements, the council decided against this at this time, partly because most of the people notified in 2000 complied at their expense. It was agreed by consensus to leave the procedure as is.

Officer Dannar wanted the council to know that their cooperation with the police department is much appreciated.

**MAINTENANCE REPORT:** Bob Sisson asked permission to have Kansas Rural Water do the Annual Consumer Confidence report again this year at a cost of \$100. Dale Fox made a motion, seconded by Jason Florance, to have KRWA do the report. Motion carried.

Sisson told the council that the east lift station has only one pump working, but he has enough parts to get the second one working. However, the council needs to start thinking about installing a new system within the next couple of years.

He reported that the pick-up is still running, but probably will need to be replaced within the next year as it has some transmission problems.

Sisson said he will be doing some street patching when the weather warms up, and he has the new school crossing signs to be installed on the highway as soon as he gets the right posts. After discussion, it was decided to order green fluorescent signs for the highway, and use the yellow ones on Maple.

**TREASURER'S REPORT:** Max Friesen reported that the finances ended the year in better shape than he thought they would. The clerk said that she transferred all the revenue and expenses for the city lake from the General fund to the Capital Projects fund which is not under budget authority. By doing this, she was able to transfer expenses from the Law and Pool fund, enabling them to avoid negative year-end balances.

**CLERK'S REPORT:** Cheryl Brown reported that several people have asked for candidate filing forms, but none have been returned as yet.

Brown also told the council that the Packard Bell computer, which was given to her by the police department, needs to be replaced. The CD-rom doesn't work, and backups have to be done from scratch which uses about 10 diskettes per backup. Bruce Smith made a motion, seconded by Rich Hamit, to authorize the purchase of a new processor. Motion carried. The clerk said she thinks she can buy one for around \$700. The council agreed by consensus to approve spending \$700.

**COUNCIL MEMBER COMMENTS:** Rich Hamit wanted to remind Glyn and Dale that

they still have time to file for mayor and council positions.

**MAYOR'S REPORT:** Mayor Day said that he'll have a more definite idea of expenses to get the ballfield in shape at the next meeting.

There being no further business before the council. Dale Fox made a motion, seconded by Rich Hamit, to adjourn. Motion carried; meeting was adjourned at 9.40 P.M.

Submitted by,

Cheryl L. Brown  
City Clerk

APPROVED: 2-14-2001

CITY OF BURGLARY

MINUTES                      REGULAR COUNCIL MEETING    FEBRUARY 14, 2001

MEMBERS PRESENT:        Bruce Smith, Rich Hamit, Jason Florance, Dale Fox.  
Mayor Glyn Day and Wally Thomas absent.

OTHERS PRESENT:         Jack Young, Marian Massoth, John Lindquist, Jim Gates,  
Gayle Warren, Ed Harnison, Max Friesen, Bob Sisson,  
Cheryl Brown.

The council meeting was called to order at 7:30 P.M. by Council President Dale Fox in the mayor's absence. Roll was called; there was a quorum present.

MINUTES/WARRANTS:    Rich Hamit made a motion, seconded by Jason Florance, to approve the minutes of the January 2001 meeting as written. Motion carried 4-0.

Bruce Smith made a motion, seconded by Jason Florance, to pay all warrants listed. Motion carried 4-0.

CHANGE OF COMPANY NAME:    John Lindquist of Galaxy Cablevision was present to request council permission to change the name of the city's cable provider from Galaxy Telecom, Inc to Galaxy America Communications, Inc. This is required by the original ordinance granting the cable franchise to Galaxy. Bruce Smith made a motion, seconded by Rich Hamit, to approve the change of name to Galaxy America Communications, Inc. Motion carried 4-0.

ENGINEERING REPORT:    Marian Massoth told the council that she had contacted Kansas Rural Water Association (KRWA), and the sewer smoke testing is still on the schedule for February 26, 2001. Bob Sisson said that the notice has been published once, but unless the weather really dries out a great deal in the next week, he isn't in favor of doing the testing. Bruce Smith agreed that the ground needs to be fairly dry in order to have accurate test results. Massoth said that the Kansas Dept of Health is aware that the city has plans to make improvements in the sewer system. She is also going to get some more information on the state's Revolving Fund Loan program.

Massoth also presented an agreement for on-going engineering services between the city and King's Engineering. The council agreed by concensus to table any decision until they have more time to study the proposed agreement.

RE-ZONING WARREN PROPERTY:        After discussing the recommendation by the Planning Commission to re-zone the property on Walnut Street to "Multiple Family", the council agreed that they would like information regarding possible ways to restrict the zoning to a duplex or "Two-Family Dwelling" as several neighboring residents submitted written protests to any change. They are not opposed to a duplex, but do not want an apartment-type building for more than 2 families. Bruce Smith said that even if Gayle Warren builds a duplex, a future property owner could build additional units if the zoning

is changed to Multiple Family. Gayle Warren stated that he just wants to have his request treated the same as everybody else who's asked for zoning changes. He was told that the only difference in this case is that several people have sent written protest letters which sets up different requirements for approval by the council. Bruce Smith made a motion, seconded by Rich Hamit, to table the matter until the city attorney, Stephen Jones, can check into whether or not the zoning can be changed to Multiple Family with the stipulation that only a Two-Family dwelling be built. Motion carried 4-0. The council agreed by concensus to adjourn this meeting until February 21st to consider additional information from the city attorney.

**CHANGE IN WATER RATES:** The council agreed by concensus to table discussion about raising water rates until the next meeting.

**POOL MANAGER:** Rich Hamit made a motion, seconded by Jason Florance, to go into executive session for 10 minutes to discuss matters not related to elected personnel. Motion carried 4-0. Dale Fox opened the meeting. Bruce Smith made a motion, seconded by Rich Hamit, to offer Jennifer Hardesty-Holtgraver the pool manager position at a salary of \$9.00/hour as she will be life-guarding and giving swim lessons as well as managing. Motion carried 4-0. She will be asked to come to the February 21st meeting to give her response.

**CONNECTING LINKS AGREEMENT:** In the past, the city has entered into this agreement with Osage County, and has been partially reimbursed for the maintenance of Maple Street that is in the city limits. However, if we do not sign the agreement, the county would be responsible for the upkeep and snow removal on Maple all the way through town. The reimbursement has never been more than \$500. Rich Hamit made a motion, seconded by Bruce Smith, to NOT enter into the agreement with Osage County regarding the 0.83 mile of Maple Street. Motion carried. Bob Sisson was told to check into having stripes painted when the county has this scheduled for other areas.

**STREET LIGHT:** Mike Fawl has asked the city to request an additional street light in the alley behind his apartments on Maple Street. The council agreed by concensus not to request the street light.

**DONATION:** Rich Hamit made a motion, seconded by Jason Florance, to donate \$100.00 to the AfterProm party at Santa Fe Trail High School. Motion carried 4-0.

**LAW REPORT:** Chief Ed Harmison reviewed the written report of cases and hours worked by the police department. Harmison told the council that the County Attorney is planning on filing charges in the NAPA and Overbrook Lumber burglary case soon. He also reported that 3 of the vehicles in violation of the "inoperable vehicle" ordinance have been removed so far. Chief Harmison gave the council an update on the Jeff Good case. Good had been given 30 days in November to remove his vehicles that were in violation of the ordinance. He was issued a citation when the 30 days expired, and he appeared in court on February 13 where he was fined \$100. Harmison said that Good may appeal

this in district court. Harmison said that the county attorney did file charges in the From The Heart case.

Officer Dannar hit a deer returning from Lyndon, resulting in \$1800 damage to the 1999 patrolcar. The investigation indicated that the deer was at fault.

Harmison said that he needs to work with Leonard Jirek regarding posting "No Fishing" signs at Friesen Lake. Since the lake is city property, the city has the right to enforce whatever rules it so chooses to enforce, just as the city does with Jones Park. Bob Sisson said that Jirek had mentioned posting signs, and he'll talk to him about the signs when he calls Jirek about the next fish order.

Chief Harmison asked if anything can be done about the water drainage problem on 7th Street by the school. Dale Fox and Bob Sisson will be checking into the situation before the March meeting.

**MAINTENANCE REPORT:** Bob Sisson gave the council a bid from Aquarius Water Conditioning for the installation of Aqua Mag to be injected into our water coming from the wells for the purpose of reducing the "red water" problem. The pump needed will cost around \$400, and the AquaMag itself will cost \$605/55 gallon drum. We will use 2-3 drums per year, possibly more the first year. Sisson has talked to someone in another town that uses this system, and while it has helped their problem, they still have problems after a major water line break, or excessive force turning on and off hydrants. Bruce Smith made a motion, seconded by Rich Hamit, to authorize the installation of the AquaMag system by Aquarius Water Conditioning Co. as soon as possible. Motion carried 4-0.

Sisson said that the wells were shut down the other day when an electric line broke due to icing. Well #5 had to have a new pump, but there's no apparent damage to the other wells.

The two new "green" school-crossing signs are up. Sisson will be doing some pothole repairs as soon as the weather co-operates.

Dale Fox commended the maintenance department for doing a good job with ice and snow removal.

**TREASURER'S REPORT:** Max Friesen reported that with the \$45,000 tax levy payment from the county, all the funds look good.

**COUNCILMEMBER'S COMMENTS:** Rich Hamit told the council that he had attended a Grant-Writing workshop for water/sewer projects, and recommends that this be considered if at all possible. Overbrook has had a "problem" qualifying for this type of grant in the past, but all possibilities are worth checking.

Bruce Smith told Jim Gates and Jack Young, who are running for city offices, about what has been done at the lagoons and that Marian Massoth has been working on this project.

There being no further business before the council, Bruce Smith made a motion, seconded by Jason Florance, to adjourn the meeting until February 21, 2001 at 7:00 P.M. Motion carried.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

APPROVED: 3 - 11 - 2001



CITY OF OVERBROOK

MINUTES

ADJOURNED MEETING

FEBRUARY 21, 2001

MEMBERS PRESENT: Rich Hamit, Bruce Smith, Jason Florance, Mayor Glyn Day  
Wally Thomas and Dale Fox absent.

OTHERS PRESENT: Cheryl Brown, Howard Huston, Everette Danner, Jennifer  
Hardesty-Holtgraver.

Mayor Day called the adjourned meeting of February 14th to order at 7:00 P.M. He stated the purpose of this meeting is to discuss and decide on the matter of re-zoning property owned by Gayle Warren on Walnut Street, and also to offer the Pool Manager position to Jennifer Hardesty-Holtgraver.

ZONING CHANGE: Bruce Smith said he has visited with several of the neighboring property owners to the Gayle Warren property, and feels that under the existing zoning procedures required by Ordinance No 95, he cannot support changing the zoning to Multiple Family with no control over the number of families. He is in favor of amending the present ordinance to designate a "Two-family" residential district. Mayor Day agreed that due to the town growing, and how many times in the recent past this same zoning issue has come before the Planning Commission that we need some new guidelines. Bruce Smith made a motion, seconded by Rich Hamit, to deny the change of zoning from Single-Family Residential to Multiple-Family Residential for the property owned by Gayle Warren on Walnut Street. Motion carried 3-0. The council agreed by consensus to pursue amending our ordinance to allow for duplexes.

RECESS: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting for 5 minutes, or until Ms. Holtgraver arrives. Motion carried 3-0.

POOL MANAGER: Mayor Day informed Jennifer Hardesty-Holtgraver that she had been selected to manage the pool for the 2001 season at \$9.00/hour. She accepted the position, and expressed her gratitude. Hardesty-Holtgraver said her goal is to give every child swimming lessons that wants them, and will be directly involved as she will be a certified Water Safety Instructor when the pool opens. She plans on being a hands-on type of manager. She would like all the lifeguards to rotate between pool-duty and running the concession stand. Hardesty-Holtgraver said that she's visited with JoEllen Criger about the pool, and will be in touch with her again about the day-to-day pool operation. Cheryl Brown told her that she will help with making copies of lesson forms, take care of paying the pool expenses, and the payroll.

There was discussion as to pool policies regarding weather conditions, admission fees, lifeguard attire, etc.

Mayor Day pointed out that while the city doesn't plan to make money on the pool, the manager needs to try to keep the payroll within the budget as much as possible.

There was more discussion about the pay periods, bank deposits, buying supplies, concessions, and admission fees.

Rich Hamit made a motion, seconded by Jason Florance, to adjourn the meeting. Motion carried; meeting adjourned at 7:45 P.M.

Respectfully,

Cheryl L. Brown,  
City Clerk

APPROVED: 3-14-2011

MINUTES

REGULAR COUNCIL MEETING

MARCH 14, 2001

MEMBERS PRESENT: Dale Fox, Bruce Smith, Jason Florance, Rich Hamit, Mayor Glyn Day. Wally Thomas absent.

OTHERS PRESENT: Jeff Good, Pat Martin, Mike Fawl, Jim Gates, Marian Massoth, Mark Jones, Jennifer Holtgraver, Bob Sisson, Max Friesen, Terry Hollingsworth, Cheryl Brown.

The March council meeting was called to order by Mayor Day at 7:30 P.M. After a brief prayer, the clerk called the roll. There was a quorum present.

MINUTES/WARRANTS: Rich Hamit made a motion, seconded by Bruce Smith, to approve the minutes of the regular February council meeting as written. Motion carried. Bruce Smith made a motion, seconded by Jason Florance, to approve the minutes of the February 21st special council meeting. Motion carried.

Bruce Smith made a motion, seconded by Rich Hamit, to pay all warrants presented. Motion carried.

PRIDE PROCLAMATION: Pat Martin explained that representatives from the extension office at Kansas State and the P.R.I.D.E. program will be coming to Overbrook. The Overbrook PRIDE group needs the council to pass an Entry Resolution to be an official entrant in the PRIDE program for 2001. Bruce Smith made a motion, seconded by Rich Hamit, to pass Resolution No. 45, which declares Overbrook to be an official entrant. Motion carried.

MISC: Dale Fox made a motion, seconded by Jason Florance, to approve Mayor Day signing a proclamation declaring March to be American Red Cross month. Motion carried.

ORDINANCE FOR DUPLEX ZONING: Mayor Day read the proposed ordinance which would amend Ordinance No 95 (Zoning) to create an additional residential district. The ordinance is a result of owners wanting single-family residential property re-zoned to allow for a duplex. The current ordinance allows for either single-family or multiple-family, with no restrictions on the number of families in multiple-family districts. Rich Hamit made a motion, seconded by Bruce Smith, to adopt Ordinance No. 234 which amends Ordinance No. 95 to allow for 3 (three) residential districts as follows: R-1 Single-family; R-2 Two-family; R-3 Multiple-family. R-2 would require the same regulations as the R-1 regarding lot size, yard size, and uses permitted. Motion carried. Mike Fawl asked if the city has any laws that limit the number of people living in an apartment. Bruce Smith asked if there might be something in a fire code that might regulate the number of tenants per room. The mayor said that the city doesn't have any such ordinance, but recommended checking with the League of Municipalities.

STREET LIGHT: Mike Fawl was present to ask about the procedure to get a street light placed in the alley at 508 Maple behind his apartment complex. Fawl said that the

March 14, 2001

property is zoned commercial, and there are existing street lights in other commercially-zoned alleys. Bob Sisson said that when he was part owner of Reunion Pizza, he had to have a light installed, and pay a monthly charge. The council agreed by consensus for Fawl to check with KPL.

**NUISANCE COMPLAINT:** Mark Jones, 308 W. 5th, was present to find out exactly who is responsible for complaints regarding a dog that barks "non-stop". He said that he has called the police department several times, without any response. Jones said that he did finally talk to Chief Harmison personally, and was told this problem was not a police matter and to call City Hall. When he called City Hall, he was told by the city clerk that Chief Harmison was the person to whom he needed to register a complaint. Jones said that he works nights, and it's difficult to sleep days, or even to be in their backyard without the dog barking constantly. Mayor Day asked Officer Hollingsworth what procedure the police department follows when they get this type of call. Hollingsworth said that he had never handled this kind of problem before. Jones said that the dog is kept at Conrad Boos, but several months ago Boos had told Jones that the dog actually belongs to Mary Boos and would be gone as soon as she takes it. Mayor Day asked Hollingsworth to try to contact Conrad Boos tonight, and that he would talk to Chief Harmison as soon as possible. Dale Fox said that he feels that our nuisance ordinance should cover this type of problem, and that it should be handled by the police department when an official complaint has been received.

**ENGINEERING REPORT:** Marian Massoth was present to update the council on the lagoons and sewer system in general. Massoth said that Sisson is to do some checking on product prices for the work to be done as soon as the weather permits. Sisson said that some rip rapping needs to be done soon.

Massoth said that the city doesn't qualify for the Community Block type of grants, but the state's revolving fund loans are still an option.

After discussion of projects needed to be done to comply with state requirements, Bruce Smith made a motion, seconded by Jason Florance, to submit the necessary paperwork for Revolving Fund loans to replace the 6" water line from the wells, and sewer improvements to include rip rap at the lagoons, sludge removal from the lagoons, repair and/or replace necessary manholes and sewer lines. Motion carried 4-0.

Mayor Day presented a proposal for a contract between the city and King & Associates Engineering. This contract would designate King's to provide engineering services at a set rate on an as-needed basis. Dale Fox made a motion, seconded by Rich Hamit, to approve the contract, which is re-newable on a yearly basis. Motion carried 4-0.

**POOL UPDATE:** Jennifer Holtgraver, pool manager, was present to discuss several matters. The first matter was having something applied to the bathhouse floor to make them safer. She was told to get information and prices for consideration at the April meeting. Holtgraver also told the council that Rachael King is interested in working at the pool again, but would like to have the salary raised because of her training to make it more competitive with other jobs. The council felt that the salary would have to be the same for all lifeguards with WSI training. Bruce Smith made a motion, seconded by Dale

Fox, to raise the salary for WSI's from \$6.10 to \$6.50/hour. Motion carried. Holtgraver will relay this information to King. The matter of swimming fees was tabled until the April meeting.

**LAW REPORT:** As Terry Hollingsworth, who was filling in for Chief Harmison, had to leave the meeting, there was no verbal report, only Harmison's written report.

**MAINTENANCE REPORT:** Bob Sisson reported that all the new school crossing signs have been installed. He also said that the new AquaMag system is running with no apparent problems. He also said that the sewer main by Friesen's had to be cleaned by a company from Kansas City.

Sisson said that due to electrical problems caused by ice in February well No 5 had to have major repairs.

He also said that he will be doing more street patching when the weather permits, and 1000 Georgia Giants have been ordered for the lake since we received \$1000 from the Fish Foundation.

Sisson and Call will be attending the Kansas Rural Water Association meeting in Wichita the last part of March.

Sisson told the council that he'll have to get someone with a track hoe to do the manhold cleaning at the lagoons. The council agreed by consensus.

The water towers will be getting yearly maintenance done sometime in March for the east tower, and April for the west tower. The east tower will be painted on the outside only, but the west one is due for inside and outside painting which will take up to two weeks.

**TREASURER REPORT:** Max Friesen said that the funds look to be in good shape for this time of year. He agreed that raising water rates will be beneficial and hopefully build the water/sewer fund up enough to do the needed work.

**MISC:** Rich Hamit told Sisson that the state department of transportation wants us to re-do the crosswalk on Hwy 56.

**CLERK'S REPORT:** Cheryl Brown said that Bruce Anderson is willing to serve on the Planning Commission. Bruce Smith made a motion, seconded by Jason Florance, to appoint Bruce Anderson to the Planning Commission for the remainder of Glen Norton's term. Motion carried 4-0.

Rich Hamit made a motion, seconded by Bruce Smith, to reappoint Jack Young and Joyce Dillon to the Board of Zoning Appeals. Motion carried.

Jason Florance made a motion, seconded by Dale Fox, to reappoint Kelly Mabon and Peggy Waldman to the Library board. Motion carried.

Bruce Smith made a motion, seconded by Dale Fox, to reappoint Cliff O'Bryhim to the Housing Commission. Motion carried.

Brown told the council that this is the time to notify Osage Waste Disposal if we want to make changes in the contract. The council agreed by consensus to let the contract renew. She also reported that the city cable channel is out of order until the CD-Rom can be replaced.

The new contract with Blue Cross Blue Shield needs to be renewed, and the rates have increased for each of the employees covered. After discussion, the council agreed by concensus to renew the employee's health coverage with Blue Cross Blue Shield for the new contract year beginning May 1, 2001.

MAYOR'S REPORT: Mayor Day expressed his thanks to present and past council members and city staff for their service and cooperation during his time on the council and as mayor. Day also commended Dale Fox for his service as a council member for the past 16 years. (Applause)

There being no further business to discuss, Dale Fox made a motion (for the last time), seconded by Bruce Smith, to recess the meeting. Motion carried; meeting was adjourned at 9:50 P.M.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

APPROVED: 4-11-2001

**MEMBERS PRESENT:** Dale Fox, Bruce Smith, Jason Florance, Rich Hamit, Mayor Glyn Day. Wally Thomas was absent. **COUNCIL-ELECT:** Jack Young, Jim Gates, David Gersch.

**OTHERS PRESENT:** Marian Massoth, Robert Davis, Joe & Kenny Greene, Mark Criger, Billie Jo Smith, Terry Ralston, Jennifer Holtgraver, Bob Sisson, Ed Harrison, Max Friesen, Cheryl Brown.

The meeting was called to order by Mayor Glyn Day at 7:30 P.M. Roll was called by the clerk: there was a quorum present.

**MINUTES/WARRANTS:** Jason Florance made a motion, seconded by Dale Fox, to approve the minutes of the March, 2001 meeting as written. Motion carried 4-0.

Bruce Smith made a motion, seconded by Rich Hamit, to pay all warrants presented. Motion carried 4-0.

**MISC.** Dale Fox stated that even though some really good things have been accomplished during his 16 years on the council, including increased water supply from rural water, building a new pool, and the library, that there are still things that he hopes are considered by future councils. He especially recommended that the new council consider adding one or more new wells, if at all possible. Fox also wanted each of the city employees to know that he appreciated them and commended them for how they perform their jobs. Mayor Day expressed his gratitude to Dale Fox for the time they have worked together as members of the governing body. At this time, the mayor presented Fox with a desk set with a plaque honoring Fox's 16 years on the council. Mayor Day again said that he had enjoyed his time on the council and as mayor, and thanked everyone for their cooperation.

**SWEARING-IN:** Clerk Brown administered the oath of office to new mayor Jack Young and new councilmembers Jim Gates and David Gersch after which Mayor Young began presiding over the meeting. Mayor Young stated that he was looking forward to working with the other members for the city.

**SOLID WASTE CONTRACT:** Joe and Kenny Greene, dba Osage Waste Disposal Inc. were present to ask that the contract be renewed for another year, but with a 2.2% increase in the current rates, and the addition of a new classification for businesses not needing a container. They were asking for the increase due to higher landfill rates and fuel costs. The clerk stated that this is the first time in four years that a rate increase has been requested. Bruce Smith made a motion, seconded by Rich Hamit, to approve the new contract with the 2.2% rate increase. Motion carried 5-0. Greene stated that even though the current contract is in effect until June 1, he needs a written statement regarding the council action for insurance purposes.

**SEWER/LAGOON REPORT:** Marian Massoth of King's Engineering introduced herself to the new council and explained what King's has been doing and that it's in response to Kansas Department of Health & Environment requirements. She also explained that the city has a June 1, 2001 deadline to submit a report concerning the wastewater system. Massoth said she will have a draft report ready for the May meeting. Massoth also reported on various options for financing that may be available. Bob Sisson said that he has someone lined up to re-do some of the pipes at the lagoons.

Robert Davis of Cooper, Malone, McClain, Inc was present to inform the council that his company is available to help the city with financing options. He made a short presentation explaining several different plans, and said that he would be interested in making an official proposal after the city decides what projects need to be done.

**STREET LIGHT REMOVAL:** Mark Criger was present to ask that the street light located between his two lots be removed. Criger gave two reasons for the request. One was a safety factor since the pole is leaning slightly, and the second reason was to vacate the easement required by the presence of a utility pole. Criger and Ed Butterfield, the local KPL service tech, have talked about this matter, and Butterfield recommends that the pole be removed, and putting the light to another pole on the easement to the south of the property, close to the walk-way. Criger was asked if he had talked to the neighbors that would be affected by moving the street light. He said that Jagger Swisher has no problem with moving it, but he hasn't talked to Ufford's. Bruce Smith made a motion, seconded by Jim Gates, to pass a resolution requesting that KPL remove the pole on Criger's property, and moving the street light to the other pole. Motion carried 5-0. Criger said that he would talk to Ufford's and ask for written agreement. The clerk stated that the resolution would be ready for the May meeting, but KPL could be consulted about the matter of the other leaning pole by personal contact.

**GRANTS FOR LAKE:** The clerk explained that Leonard Jrek, Kansas Wildlife & Parks, is unable to be here tonight. The council agreed by consensus to wait until Jrek is present with more information and plans before making a final decision about accepting either the grant for restrooms or for roads and signs. The council said that a special meeting could be called if there is a time problem. Jim Gates asked what the city's cost has been to this point. The clerk said that \$40,000.00 would be a fair estimate.

**LAW REPORT:** Chief of Police Ed Harmison reviewed his written report for the council. Harmison said the class on "Survival 2001" that he and Everette Danner attended in Kansas City was good. He said that Overbrook hosted an "Intel" meeting that was attended by seven people from other county law enforcement agencies. Harmison said that the equipment awarded for the 2001 grant has been purchased. Chief Harmison reported that there was a conviction on the "From the Heart" case resulting in a 3-yr probation, \$3,000.00 - fine, and 216 hrs of community service. Harmison is not sure how the community service will be handled, because it has to be supervised, and that would be very hard on budgets. He said that another juvenile will be going to district court this month, the charges being battery against a school employee. Two part time officers, Terry Ralston and Randy Harrison, will be attending the KLEDC academy for training in May. Harrison will reimburse the city for the salary that has to be paid while going to the school. Harmison explained that this training is necessary for liability purposes, and also the performance of the whole police department.

Harmison said that he hopes "No Fishing" signs can be installed at Friesen Lake soon, and he will have some ordinances at the next meeting for review. He also stated his concern regarding safety matters at the lake. He suggested purchasing some safety disks that could be placed around the lake, and in the patrol cars, in case of emergency.

Harmison reported that there are several places where the streets have been closed due to today's wind damage.

Mayor Young thanked James Foster for helping clean up some of the storm damage. The city's backhoe was sidelined by downed power lines.

**MAINTENANCE REPORT:** Bob Sisson began his report by stating that he has ordered some turn-down pipes for the lagoons to try to change the flow direction of the water. He asked again for permission to hire a track hoe to install the pipes, and also make a trench for additional rip rap to be done as soon as possible. The council agreed by consensus.

Sisson said that one of his vendor's, Continental Research, has a 72-section bin and an assortment of bolts, washers, nuts, etc. for \$399 that he would like to buy. After discussion, the council agreed that Sisson should check to see if Overbrook Lumber could meet or beat this proposal.

Sisson said that the county brought some sand for Maple Street where the oil came through recently.



He told the council that a salesman at the KRWA convention thought we could install an alarm system on the water tower using a phone line for approximately \$2000. However, after the salesman came and went over what is needed, Sisson received an estimate by fax late today for \$10,500. Sisson said that he will contact the sales rep again to go over the estimate.

Sisson will be starting to get the pool ready some time next week.

He also said that the second pump for the east lift station is ready to be re-installed as soon as the weather permits.

Friesen Lake water level is up to the rip rap, and he's looking for someplace to order fish food since we won't be able to get it from the co-op.

Rich Hamit asked if Sisson knows why all the signs at 7th & Oak are leaning in different directions. Sisson said he would check into the matter.

**POOL REPORT:** Jennifer Holtgraver gave the council some prices for non-slip surfacing called Flexideck for key areas at the pool bathhouse. This comes in 12" squares, and you can buy whatever quantity you need. These squares just lay on the floor, so they can be moved if necessary. She would need 35 tiles for both shower areas and the hallways. The squares can be cut to fit. We would also need to buy some edging. They come in a variety of colors. Bruce Smith made a motion, seconded by Jim Gates, to approve \$600.00 or less for the purchase of Flexideck squares to cover the shower rooms and hallways, and edging. Motion carried 5-0. It was decided to order the bright blue colors.

Holtgraver also said she is still trying to work out the details on a lifeguard training class, but doesn't know exact dates now. The pool will open on Saturday, May 26th. She also said that Rachael King agreed to the salary offer, and that she has filled the lifeguard positions.

**TREASURER'S REPORT:** Max Friesen reported that the fund balances look good for the first quarter, but thinks the water/sewer fund seems to be lower than usual. The clerk said that we've had extra expenses for one of the wells, sewer cleaning, and some mechanical expenses for the dump truck.

**CHECK SIGNERS:** Rich Hamit made a motion, seconded by Jason Florance, to authorize Jack Young to sign checks, along with Cheryl Brown, Max Friesen, and Bruce Smith. Motion carried 5-0.

**WATER RATES:** Mayor Young presented Ordinance No. 235 establishing new water rates as follows: \$10.00 for the first 1000 gallons, and \$5.00 per 1000 gallons after the minimum. Rich Hamit made a motion, seconded by Bruce Smith, to adopt Ordinance No. 235. Motion carried 5-0. The sewer charges would remain the same. This rate will go into effect after the ordinance is published.

**CLERK'S REPORT** Cheryl Brown presented a letter from the Renaissance Committee at Santa Fe Trail High School asking for donations. This committee rewards students for accomplishments in academics, behavior, and other miscellaneous activities. Rich Hamit made a motion, seconded by Bruce Smith, to donate \$100 to this committee as Overbrook students are included. Motion carried 5-0.

Brown asked that the council elect a president to preside over meetings in the absence of the mayor. Rich Hamit made a motion, seconded by Jim Gates, to elect Bruce Smith President of the Council. Motion carried 5-0. The clerk told the mayor that he will need to assign councilmembers as liaisons to the city departments at the next meeting.

**BOARD RESIGNATION:** Jason Florance made a motion, seconded by Jim Gates, to accept Jack Young's resignation from the Board of Zoning Appeals. Motion carried 5-0. Bruce Smith made a motion, seconded by Jason Florance, to appoint Glyn Day to serve the remainder of Jack Young's term on the Board of Zoning Appeals. Motion carried 5-0.

COUNCIL MEMBER COMMENTS: Jason Florance welcomed the new members to the governing body. Jack Young, Jim Gates and David Gerisich all stated that they were glad to be members, and wanted to do whatever they can to help make the city better.

MAYOR'S REPORT: Mayor Young said that he plans to do whatever he can to maintain and improve when possible, the quality of the town

There being no further business before the council, Jim Gates made a motion, seconded by Bruce Smith, to close the meeting. Motion carried 5-0; meeting was adjourned at 9:30 PM

Respectfully submitted,

Cheryl L. Brown  
City Clerk

APPROVED: \_\_\_\_\_

MINUTES

REGULAR COUNCIL MEETING

MAY 9, 2001

MEMBERS PRESENT: Bruce Smith, Rich Hamit, Jason Florance, David Gerisch, Jim Gates.  
Mayor Jack Young was absent.

OTHERS PRESENT: Leonard Jirek, Billie Jo Smith, Marian Massoth, Carolyn Meerian,  
Jimmy Jolly, Max Friesen, Bob Sisson, Ed Harmison, Cheryl  
Brown.

The regular May council meeting was called to order at 7:30 PM by Council President Bruce Smith in the absence of Mayor Young. Roll was called; there was a quorum present.

MINUTES WARRANTS: Rich Hamit made a motion, seconded by Jim Gates, to approve the minutes of the April meeting as written. Motion carried 5-0.

After reviewing the list of checks, Jason Florance made a motion, seconded by Rich Hamit, to pay all warrants presented. Motion carried 5-0.

LAKE GRANTS: Leonard Jirek of Kansas Wildlife & Parks was present to discuss two grants available to the city for the purpose of building a restroom facility, and one for road and parking lot construction. There is a \$7500 grant available for the restroom-storage building, providing the city pays \$7500. It basically matches whatever the city spends, up to \$7500. The grant for roads, etc would pay up to \$2500. Jirek said that specific plans need to be developed in order to end up with a good restroom-storage building, and suggested that we check out the city lakes at Lebo and Carbondale. Jirek said that the fish had wintered well, so there is a good number of small and large mouth bass, channel cat, saffish, stripers, and wipers at this time. Jirek feels that the dam needs to be re-seeded. Bob Sisson was asked to get estimates on having this done. The council tabled any decision on the restroom and road grants until talking to Glyn Day about the engineering aspect of the plans. The council also agreed that Sisson should order "No Fishing" signs so that people know that the lake is not open for public fishing at this time. It was also suggested that a notice be posted at Jones Park concession stand.

PRIDE: Carolyn Meerian was present to update the council on some activities. These include replaemg some of the flower pots on Maple, and to remind everyone that there will be a Farmer's Market at the fairgrounds every Saturday morning through mid-September. Also Overbrook's PRIDE will be evaluated by the state in early June at the library.

ENGINEERING UPDATE: Marian Massoth of King's Engineering reported that since the state still hasn't set new guidelines for certain limits, she would like to request another 6-month extension for the city's status report that is due June 1, 2001. She has drafted a letter to Kansas Department of Health & Environment to ask for another 6 months. The council agreed by consensus to send the request. Massoth has included several things the city has done towards improving the sewer system in her request letter.

CITY OFFICER REPORTS: Chief Ed Harmison reviewed his written report for the council. Harmison said that he is attending a Critical Response Team Training meeting for the schools. Plans are being formulated for emergency procedures. Harmison also reported that the city investigation, along with county assistance, has led to good results regarding the break-ins at the mini-storage business. Chief Harmison has personally called about 50 residents regarding dog licenses. There are two part-time officers who will be attending the academy, and one of the officers will be reimbursing the city for any pay received for this academy.

OVERBROOK BALL ASSOCIATION: Jimmy Jolly came before the council to discuss how certain duties are handled at Jones Park. He was told that the city mows part of the park, and hires someone to do the ball diamonds, takes care of the plumbing in the concession stand, furnishes material for repairs to the dugouts, and takes care of the lighting which includes paying for electricity. Jolly asked about fencing, such as the back stops. He said that the netting is in very bad shape, but possibly could be patched for one more year. Bruce Smith said that Glyn Day had talked to him about material for the diamonds themselves several weeks ago. Jim Gates asked if the Recreation Commission still exists. Clerk Brown said yes, that all members are re-appointed every four years as none have officially resigned. Gates stated that he feels the ball park should be maintained to the best of the city's ability. Jolly also said one of the dugouts has been damaged by the

wind. They do have a workday scheduled. Jolly was told to get the materials from Overbrook Lumber and put it on the city's bill. It was also mentioned that the high school does provide the pre-season maintenance on the diamonds. Other improvements, such as repairing or replacing the batting cage, were tabled until later. The council agreed by consensus to have the ball association bring a list of improvements to a later meeting, and let the council know if something is needed for this year as soon as possible.

RE-APPOINTMENTS: The following city officers were re-appointed as follows:

Maintenance Superintendent	Bob Sisson	Motion-Jason Florance Second-David Gerisch Carried 5-0.
Maintenance Assistant	Bob Call	Motion-Jason Florance Second-Rich Hamit Carried 5-0.
City Clerk	Cheryl Brown	Motion-Rich Hamit Second-David Gerisch Carried 5-0.
City Treasurer	Max Friesen	Motion-Rich Hamit Second-David Gerisch Carried 5-0.
City Attorney	Stephen Jones	Motion-Jason Florance Second-David Gerisch Carried 5-0.
Municipal Judge	Larry Coursen	Motion-David Gerisch Second-Jim Gates Carried 5-0.
Court Clerk	Shayne Coursen	Motion-Rich Hamit Second-David Gerisch Carried 5-0.
Chief of Police	Ed Harrison	Motion-Jason Florance Second-Jim Gates Carried 5-0.
Asst. Chief of Police	Everette Dannar	Motion-Rich Hamit Second-Jason Florance Carried 5-0.
Part-time Law Officers	Billy Warrington Terry Hollingsworth Randy Harrison Ted Miller Terry Ralston	Motion-Jason Florance Second-David Gerisch Carried 5-0.
Reserve Law Officers	Steve Pfannenstiel Mark Daniels Gary Hoffommer	Motion-Rich Hamit Second-Jason Florance Carried 5-0.

MAINTENANCE REPORT. Bob Sisson reported that the 75,000 gallon tower has been repainted and is back in service. The pool has been cleaned and is now being filled. The paint still looks good.

Sisson said that there's been problems with two wells, no. 3 and no. 5, but Patchens have repaired one, and are working on the other.

He said that he's used one load of Saturock on street patching, but will have to order another load to finish.

Sisson told the council that he's talked to Matt Corwine of New Holland about a skidloader. Corwine has prepared a bid, along with different financing options. Sisson feels that in addition to being very useful, a skidloader would also help the 1985 backhoe last longer. Sisson said that the price for a Case skidloader was several thousand dollars more, but hasn't price one from John Deere. The council agreed to table the matter until Sisson checks the price from John Deere.

Sisson said that he would check with Dane Wells about re-seeding the dam, and also with anyone else he could think of, before the next meeting.

Sisson also said that he has asked Overbrook Lumber to give him an estimate for parts and a container comparable to what Continental Research offers.

TREASURER'S REPORT: Max Friesen said that the fund balances look good for this time of year, and asked which fund receives the fines collected. The clerk said that the fine revenue is put into the General fund, because the attorney fees, state court fees, county jail fees, along with salaries for the judge and court clerk come out of the General fund. The General fund also pays for all legal publications and animal control expenses.

CLERK'S REPORT: Cheryl Brown said that the auditors will be here May 22, and maybe the next day. Brown also pointed out that the carpeting in City Hall needs to be cleaned, preferably by a professional, in the near future. She was told to check into the cost for a later meeting.

LAKE PROPERTY COMMITTEE: Ed Harmison reported that his committee has met and is working on a 2-5 year plan for development. They will meet again on May 19th with Roger Harmon who has some information regarding grants from Kansas All-Terrain Vehicle Association. They will need more information on certain things such as size of the parking lot(s) at some point. The Boy Scouts are also working on some projects for this same area.

Harmison asked that the council consider having the city building tuck-pointed, especially around the windows before any major damage occurs. The floor is also settling in several parts of the building. There was discussion about contacting Daryl Nickel about doing the work. Rich Hamit volunteered to contact Nickel. Bob Sisson said he would talk to Nickel as he lives close to him.

Harmison also brought up how we would handle the July 4th fireworks celebration. The clerk said that the city pays for the fireworks, and then is reimbursed from whatever funds are donated by businesses and residents. Harmison said that he has discussed this with Dale Fox, and is sure that Fox will handle the ordering.

Harmison told the council that he and Bob Sisson would like the council to consider hiring someone to be in charge of animal control. He said that animals cannot be hauled in the patrolcars due to potential liability claims by people who are transported in the cars. Rich Hamit said that he was under the impression that Bob Call did animal control all the time, but was told Call only does it from 8 am to 5 pm, weekdays, and then it's up to the police department. There was discussion about how an animal control officer would be paid, and how many hours they would need to work. At this time, Bob Call has not been approached about doing the job, during regular hours and also as needed evenings and weekends. Jim Gates said that he didn't see how the city could pay someone to do just animal control without having other duties. The council agreed that while there is a need, they are going to need more information.

Ed Harmison presented the council information he had gotten from some kids about interest in a skate park. A couple of kids brought him a petition with 150 names they collected in just 24 hours. He feels that this would be something really good for the community, especially the younger residents. The council agreed by consensus to check into locations and the cost.

COUNCILMEMBER COMMENTS: Jim Gates said he was interested in attending the League of Municipalities Institute for governing members. The clerk told him to fill out the reservation forms, and have the city billed.

Rich Hamit reported seeing trash at the city's tree limb dump by the lagoons. He was told that the person responsible has already been officially notified that they must remove the trash, or be subject to a fine.

There being no other business before the council, Jason Florance made a motion, seconded by Jim Gates, to close the meeting. Motion carried 5-0; the meeting was adjourned at 10:15 PM.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

APPROVED: 6-13-2001

CITY OF OVERBROOK  
MINUTES

REGULAR COUNCIL MEETING JUNE 13, 2001

MEMBERS PRESENT: Bruce Smith, Rich Hamit, Jim Gates, David Gerisch,  
Mayor Jack Young. Jason Florance absent.

OTHERS PRESENT: Pat Martin, Billie Jo Smith, Ed Harrison, Max Friesen,  
Bob Sisson, Cheryl Brown.

Mayor Jack Young called the meeting to order at 7:30 P.M. Roll was called by the clerk; there was a quorum present.

MINUTES/WARRANTS: Bruce Smith made a motion, seconded by Jim Gates, to approve the minutes of the May, 2001 meeting as written. Motion carried 4-0.

Bruce Smith made a motion, seconded by Rich Hamit, to pay all warrants presented. Motion carried 4-0.

FIREWORKS: Pat Martin came before the council to ask permission to sell fireworks within the city limits again this year. After discussion, Rich Hamit made a motion, seconded by David Gerisch, to approve the sale of fireworks by anyone from June 27th until July 5th up until 10 P.M. daily, and until 12 midnight on July 4th. Motion carried 4-0.

ZONING CHANGE: Mayor Young read the Planning Commission's recommendation to re-zone Gayle Warren's property at 406, 408 and 410 Walnut. The commission has recommended that the zoning be changed from Residential-Single Family to Residential-Two-Family Dwelling (duplex) for 408 and 410 Walnut, but leave 406 Walnut as is. There was discussion about the commission's reasoning for this decision, and also what options Warren would have with the lot left zoned for single family dwellings only. The clerk reminded the council that they cannot take any action until 14 days from now to allow for written protests. There was discussion about calling a special meeting after the 14 days, but the council agreed by consensus to wait until the July meeting for further action.

Rich Hamit said that as he has been on the Planning Commission, he feels that it would be easier for the commission to make decisions if they could require a drawing showing set-backs, and other features at the hearing. The clerk said she would check into what has to be done in order to make that a requirement for the hearing.

SEWER SYSTEM REPORT: <sup>Alacian</sup> ~~Maian~~ Massoth reported that KDHE has granted the 6-month extension requested by the city to present the engineering report, and that the city has been put on the Revolving Fund list for a possible \$300,000.00. Massoth also said that the city is also on a list for funds to help replace rural water lines, and installing a telemetry warning system on the water tower. The city would have to have a hearing, and pass a resolution to actually use any of these funds. These funds are available at a fairly low interest rate. The "smoke test" for the sewer lines has been scheduled for June 26th.

Max Friesen asked how much more population can be accommodated by the current lagoons. Massoth said she thought it could handle quite a bit more if all the upgrades are completed. She said that she could bring more information about this matter to the next meeting.

**LAKE FRIESEN REPORT:** Jim Gates reported that he had looked at the restroom at the Lebo City lake, and thought it looked good. Bruce Smith said that even though the city has been approved for \$7500 in matching funds, his concern is whether or not we have \$7500 to spend at this time. The clerk said that the grant could pay for 50% of the cost up to \$7500. The council agreed by consensus to check into other options that would cost less, but still be adequate. Sisson is to check with Leonard Jirek about using portable toilets for a short time.

**CITY BUILDING:** The matter was tabled as no one has been able to talk to possible contractors.

**ANIMAL CONTROL OFFICER:** Chief Ed Harmison reported that he had contacted other towns about how they handle the matter. Lyndon uses the police and maintenance to take care of animals. Osage City has a vehicle, but presently the police and maintenance departments do animal control. Carbondale has one person who works up to 40 hours a month, and a pick-up with a box. Harmison again stated that animals cannot be hauled in the police cars due to possible legal action by persons being transported.

Bruce Smith made a motion, seconded by Rich Hamit, for Harmison to pursue trying to hire someone who would have a vehicle, and who would be available nights and week-ends to work on an "as needed" basis up to 40 hours per month. The salary would be \$7.84 per hour, and \$.25 a mile. Any hours worked over the 40 hrs/month would have to be approved by Chief Harmison. Motion carried 4-0. Sisson and Harmison said that they would be willing to help this person when they have time.

**SKATE PARK:** Ed Harmison reported that he has been doing some checking on companies that sell the ramps, and he has a video from one of them if anyone wants to watch it. A 40' x 70" slab of concrete would be approximately \$3500. He hasn't checked with a contractor, and doesn't have any estimates about ramps. There was discussion about necessary rules and regulations regarding safety issues. The council agreed by consensus for Harmison to get more information about location and sizes.

**LAW REPORT:** Chief Harmison reviewed his written report on police activity the past month. Harmison said that he will be sending more tree limb notices soon.

Harmison said that the state of Kansas is tripling the fines as of July 1st. Judge Coursen is going to increase the city fines as well. The state fines for DUI are also being increased, and the city will be doing the same as soon as the new traffic ordinance can be adopted by the council.

Chief Harmison showed the council a new uniform patch that they have designed and would like permission to order them. The minimum order is 100 patches. Jim Gates made a motion, seconded by Rich Hamit, to purchase the patches at a cost of \$2.69 each. Motion carried 4-0.

**MAINTENANCE REPORT:** Bob Sisson reported that he has received a bid from Overbrook Lumber to furnish a bin and an assortment of nuts, bolts, etc for \$373.00. Jim Gates made a motion, seconded by Rich Hamit, to approve the purchase. Motion carried 4-0.

Sisson wanted to say that Max Friesen needs to finish the prep work on the streets in Meadowbrook II so that they can be rolled and sealed this year. The clerk said that the people who live in the houses keep asking when the city is going to seal the streets. Friesen said that he's planning to work on them as soon as he finishes with haying.

Sisson said that there has been some plumbing and electrical problems at the pool, but he's contacted Snook Plumbing about replacing the water heater which should be under warranty.

The AquaMag system seems to be working fine since he hasn't had any complaints about rusty water for some time.

Sisson said that the thistles at the lagoon have been sprayed.

The bids on a skidloader from New Holland and Murphy Tractor were discussed. Sisson said that the prices were almost the same, but he preferred the John Deere from Murphy Tractor. He also said that he would like to get the sweeper attachment at the same time, or in the near future. The council agreed by consensus that this would be a good purchase, but tabled the matter until the next meeting to consider the best way to finance it.

Sisson said that everything is finally ready to put the second pump in the east lift station. He also reminded the council that these pumps come from Germany at a cost of \$9,000 per pump.

Rich Hamit said that the hot water heater at the concession stand at Jones Park isn't working. Sisson said he would check with K&K Electric since they worked on it recently.

**TREASURER REPORT:** Max Friesen said that most of the funds are at about the right balances for this time of year as far as the budget goes. The water/sewer fund has had a lot of expense due to lightning damage at the wells, but insurance should reimburse most of this.

**UNIFORM PUBLIC OFFENSE:** Bruce Smith made a motion, seconded by Rich Hamit, to adopt Ordinance No 236 which incorporates by reference the Kansas Uniform Public Offense code. Motion carried 4-0.

**CLERK'S REPORT:** Cheryl Brown reported that Data Technologies is going to change their utility billing program to a Windows-based format, and eventually all the customers will be required to upgrade to this. They are offering the new program at a price of \$1500, payable by two-payments of \$750. The first \$750 is due July 1st, and the balance will be due January 1, 2002. There would also be a minimum charge of \$250 for a half day of training. Bruce Smith made a motion, seconded by Jim Gates, to purchase the new Summit program at this time. Motion carried 4-0.



The clerk asked the council to consider making a donation to the July 4th fireworks display. David Gerisch made a motion, seconded by Jim Gates, to donate \$100 to the fund. Motion carried 4-0.

COUNCILMEMBER COMMENTS: Jim Gates wanted to say that he enjoyed his seminar with the League of Kansas Municipalities, and feels that the handbook has really good information. Gates said that the League recommends destroying tapes made during the meetings rather than keeping them, which is what used to be required. The clerk said she would double check before taking any action.

Rich Hamit wanted to know what is happening with the street light on Mark Criger's property. The clerk said that since Criger's want the light removed, and not necessarily relocated, all KPI, required is a letter from the city. She said she has sent the letter, and now it's up to KPI. Some of the council said that they still feel that a light is needed in the area. The residents may feel the same way after going without a light for awhile. The council agreed by consensus to check into what might be possible using the walkway easement.

Hamit also mentioned the letter from Sheila Dale about the county Planning Commission regarding a hearing in Lyndon on June 26th. The clerk said that she is planning on attending if at all possible, but no one from the Overbrook Planning Commission is planning on going. Hamit said he would try to go.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Jim Gates, to recess the meeting for 5 minutes to discuss matters not related to elected personnel, with Ed Harrison and Everette Danner attending. Motion carried; meeting was recessed. The meeting was opened at 10:15 P.M. No action was taken.

SALARY REVIEW: Bruce <sup>Smith</sup>~~Bisson~~ made a motion, seconded by Rich Hamit, to recess the meeting to discuss salaries for non-elected personnel. Motion carried; the meeting was recessed at 10:25 P.M.

The meeting was opened at 10:45 P.M. Mayor Young reported that he has made the following recommendation: Council liaisons will be Bruce Smith-Water/Sewer; Jim Gates-Streets; David Gerisch-Recreation & Lake; Rich Hamit-Law; Jason Florence-Office.

Bruce Smith made a motion, seconded by Jim Gates, to approve raises for city employees at specific amounts, which are available at City Hall during regular business hours. Motion carried 4-0.

There being no further business before the council, David Gerisch moved that the meeting be adjourned, and Jim Gates seconded. Motion carried 4-0; meeting was adjourned at 11:05 P.M.

Respectfully submitted,

Cheryl L. Brown, City Clerk

APPROVED

7-11-2001

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 11, 2001

MEMBERS PRESENT: Jason Florance, Bruce Smith, Rich Hamit, Jim Gates, David Gerisch, Mayor Jack Young.

OTHERS PRESENT: Sheila Dale, Howard Huston, JoAnn Lemberger, Jim Long, Jennifer Holtgraver, Marian Massoth, Max Friesen, Ed Harmison, Bob Sisson, Everette Dannar, Cheryl Brown

Mayor Young called the July council meeting to order at 7:30 P.M. Roll was called by the clerk; the necessary quorum was present.

MINUTES/WARRANTS: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the June meeting after two words are changed. Motion carried 5-0.

Bruce Smith made a motion, seconded by Jim Gates, to pay all warrants presented. Motion carried 5-0.

CITY/COUNTY PLANNING MATTERS: Sheila Dale, Osage County Land Use Coordinator, was present, to discuss the city's current planning commission zoning ordinances. Dale stated that in order to include a 3-mile radius around the city, a letter should have been sent to the Osage County Commissioners stating the city's intention when ordinances regulating zoning were first passed in 1978. City Clerk Cheryl Brown stated that after searching every possible file and council minutes during that period, no copy of any such letter to the commissioners could be found. Dale stated that she couldn't find any such records in the county files. Clerk Brown told the council that she has discussed this matter with city attorney, Stephen Jones, and his initial recommendation is to relinquish the 3 miles surrounding the city limits. Dale stated that Overbrook is the only city in the county that has this area included in their zoning, and if Overbrook keeps this area, certain regulations must be adopted. These include subdivision regulations, an updated comprehensive plan, etc. Dale also stated that the 3-mile radius could be changed to a 1-mile radius.

If the city releases the 3-mile area, the two Planning Commission members outside the city limits would no longer be required. Sheila Dale recommended updating the city's zoning ordinance at the same time these changes are made. Rich Hamit stated his concern that the city wouldn't have any input or even notice of events in the immediate vicinity of the city. Dale said she tries to notify all the cities of zoning applications that might affect them, and plans to continue doing so.

The council agreed by consensus to pursue giving up the 3-mile area, and instructed the clerk to get advice from the city attorney.

AUDIT REPORT: Jim Long, Bogner & Long, was present to review and discuss the findings of the 2000 audit of the city's financial records. Long stated that the only problem revealed was the negative fund balance for the city lake. After reviewing the entire report, which is available to the public during regular business hours, Long concluded that it was a "clean" audit showing no discrepancies, but he repeated earlier recommendations that the cash reserves should be increased if at all possible. He will have a better understanding of this when he prepares the 2002 budget, and knows what the property valuations are for 2002. He told the council that if the valuations are low, they might want to consider increasing the tax levy to maintain the current services. Rich Hamit made a motion, seconded by Jason Florance, to accept the 2000 audit report as presented. Motion carried 5-0.

Following discussion, the council agreed by consensus to present the 2002 budget as prepared at the August 8, 2001 meeting.

ZONING CHANGE FOR WARREN PROPERTY: The clerk reported that no formal letters of protest had been received regarding the Planning Commission's recommendation to change the zoning at 408 and 410 Walnut to R-2 (Two-family dwelling) from R-1 (Single-family dwelling). The council agreed by consensus to table any action until the matter can be reviewed by the city attorney. They agreed to call a special meeting if necessary to prevent Warren having to wait until the August meeting.

**POOL REPORT:** Jennifer Holtgraver reported that everything is working well at the pool, but she has noticed a couple of places that the concrete has chipped, and that the bathhouse floor needs to be repainted, and possibly re-sealed. She's pleased with the tile mats performance so far. Holtgraver said that swimming lessons have been given to over 250 children. Two programs, water aerobics and parent-tot time, have been very successful. She did say that there's been some problems with parents/babysitters having to be told that the lifeguards are not babysitters, and that whoever brings them to the pool is responsible for that child. Holtgraver said that some of the kids are interested in forming a swim team, and she's in the process of working out a meet with Osage City. She asked if the city would be interested in having a pool party sometime in August. Council agreed by consensus.

**SEWER SYSTEM REPORT:** Marian Massoth reported that the "smoke testing" is scheduled for July 18th and 19th. She has received the letter from Kansas Dept of Health & Environment extending our facility plan deadline to December 3, 2001. The proposed revisions for Kansas surface water quality standards may not cause any changes in the city's wastewater permit. Massoth said that the study projects the Overbrook population to be 1200 in 2020. She doesn't have the 2000 census figures yet. The last population figure from the state budget office is 1008. Massoth said that the changes made in the past several months have definitely helped the lagoons, but the city needs to do everything possible to show the state that we are making an effort to improve. She said that the results of the smoke testing should help determine what needs to be done. She also suggested that the city determine a population trend. Massoth was asked to review the information concerning the different funding programs from the state. Bruce Smith asked Massoth if she is familiar with obtaining water rights should the city decide to pursue digging more wells. She said that she didn't think there would be any problems since we had to get one to build the city lake.

Massoth as representative of the North Osage 4 H asked permission to plant a couple of trees at Jones Park this fall. Max Friesen suggested planting one by the shelter house. The council agreed by consensus to approve the tree-planting.

**RESTROOM AT LAKE FRIESEN:** The council agreed by consensus to check into requirements for port-a-potties, and save the money that would be used to build a concrete-block building for something else.

**CITY BUILDING REPAIRS:** Bruce Smith has visited with Daryl Nickel, but doesn't know if Nickel has had a chance to look at the building. Ed Harmison suggested contacting Kevin and Shandy Vollrath, the people mentioned in the latest edition of the Chronicle who are restoring a farm near Overbrook. The matter was tabled until this information can be obtained.

**ANIMAL CONTROL OFFICER:** Chief Harmison said that the two people who've expressed interest can only do it evenings and week-ends. The council agreed to advertise for another two weeks to see if someone available during the daytime as well as evenings and weekends applies.

**SKATE PARK:** Ed Harmison and Everette Danner were present to update the council with information on skate parks. Harmison has looked at the one in Lawrence. Following discussion about how much concrete would be needed, and alternative materials, the council asked Danner to pursue more information on what he could build and what cost would be involved. There was also discussion about possible locations for the ramp, and making it portable.

**MISC:** The matter of asking KPL to put a street light on the walkway at Casey's was discussed. The matter was tabled until someone asks KPL about some kind of alternative to a street light that would light the walkway without being a nuisance to the property owners.

**WARRANTS:** Bruce Smith made a motion, seconded by David Gensch, to pay two warrants to Shayne Coursen for court supplies. Motion carried 5-0.

**LAW REPORT:** Chief Harmison reviewed his written report for the council. Harmison said that the parking at the pool is a mess. Parking on one side of 7th Street is necessary, but parking on both sides in the west half of the block causes a real traffic jam.

Harmison told the council that we have three juveniles during community service, and even though the police department is not over-seeing them, he suggested that they paint the fire hydrants with the city paying for the paint.

Chief Harmison brought up that the 1999 patrolcar has been paid for, and the 1996 has close to 60,000 miles. He would like the council to consider buying a new car in 2002 when the county buys their new ones.

Harmison asked the council for direction when residents don't comply with the tree limb and weed notices. Harmison said that only about 60% complied in 2000, and there are several who have not complied this year. He suggested that the city consider just hiring someone to come in once a year to trim, as it took him almost a week to designate the trees to be trimmed and make maps. It took 7 hours for the clerk to prepare the notices, and do the paperwork for 35 certified letters, as well as over \$130 for the postage. Harmison also said that even though he included maps with the notices, people still called him to find out which trees needed to be trimmed. The possibility of those who have already paid to have their trees trimmed might be upset. The clerk also mentioned that since the trees belong to the property owners, some kind of notice has to be given. She was instructed to talk to the city attorney about what kind of notice would be legal, and also fair to the owner. Bruce Smith also suggested that we need to get some kind of estimate regarding what the cost could be. The council agreed by consensus to have Chief Harmison follow the ordinance regarding residents who do not comply in the time allotted.

Harmison also said that PRIDE will be painting parking stripes this next Monday evening.

**MAINTENANCE REPORT:** Bob Sisson reported that the streets in Meadowbrook II should be ready to seal by the end of July when Hi Plains is in the vicinity. Sisson and Jim Gates will inspect them, as well as someone from Hi Plains, before a decision is made.

Sisson reported that lightning hit No 3 and No 5 again. We're still waiting on the settlement checks from the ice-storm damage, even after several calls to Ira Allen.

The AquaMag system is working fine even after a couple of waterline breaks.

Sisson asked the council for a decision regarding buying a skidloader. Bruce Smith said he doesn't feel that the money situation is good enough right now to add another expense. The council agreed by consensus that even though it would be very helpful to have a skidloader, that buying one should be tabled until later.

Sisson and Jim Gates will look over the streets to see which ones need to be re-sealed this year, providing there is money to do it.

He said that everything seems to be working fine at the pool, and that Jennifer Holtgraver seems to be doing a good job.

Sisson told the council that he has told Leonard Jirek that when he wants things done at Lake Friesen he needs to come before the council, and not just tell Sisson. The council agreed.

Jim Gates asked who was responsible for the property at the east end of Fifth Street as the weeds need to be mowed. Sisson said he would check with Bob Shepard and the fair board about who owns the property.

Bruce Smith asked if Sisson could patch a couple of potholes by Bruce Cole's, and also clean out the tube by the city shed. Sisson said he had several places to patch, and would probably have to replace the tube.

**TREASURER'S REPORT:** Max Friesen stated that he is concerned about receipts being lower than the expenses, but realizes that the insurance checks for the damage to the wells will help offset the problem eventually. The clerk also said that the sales tax money from the state came too late for to show up in the June receipts.

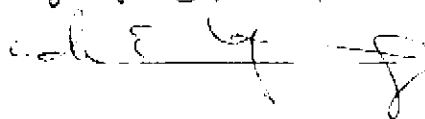
**EXECUTIVE SESSION:** Bruce Smith made a motion, seconded by Jim Gates, to recess the meeting from 10:15 to 10:20 P.M. to discuss matters not related to elected personnel. Motion carried 5-0. Mayor Young called opened the meeting at 10:20 PM. Chief Harmison asked that the council consider a special meeting to act on the 2001 Traffic Ordinance prepared by the League.

Bruce Smith made a motion, seconded by Jason Horance, to go into executive session for 10 minutes, until 10:35 PM to discuss matters related to non-elected personnel. Motion carried 5-0. The meeting was called back to order at 10:35 PM by the mayor. The clerk was asked to provide the council with current job descriptions, personnel policies so that they can be reviewed and possibly updated.

There being no further business before the council, Jim Gates moved to adjourn the meeting at 10:45 PM. Bruce Smith seconded; motion carried and the meeting was adjourned.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

8-8-2001  
APPROVED: 

CITY OF OVERBROOK  
MINUTES

SPECIAL COUNCIL MEETING

JULY 16, 2001

MEMBERS PRESENT: Bruce Smith, David Gerisch, Jim Gates, Rich Hamit.  
Mayor Young and Jason Florance absent.

OTHERS PRESENT: Cheryl Brown.

The special meeting was called to order by Council President Bruce Smith in the absence of Mayor Jack Young at 6:17 PM. The clerk called the roll to verify that a quorum was present. Bruce Smith stated that the purpose of the meeting was to act on the following: 1. Re-zoning 408 and 410 Walnut 2. 2001 edition of the Standard Traffic Ordinance 3. 2001 edition of the Uniform Public Offense Ordinance

STANDARD TRAFFIC ORDINANCE: Jim Gates made a motion, seconded by Rich Hamit, to adopt Ordinance No 237, which adopts by reference the 2001 Edition of the Standard Traffic Ordinance prepared by the League of Municipalities. Motion carried 4-0.

UNIFORM PUBLIC OFFENSE ORDINANCE: Rich Hamit made a motion, seconded by Jim Gates, to adopt Ordinance No 238, which adopts by reference the 2001 Edition of the Uniform Public Offense Ordinance prepared by the League of Municipalities. Motion carried 4-0.

RE-ZONING: After discussion of the Planning Commission's recommendation, Jim Gates made a motion, seconded by David Gerisch, to adopt Ordinance No 239, which will re-zone the property at 408 and 410 Walnut to R-2 (Two-Family Dwelling) from the current R-1 (Single-Family Dwelling). Motion carried 4-0.

Rich Hamit made a motion, seconded by Jim Gates, to adjourn the meeting at 6:27 PM. Motion carried; meeting was adjourned.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: 

CITY OF OVERBROOK  
MINUTES

REGULAR COUNCIL MEETING

AUGUST 8, 2001

MEMBERS PRESENT: Jason Florance, Rich Hamit, Jim Gates, Bruce Smith, David Gerisch, Mayor Jack Young

OTHERS PRESENT: Karen Olson, Jennifer Hardesty-Holtgraver, Dale Fox, Jimmy Jolly, Bob Sisson, Ed Harmison, Everette Danner, Cheryl Brown.

The regular council meeting was called to order by Mayor Young at 7:30 P.M. The clerk called the roll; there was a quorum present.

MINUTES WARRANTS: Jim Gates made a motion, seconded by David Gerisch, to approve the minutes of the regular July meeting as written. Motion carried 5-0. David Gerisch made a motion, seconded by Jim Gates, to approve the minutes of the July 16th special meeting as written. Motion carried 5-0.

Jim Gates made a motion, seconded by Bruce Smith, to pay all warrants presented. Motion carried 5-0.

WATER SUPPLY LOAN: After discussion of the schedule to process the loan application from the Kansas Public Water Supply Loan Fund (KPWSLF), Bruce Smith made a motion, seconded by Rich Hamit to authorize Marian Massoth to pursue the necessary requirements for the loan application. Motion carried 5-0.

SMOKE-TESTING: Marian Massoth had submitted a letter in which she states that the smoke-testing really needs to be done before the study on the sewer system can be completed. Bob Sisson said that he and Marian have discussed locating the manholes in the next few days.

CHECK-SIGNERS: Bruce Smith made a motion, seconded by Rich Hamit, to approve adding Jim Gates to the checksigner list. Motion carried 5-0.

PLANNING COMMISSION CHANGES: After a short discussion regarding recent zoning changes and the current ordinance, the council agreed by consensus to ask the Planning Commission and Board of Zoning Appeals to come to the September meeting to discuss combining the two boards. It was also decided to ask Stephen Jones to be present also.

ANIMAL CONTROL OFFICER: Chief Ed Harmison reported that he has received 3 applications, 2 of whom can work evenings, and the other one can work mornings. Harmison asked for more time to try to find one person who can be available days and nights. Council agreed by consensus.

2002 BUDGET HEARING: Mayor Young called the 2002 Budget Hearing to order at 8:00 P.M. Ed Harmison, as a private citizen, suggested to the council that they consider gradually raising the tax levy to provide personnel and equipment for a town that has grown since the tax lid was established in the late '80's. He thinks that necessary services be funded, but that the city should have a long-range plan for creating a "cushion" to avoid running out of money at the end of the year. Harmison said that the police department has run out of funds the past couple of years, and will probably run out again this year. Harmison said that he doesn't like to pay taxes anymore than anyone else, but he also wants the town to continue providing services. There was discussion about how much revenue is generated by one mill. The current mill is approximately \$4667 in revenue.

Bob Sisson said that even though this doesn't necessarily relate to the budget, he wondered if the council would ever consider imposing special assessments to new additions to cover the expenses for water sewer and new streets.

Ed Harmison also pointed out that there will probably be some expense in maintaining the new lake, even after we start selling licenses, including mowing and a small boat for emergency services. He also mentioned that the 1996 patrolcar and the 1991 maintenance truck will need to be replaced in the near

future. Sisson agreed, and also said it's possible that we might need additional personnel and equipment to maintain the grounds around the lake.

While the mayor and the council agreed that they did not like the idea of increasing the tax levy, they also expressed concern about being able to provide necessary services without raising the levy.

**ORDINANCE NO 240:** Jason Florance made a motion, seconded by Jim Gates, to adopt Ordinance No 240 which authorizes the governing body to increase the tax levy. Motion carried 4-1 with Bruce Smith voting against the ordinance. The clerk said she would talk to the auditor on Thursday to determine exactly what we need to do from this point. The council agreed by concensus to call a special meeting after the clerk has talked to Jim Long, the auditor.

**21ST CENTURY COMMUNITY LEARNING CENTER GRANT:** Karen Olson was present to explain exactly what the grant means to the school district. The grant provides for before and after school programs conducted by the school with the help of the communities. Summer camps will also be included in the program. Each town will have its own Site Coordinators: Brian and Tammy Luther are the Overbrook representatives. Olson also asked about the possibility of keeping the pool open a couple of weeks longer than usual to provide an after-school activity from the start of school until the program actually starts on September 10th. Jennifer Holtgraver, pool manager, is willing to work with the Luther's, and the grant would pay the salaries for the lifeguards. Jim Gates made a motion, seconded by Bruce Smith, to approve extending the pool season, and also waiving pool fees for the students. Motion carried 5-0. Mayor Young told Olson to let the council know if there are any other ways the community can be involved.

**POOL REPORT:** Jennifer Holtgraver reported that things are going well at the pool. She plans on having the pool open the last two weekends in August, and the Saturday and Sunday of Labor Day weekend. She said that she has already been thinking of goals for next season, especially ways to keep expenses. Chief Harmison stated that the police department has had no complaints regarding incidents at the pool. The council thanked Holtgraver for doing a good job her first year as manager.

**TRAILS GRANT:** Dale Fox came before the council representing the committee that has been working on developing a plan for a trail connecting Jones Park and Lake Friesen. The process starts with applying for a National Recreational Trails Program grant. Fox showed the council plans that have been drawn by the committee showing each of the phases. The grant would be for a total of \$89,200. The state's share would be \$71,560, and the city's share would be \$17,840. The city's share would be met with labor and materials supplied by the city and volunteers. Copies of the grant and the plans are available at City Hall during business hours. Fox stated that plans for a skate park are included in the grant as an option. By doing this, having the skate park denied would not cause the whole grant to be denied. Chief Harmison said that there are kids expecting to have something in place by September, and he has been bringing documents to the last 6 council meetings without getting final council approval. He said that he is planning to present final cost estimates at this meeting, and would like a council decision tonight. There was discussion about exactly where the skate park apparatus would be located. Harmison said he has one bid amounting to \$5,000, but he and Everette Danner think that they can build one for \$3500.00.

Jim Gates made a motion, seconded by Jason Florance, to apply for the National Recreational Trails Program grant, including the skatepark option as long as it works with Harmison and Danner's plan for a skatepark. Motion carried 5-0. Fox explained that the skatepark can be built before the grant is actually approved, and 80% will be reimbursed when the grant is approved.

**SKATEPARK:** Ed Harmison submitted the final plans figured by Everette Danner and himself. This skatepark would cost \$3500. David Gensch made a motion, seconded by Jim Gates, to approve building the proposed skatepark for \$3500. Motion carried 5-0.

**LAW REPORT** Chief Harmison reviewed his written report for the council. Harmison told the council that he received a flyer regarding a 2001 Crown Victoria patrolcar that originally sold for \$25,800 that is now available for \$20,800. He said that it could be less, depending on how much the 1996 car is worth as a trade-in. He will have more information at the next meeting. Rich Hamit asked what the status is



concerning having all the "junk vehicles" removed. Harrison assured the council that he is still pursuing the situation.

**MAINTENANCE REPORT:** Bob Sisson reported that he has received the bid from Hi Plains Sand regarding Sunflower Drive and Trail Drive. The bid is \$12,650 for Sunflower Drive and \$15,944 for Trail Drive. Bruce Smith made a motion, seconded by Jim Gates, to approve the bid from Hi Plains Sand. They would accept being paid half at the time the work is done, and the rest to be paid by December 1st. Motion carried 5-0. The clerk asked the council how much of the previous year's bill for road work should be charged to Max Friesen. After reviewing the bill, she was instructed to bill him for 25% of the work done on E. First St. amounting to \$1807.00.

Sisson told the council that we still haven't received reimbursement from Employers Mutual for the damage to the wells caused by the ice storm in February and the lightning this spring.

Sisson asked the council for a decision about whether or not he is a salaried employee, or hourly. He stated that he was hired at a set amount per month. Up to this point, he has taken his overtime as compensated-pay or time-off with pay. Bruce Smith said that he should be paid overtime or use comp time for anything over 40 hours/week. Smith said that Sisson can choose either method, and that he should keep records of why he's working overtime. Sisson said that he's always written down the hours and the reason for working overtime.

**TREASURER'S REPORT:** There was no official report due to the absence of Max Friesen. The clerk reviewed the Bank Reconciliation report which shows the amount transferred into Water/Sewer and the Pool funds to avoid negative balances.

**BALL ASSOCIATION:** Jimmy Jolly presented the council with bids for re-doing the backstops at Jones Park for approximately \$20,000.00. He also has a bid from Ribelin's Home Enterprises to fence the batting cage for \$1670. Jolly submitted a bid of \$4.00/ton for screenings and hauling which would total approximately \$7200 for both diamonds. After discussing these needs and how to fund them, Bruce Smith made a motion, seconded by David Gerisch, to pay for 900 tons of screenings at a cost of \$3600, and installing chainlink fencing on the batting cage at a cost of \$1670. Motion carried 5-0.

**MISC:** Bob Sisson reported that he had told the fire department that due to the lack of rain, they should draw water from the city lake for use at the fairgrounds this year.

**COUNCILMEMBER COMMENTS:** Rich Hamit brought up the bid from Ryckert Masonry Repair to tuck-pointing on City Hall. He was told to get some references and a final decision can be made at the special meeting along with 2002 budget matters. The bid is broken down into sections for a total of \$10,352.80 to repair all four sides, including window repairs.

Rich Hamit also reminded the council that they need to continue looking into job descriptions at the next regular meeting.

There being no further business before the council, Rich Hamit moved to adjourn. Jim Gates seconded the motion; meeting was adjourned at 11:05 P.M.

Respectfully submitted,

Cheryl L. Brown, City Clerk

APPROVED: \_\_\_\_\_

*9-12-2001*

CITY OF OVERBROOK  
MINUTES

SPECIAL MEETING

AUGUST 10, 2001

MEMBERS PRESENT: Rich Hamit, David Gerisch, Jim Gates, Jason Florance,  
Bruce Smith, Mayor Jack Young

OTHERS PRESENT: Jim Long, Cheryl Brawn

There being a quorum present, Mayor Young called the special meeting to order at 6:30 P.M.

The mayor stated that the special meeting had been called to discuss the bid received from Ryckert Masonry Repair, and also to determine the tax levy to be established by the 2002 budget.

CITY HALL REPAIRS: Rich Hamit reported that he had called three companies. One is booked through the end of the year, one never returned his call, and Mr. Ryckert came to inspect the building and submitted a bid. Ryckert did give a list of several references, including the Highland Park apartment complex. Hamit said that the person with whom he talked said that Ryckert has done quite a bit of work for them with very satisfactory results. Jim Gates made a motion, seconded by Bruce Smith, to approve the contract with Ryckert Masonry to repair the south and east walls of the city building at a cost of \$6666.00, with an allowance of up to \$100 per window to replace the wood. Motion carried 5-0.

2002 Budget Levy: Jim Long of Bogner & Long was present to answer questions regarding how much revenue needs to be raised, and advice as to which funds should be increased. After a lengthy discussion, Bruce Smith made a motion, seconded by David Gerisch, to pass the revised Ordinance No 240 to authorize the increase in the mill levy. Motion carried 5-0.

After more discussion, the council agreed by concensus to propose a 2 mill increase in the 2002 budget, with 1 mill going to General Fund and 1 mill going to the Law Fund. The clerk will make the necessary changes in the hearing notice, publish the notice to hold the budget hearing on August 27, 2001.

Rich Hamit made a motion, seconded by Jim Gates, to adjourn. Motion carried 5-0; meeting was adjourned at 7:40 P.M.

Respectfully submitted,

Cheryl L. Brown, City Clerk

APPROVED: Jim Long

CITY OF OVERBROOK

2002 BUDGET HEARING

AUGUST 27, 2001

7:30 P.M.: Mayor Jack Young called the 2002 Budget Hearing to order at 7:30 P.M. Council members present were Rich Hamit, Jim Gates, Jason Florance, David Gerisch, Bruce Smith.

Others present were Carolyn Meerian, Sheila Dale, Ed Harmison, Billie Jo Smith, and Cheryl Brown.

Mayor Young asked the citizens present for their comments. Carolyn Meerian asked what the residents would be getting in return for any increase in the mill levy. Bruce Smith replied that the city hasn't been able to get ahead since the tax lid was imposed in the late 80's, and there has been a steady increase in demand for services. Meerian said that while she understands that, she as a business owner who pays a higher property tax rate, wants to know what the city plans to do for the businesses. Smith said that quality street maintenance in the business district is one thing. Meerian said that the way Maple Street was resealed last year was a mess. The council agreed, and said we shouldn't have that problem again since the county is now maintaining Maple Street. Meerian said she would like to know exactly what the city lake cost. Smith said that the city did pay more for the lake than what was planned. The clerk said that the city's total cost was approximately \$40,000. Meerian said she had never seen a detailed listing of the expenses. The clerk said that she had prepared such a list for a previous meeting, and that it's in the "City Lake File". Smith said that the extra expense is part of why the council is considering raising the mill levy. The clerk said that Jim Long, the city auditor, has recommended raising the mill levy by charter ordinance for the past several years. Meerian said that there's been someone who's wanted the council to develop a long-term plan for many years. She said that while the proposed tax levy is less than Burlingame and Scranton, those towns have really put on a fresh face. She said that when you go down Overbrook's main street you see empty buildings and peeling paint which makes the town look terrible. Mayor Young agreed that every effort should be made to not only improve the looks of the town, but also the quality of service. He also said that it will take more revenue, and more efficient spending to accomplish this goal. Meerian stated that she would feel better about a tax increase if there was more council support in cleaning up the town and attending PRIDE meetings.

Ed Harmison was present as a citizen to say that he's concerned with water and sewer lines that are 50 years old for the most part. He agrees that having a long-term plan to replace these items would possibly save larger tax increases in the future. He realizes that the lake was costly, but thinks it will be a plus in the future. He also acknowledged that prices have gone up during the years we were under the tax lid. He feels that the tax levy should be raised at this time.

Sheila Dale said that she agrees that water lines need to be replaced, as the line in front of her property has been repaired 3 times in 3 years. She also recommended that the city check into grants as some of the "wealthier" cities are now qualifying. Dale suggested having the city check into getting a historic landmark grant, or being made a

historic landmark. She also encouraged the council to become more involved in promoting the town.

After listening to the citizen's comments, Bruce Smith made a motion, seconded by Jim Gates, to approve the 2002 budget with the 2 mill increase. Motion carried 5-0.

Jim Gates made a motion, seconded by David Gerisch, to adjourn the hearing at 8:05 P.M. Motion carried; meeting was adjourned.

Cheryl L. Brown,  
City Clerk

APPROVED:

9-12-2001

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

SEPTEMBER 20, 2001

MEMBERS PRESENT: David Gerisch, Rich Hamit, Jim Gates, Bruce Smith, Jason Florance, Mayor Jack Young.

OTHERS PRESENT: Max Friesen, Cheryl Brown

Mayor Young called the special meeting to order at 7:30 P.M. Roll call determined that a quorum was present. The mayor stated that the purpose of this meeting is to discuss price quotes for an automatic pumping station to replace the existing lift station pumps on the east side of town, and also to discuss opting out of paying sales tax on water system purchases.

AUTOMATIC PUMPING STATION: After reviewing the price quotes from the Ray Lindsey Co. and the payment plans offered, Jim Gates made a motion, seconded by Bruce Smith, to purchase the automatic pumping station for \$29,586.96 from Ray Lindsey Co using the following payment plan: 25% due with order, and the balance to be paid in four (4) equal installments starting ninety (90) days from shipment and every ninety (90) days thereafter. Motion carried 5-0.

SALES TAX OPTION: After discussion of past amounts paid for sales tax on "water supply and repair" equipment, Bruce Smith made a motion to take advantage of the exemption from state and local sales taxes as authorized by Senate Bill 332, and pay the Clean Water Drinking Fee which is \$.03 per 1,000 gallons of water sold at retail. The motion was seconded by Jim Gates, and passed 5-0.

Submitted,

Cheryl L. Brown,  
City Clerk

APPROVED: 10-10-2001

CITY OF OVERBROOK  
MINUTES                      REGULAR COUNCIL MEETING      SEPTEMBER 12, 2001

MEMBERS PRESENT:        Jason Florance, Jim Gates, David Gerisch, Rich Hamit,  
Bruce Smith (7:50 pm), Mayor Jack Young (7:42 pm).

OTHERS PRESENT:        Carolyn Meerian, Sheila Dale, JoAnn Lemberger, Mack  
Dibble, Bruce Cole, Kristy Hamit, Joyce Dillon, Pat Martin  
Stephen Jones, Bruce Anderson, Jeff Good, Mark Jones,  
Marian Massoth, Max Friesen, Ed Harmison, Bob Sisson  
Everette Dannar, Cheryl Brown.

In the absence of Mayor Young and Council President Bruce Smith, Rich Hamit called the council meeting to order at 7:35 P.M. Roll call established that a quorum was present.

MINUTES/WARRANTS:    Jim Gates moved that the regular August meeting minutes be approved as written; Jason Florance seconded. Motion carried. Jason Florance made a motion, seconded by Jim Gates, that the August 10th special meeting minutes be approved as written. Motion carried. David Gerisch made a motion, seconded by Jim Gates, to approve the minutes of the August 27th 2002 Budget Hearing be approved. Motion carried.

Jim Gates moved to pay all warrants presented; David Gerisch seconded. Motion carried.

PLANNING/ZONING COMMISSION:    Stephen Jones, city attorney, stated that Sheila Dale, Osage County Land Use Coordinator, has informed him that the city's existing Planning/Zoning ordinances are not in compliance with current Kansas statutes that require a letter of notification to the County Commissioners regarding zoning outside the city limits. Jones said that Kansas law did not require this letter at the time Overbrook adopted it's current Planning Commission and zoning ordinances, but does at the present time. Jones recommended that the city consider combining the Planning Commission and Board of Zoning Appeals while updating zoning regulations. Carolyn Meerian stated that while she has no objections to combining the two boards, she thinks the city should have some input into the zoning surrounding the city limits. Sheila Dale stated that the first order of business for the new commission would be to develop a comprehensive plan, and then help create new zoning ordinances. Dale also stated that even if the city follows the procedure to zone outside the city limits, the county would have the final authority to approve building permits as it would be classified as "Agricultural". Dale said that the city would be notified of hearings regarding this type of situation.

Jones recommended that the council hold a public hearing to discuss combining the boards, after which the council would appoint the members. Jim Gates made a motion, seconded by Rich Hamit, to hold a public hearing at the October 10th council meeting to give the citizens opportunity to discuss combining the Planning Commission and the Board of Zoning Appeals. Motion carried.

**ANIMAL CONTROL OFFICER:** Chief Ed Harmison reported that he's received 3 applications from people that can work evenings and weekends only, and one of the objectives was to find someone to do this days also. The council agreed by consensus to have Harmison interview and hire one of the applicants. Bob Sisson said that dogs could be put in the pen during the day, and then taken to Carbondale when the animal control officer is available.

**P.R.I.D.E.:** Pat Martin reported that PRIDE is going to have a booth at the Sampler in Ottawa the first weekend in October to promote tourism for Overbrook. Martin said that any input from the city would be appreciated, especially helping in the booth. She also encouraged attendance at the local PRIDE meeting on September 15th. Joyce Dillon said she was in favor of Overbrook creating a city flag. This matter was tabled until more information is available.

**SEWER/WATER UPDATE:** Marian Massoth came before the council to report that the loan application for the water supply and tower sensor device is coming along. The notice for the public hearing has been published for October 1st at 7:30 P.M. Information on the project will be presented after which there is opportunity for public discussion and/or questions. The application cannot be officially submitted before the hearing. Massoth has started the environmental review process by sending letters to the required agencies. She said that she will need some information from the clerk to complete the process. Jim Gates asked about getting grant money to do this kind of project. Massoth said that she checked into this in the spring, and the city doesn't qualify according to the 2000 census income data.

The loan would be to replace approximately 4 miles of water line from the city wells to the east tower, and also install a warning system that notifies several people when the water level is too high or too low. Bruce Smith asked how long the city would have to repay the loan. Massoth said that there are several payment schedules available, but that no payments would be due until after the project has been completed. Carolyn Meerian asked if all this information is available tonight, to which Massoth replied "no". Meerian then said that according to the notice that was published all the information is available at City Hall during regular hours. Massoth said that she has the information, but not with her tonight. Meerian then stated that the notice shouldn't have been published if all the information is not where the notice states it can be inspected. Mayor Young said that until the hearing has been held, there are no definite figures about interest rates or payment schedules, and admitted that a mistake has been made if the information mentioned in the notice is not available at City Hall.

Massoth said that checking manholes is still in progress, and that Kansas Rural Water is going to re-schedule the "smoke testing". She also stated that the city has been within wastewater permit limits most of the year with August being one exception. Mayor Young asked if this testing would show the possibility that livestock downstream from the lagoons could be affected. Massoth said that the current testing would not show this kind of information. Young said that he has been contacted by property owners regarding this matter, and would like to have Massoth pursue toxicity levels at the lagoons, and also upstream and downstream. Jim Gates made a motion, seconded by David Gerisch, to do this testing, with property owner's permission. Motion carried 5-0.

Massoth also mentioned a letter from KDOT about renewing the lake entrance permit. There are certain requirements by the state. Massoth was asked to request an extension from the state.

**CITY LICENSE:** Bruce Smith made a motion, seconded by David Gerisch, to renew the alcoholic liquor license for Conrad's Bar & Grill. Motion carried 4-0.

**LAW REPORT:** Chief Ed Harmison reviewed his monthly report, including traffic stops, possible fine income, and salary. Harmison said that there was one case involving a dog bite. He also mentioned the long lines of traffic at Casey's on September 11th as a result of the hijacking incidents.

Harmison reported that the tree limbs of residents not responding to earlier notice have been trimmed, and the property owners will see this charge on their property taxes next year. He would like the council to consider hiring this trimming to be done next spring.

He reported that since he's become police chief, approximately 61 vehicles have been removed, but there are a few left. Harmison asked the township to clean out the area at the east end of Fifth Street. The council agreed to consider vacating this section of Fifth Street in the near future.

Harmison also reported that six copperhead snakes have been killed on property north of Jack Young's and south of Jim Trout's property. The property has been mowed by neighbors up to this point, but he feels this is a health and safety matter. Bruce Smith made a motion, seconded by David Gerisch, to proceed with issuing a Nuisance Ordinance by certified mail as the owner lives out of state.

The mayor asked Harmison to update an emergency plan for the city as a result of the panic at Casey's this week.

Mayor Young said that he has received complaints about bad language and noise at the skateboard area in Jones Park, and asked Harmison to check into the matter.

There was some discussion about installing a phone for emergencies. The clerk said that the phone company probably wouldn't install a pay phone outside due to low revenue and vandalism. Harmison said he has posted signs stating regulations and suggestions for safety.

**MAINTENANCE REPORT:** Bob Sisson said that the city finally received insurance money for damage to the wells.

Sisson said that HiPlains Sand is planning to be here around September 25th to do the work on Trail Drive and Sunflower Drive.

He told the council that the bearings in the main pump at the pool went out, and it's being repaired for approximately \$500. It had to be fixed at this time so that the pool can be drained and winterized. Sisson said that he can leave the bathrooms at Jones Park open longer, but they will have to be winterized soon. The clerk questioned who will clean them and keep them supplied. The council agreed to keep them open for now, but if problems occur, lock them.

Sisson said that one of the pumps in the east lift station has a short in the wiring, and the bearings may be going out of the other one. He stated that the city has no spare pump available, and ordering one from Germany would cost over \$9,000 and would take



several weeks to get here. The council told Sisson to get price quotes from the Ray Lindsey company on a system like the one on the west side of town. It was decided to call a special meeting as soon as the figures are available. Sisson said that it will still take 3-4 weeks to get the system installed even after it's been ordered. He also said that if something happens to the existing pump, he does have contact with a company that can furnish a temporary pumping solution.

MISC: Mark Jones asked who is responsible for maintaining sidewalks. He was told that the property owners are responsible for the sidewalks, but if there is a safety concern, the city does have the right to require that the sidewalks be repaired or removed. If the owner doesn't respond, the city has the option to have the work done and add the expense to the property tax.

Jones also asked if the city ordinances require a time limit on building projects. He was told that there is no time limit required by the existing ordinance, but that is one thing that will be addressed by the new Planning Commission.

TREASURER REPORT: Max Friesen reported that the balances look good at the end of August, but with all the expenses for September including a pool bond payment, city building repairs, and the replacement of the east lift station there is a possibility that we may have to apply for a no-fund warrant through the Board of Tax Appeals.

COUNCIL MEMBER COMMENTS: Jason Florance stated that the city should develop long range plans for streets, water line replacement, and other items. The council agreed by consensus to add this to the agenda of the next special meeting.

Jim Gates also reminded the council that updating the job descriptions needs to be done.

Bruce Smith asked if Leonard Jirek had given any special guidelines about mowing at Lake Friesen. Sisson said that Jirek suggested letting it grow this year.

Jim Gates also asked that the city check into the cost of installing a handicapped-accessible door and ramp for City Hall. The mayor asked Sisson to check with someone about costs for a ramp, and changing the way the door opens.

CLERK REPORT: Cheryl Brown reported that she had received a note from Karen Olson informing us that the swimming pool wasn't being used for the after-school program since she couldn't make arrangements for the other two towns.

Brown also informed the council that Leonard Jirek had brought another grant application form to be discussed involving the roads and signs at Lake Friesen. After discussion, the council agreed by consensus to decline the grant at this time.

MAYOR'S REPORT: Mayor Young expressed his concern about the nation as a result of the terrorist attacks the previous day.

CITIZEN'S COMMENTS: JoAnn Lemberger asked if somebody from the city should inspect the walls and roof of the building just south of City Hall. Mayor Young said he would talk to Chief Harmison as this would be a safety concern.

Mack Dibble told the council that one of his neighbor's is pumping water onto his property causing a problem with Dibble's mowing. Sisson said he would talk to the neighbor this week.

Mark Jones asked if problem sidewalks could be handled the same way as the building across from City Hall. The clerk said that if the Public Safety Officer--Chief Harmison--considers a sidewalk to be a safety hazard, there are steps that can be taken. Mayor Young said that he would talk to Chief Harmison regarding the sidewalks mentioned by Jones.

Jeff Good asked about the old cars by the tree limb dumping area. He was told that the fire department uses them for practice. Jason Florance said he would talk to the fire chief, Ed Waller, about the matter.

Mark Jones also asked why flowers from the cemetery and concrete is allowed at the tree-limb disposal area. Sisson said that the flowers would be considered the same as yard waste or limbs, and that he puts scrap concrete and asphalt there temporarily until he can use the material on another job.

Max Friesen suggested that the council start thinking about license fees for fishing at Lake Friesen.

JoAnn Lemberger commented that she had never seen the notice where the property had been transferred to the city from Max Friesen. Max Friesen said that the deed had been prepared some time ago. The clerk said that there should be a copy in the "city lake" file.

There being no further business before the council, Rich Hamit made a motion, seconded by Jim Gates, to adjourn. Motion carried; the meeting was adjourned at 9:30 P.M.

Submitted by,

Cheryl L. Brown  
City Clerk

APPROVED: 1070-2001

CITY OF OVERBROOK  
MINUTES

PUBLIC HEARING

OCTOBER 1, 2001

PUBLIC ATTENDING: Carolyn Mecrian, Jeff Good, Marian Massoth, Ed  
Harrison, Cheryl Brown

Mayor Jack Young called the hearing to order at 7:30 P.M. with the following councilmembers present: Bruce Smith, Jason Florance, David Gerisch, and Jim Gates. Rich Hamit was absent.

The purpose of the hearing was to receive comments and/or questions from the public regarding the city's applying for a \$160,000 loan from the Kansas Public Water Supply Fund through the Kansas Department of Health and Environment.

Marian Massoth, acting as city engineer, reviewed the facts regarding the application process and stated the purpose of the loan is to replace approximately 4 miles of rural water line, and install a warning system on the east water tower.

Following discussion about alternative funding, Jim Gates agreed to gather some information about any grant monies that might be available and what the city would have to do to qualify for these grants.

Massoth was also asked to check into grants, and report at the regular October meeting. She reminded the council that the deadline for the loan application is October 31, 2001.

At this point, the public hearing was recessed with no action being taken by the council.

Submitted by,

Cheryl L. Brown  
City Clerk

08/03/15 JHK

CITY OF OVERBROOK  
MINUTES

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Massoth was also asked to check into grants, and report at the regular October meeting. She reminded the council that the deadline for the loan application is October 31, 2001.

At this point, Jason Florance moved, with David Gerisch seconding, to adjourn the meeting. Motion carried.

Submitted by,

Cheryl L. Brown  
City Clerk

10-10-2001

CITY OF OVERBROOK  
MINUTES

REGULAR MEETING

OCTOBER 10, 2001

MEMBERS PRESENT: Jim Gates, Jason Florance, Bruce Smith, Rich Hamit,  
David Gerisch (8:15PM), Mayor Jack Young.

OTHERS PRESENT: Carolyn Meerian, Bruce Anderson, Ira Allen, Charles  
Hamner, Pat Martin, Bob Shepard, Sheila Dale, JoAnn  
Lemberger, Stephen & Kay Jones, Marian Massoth, Ed  
Harrison, Bob Sisson, Max Friesen, Cheryl Brown

Mayor Young called the October meeting to order at 7:30 P.M. Roll was called by the clerk; there was a quorum present.

MINUTES/WARRANTS: Jim Gates moved to approve the September 12th minutes as written; Bruce Smith seconded. Motion carried. Bruce Smith moved to approve the minutes of the September 20th special meeting; Jim Gates seconded. Motion carried. Jim Gates made a motion to approve the minutes of the October 1, 2001 special meeting/water supply loan hearing as written. Bruce Smith seconded. motion carried. Carolyn Meerian asked why the comment made by Max Friesen at the last regular council meeting referring to the city being bankrupt wasn't in the minutes. Mayor Young replied that while he did recall Friesen making a statement to that effect, he thought Friesen should give an explanation. Max Friesen said that what he meant was that he didn't think that any major water projects could be funded by either the general fund or the water fund at this time so he did mention issuing a No-Fund warrant, as paying for any major projects would take all the remaining funds needed to finish the year. JoAnn Lemberger questioned the minutes stating that the Treasurer (Max Friesen) reported that the fund balances were good under the circumstances. The clerk stated that the fund balances were good at the end of August, which is what was reported at the September meeting. Sheila Dale stated that this remark should have been included in the official minutes. Mayor Young said that this matter will be discussed with the city attorney as to whether or not the phrase "bankrupt" should be in the minutes.

Rich Hamit made a motion to pay all warrants presented with a second by Jason Florance. Motion carried.

ANIMAL CONTROL: Ed Harrison reported that Mark Tomlinson has been hired to handle animal control evenings and weekends, with a maximum of 40 hours per month.

STREET/WATER PLANS: Rich Hamit suggested that someone go with Bob Sisson to take inventory of the streets for future plans, as well as the water lines. Jim Gates agreed to go with Sisson as soon as possible. Sisson would be responsible for doing the same for improvements and repairs on the water system.

JOB DESCRIPTIONS: The council agreed that the job descriptions from the League of Municipalities should be adapted to the city of Overbrook by each department head for discussion at the next meeting.

**CITY HALL DOOR:** After discussion, the council agreed by consensus to check into the cost of building a ramp and other changes to the front door of City Hall, and also changes to the bathroom, including the three interior doors leading to the bathroom. It was decided to consult with the city attorney regarding this matter.

**PHONE FRANCHISE:** The clerk stated that Carolyn Gaston with Sprint was unable to attend tonight's meeting, so the ordinance extending the franchise for just one additional year was tabled.

**LAW REPORT:** Chief Ed Harmison reviewed his written report for the council. Harmison told the council that he has two bids on new patrolcars. One is from Olathe for \$21,270 and the other is from Topeka for \$20,900. These bids are for 2001 models, and the Topeka dealer would allow \$3500 trade-in for the 1996 car we have. They both offer leasing. Harmison said that the 1996 Ford has 59,000 miles on it, and the transmission is beginning to act funny. The council agreed by consensus that the city is not in a position at this time to make any commitments even if the cost is more after the first of the year.

**PLANNING/ZONING BOARD HEARING:** Mayor Young called the hearing to order at 8:00 P.M. He stated that the purpose of the hearing is to give residents a chance to voice their opinions about combining the Planning Commission and the Board of Zoning Appeals into one board. Stephen Jones, city attorney, presented the ordinance prepared, but noted that Section Two would need to be changed to automatically appoint the existing members of the Planning Commission because it includes two members from outside the city limits. Jones suggested two alternatives: 1. Appoint the current members living within the city limits 2. Appoint 5 members who may or may not be on the current board. Mayor Young said that since Duane Stout has issued his resignation, the council would have to consider appointing 5 members who will include at least one new member. The terms of office were discussed as the current members are all appointed until November, 2002. Jones said that all members appointed initially will serve until May, 2002 at which time their terms would have to be staggered to avoid having to replace the entire board. Jones also stated that Section 8 needs to be changed to include Ordinance No 93 that established the original Planning commission, as well as Section 15 of Ordinance No 95 that created the Board of Zoning Appeals. There was discussion about how to determine term lengths for the members. Bruce Smith made a motion, seconded by Jason Florance, to adopt Ordinance No 241, with changes in Section 2 and Section 8, to combine the Planning Commission and Board of Zoning Appeals into one board. Motion carried. It was decided that appointing members needs to wait until after the ordinance has been published, so that matter was tabled until the next meeting. Mayor Young asked the current members present to indicate whether or not they are willing to serve on the new board. Bob Shepard stated that he would prefer not to be appointed.

**ADA REQUIREMENTS:** Mayor Young asked Jones if he has information on what requirements the city needs to meet to comply with current ADA regulations. Kay Jones, Lyndon city clerk, said that Mary Holloway, with the Resource Center of

Independent Living in Osage City would be a good source for this information. Jones said that Holloway came to the Lyndon building in person. She also said that Holloway that Lyndon should indicate that their restroom is "a port in a storm", but not to advertise them as public facilities. The clerk was told to contact Mary Holloway for advice.

**LAW REPORT(CONT):** Chief Harrison reported that Everette Danner is currently in a school in Salina. Harrison also presented a bid for three signs to be posted at the Skatepark area for a cost of \$298.85. The council agreed by consensus to table ordering any signs until spring. Harrison said that he has posted temporary signs on the concession stand.

**SEWER/WATER LOAN REPORT:** Marian Massoth said that the testing lab used by Overbrook for lagoon-testing, QWAL Labs, has been shut down by KDHE for allegedly falsifying results. Massoth said that the clerk has already been contacted by Environmental Labs in Topeka about doing our testing. Cheryl Brown said that the city has contracted with them before, and that the reason for changing labs didn't have anything to do with being dissatisfied with their work.

Massoth said that she would like to ask for another extension on the city's compliance schedule due to having to re-schedule the "smoke testing" and also changing labs for wastewater testing. The council agreed by consensus to have Massoth ask for an extension.

Massoth asked if the city wants to pursue the application for a loan from the Kansas Public Water Supply fund. Jim Gates said that he had talked to someone from the Department of Commerce & Housing regarding block grants. Gates said that he was told that based on the 1990 census, the city only had 28-29% population compliance with the Low-To-Moderate Income regulations. We would need at least 51% compliance. Kay Jones stated that Lyndon hired a firm from Lawrence to do their survey after the 1990 census showed them to be too low to comply, and they were able to meet the LMI limits. Jones suggested contacting this firm to get some cost estimates and other information. The council agreed by consensus to contact this person. Jones said that the applications are due in mid-March. She also said that there is a minimum response percentage required to comply. Gates said there is a workshop regarding this matter in Ottawa on October 30th. Sheila Dale said she had been told there are "Urgent Needs" grants available, and suggested contacting the man from Commerce & Housing for more information. Massoth said that this would be a good possibility for funding sewer upgrades as well as water improvements. Gates said that the city wouldn't be eligible for any grants in 2002, but could try for 2003. Kay Jones said that there is a \$400,000.00 limit with the block grant, but the city would have to match the grant funds.. Gates said he would check into the dates and grants available. Massoth reminded the council that the deadline for the loan application is October 31, 2001; however, the city does not have to use the loan. Carolyn Mecrian asked how much repaying the loan would cost the property owners. The mayor and council stated that the cost per customer would depend on how much money is borrowed and the length of the loan payment schedule. Bob Sisson said that the main reason the 6" line needs replaced is to make sure the city has a way to pump water from the wells to town in case something happens to the 4" line, other than buying all our water from Rural Water District #5. After more discussion of exactly

how much rural water line needs replaced, Bruce Smith made a motion, seconded by Jim Gates, to complete the loan application. Motion carried. Massoth said that we should know by the first of the year whether or not the loan has been approved. She also said that the loan payments do not start until a year after the project is completed. The council agreed by consensus to publish notice of the meeting after the loan has been approved and before officially accepting the loan. There was discussion regarding the bid process, and Massoth said she would check on requirements by KDHE.

**ENTERPRISE FACILITATION:** Mayor Young asked Kay Jones to share some of what she knows about this organization. She stated that the Kansas Department of Housing & Commerce has started this program, and that Osage County could become a pilot for them if individuals and businesses can submit a request for funding by December 19, 2001. One of their goals is to help someone just starting a business, or expanding a home-type business by encouraging other businesses to offer their services with the idea that eventually all the businesses will benefit. This program has been successful in several other states, Canada, and Australia.

The Osage County Economic Development Corporation is the coordinating force for the County's proposal. There will be several meetings in the next few weeks to get out as much information as possible.

**MAINTENANCE REPORT:** Bob Sisson reported that the streets in Meadowbrook II are done, and the residents seem to be pleased.

The pool is winterized, but he will need more antifreeze to do the bathhouse and ballpark.

Sisson said that the automatic pumping station for the east side has been ordered, and that it should be here in 4-6 weeks with the first payment being due at that time according to Joe Maris, the salesman.

He said that the bathrooms have been left open at Jones Park for the skateboarders, but will be closed the end of October.

Sisson said that the "smoke testing" for the sewer system has been rescheduled for October 18th. He wanted the council's opinion of digging up all the manholes in the streets, as it could cost up to \$1800 for patching material. Bruce Smith stated that this could wait until next spring if we really need to see the manhole. Sisson feels that we should be able to get a good test result without doing all the digging. He also said the last testing done in 1987 seemed to show problems mostly on the west side of town. Gates asked who is responsible for maintaining alleys. Sisson said the city takes care of the ones in the business district.

Sisson said he's meeting with another salesman regarding a warning system for the water tower. Mayor Young agreed that this should be pursued even if the city does not qualify or accept the Kansas Public Water Supply loan.

**MISC:** Rich Hamit made a motion, seconded by Jim Gates, to recess the meeting and go into executive session with Ed Hamison present for 15 minutes. Max Friesen asked if the other city officer reports could be done first. The motion was withdrawn to accommodate Friesen's request.



TREASURER'S REPORT: Max Friesen apologized for giving the impression that the city was bankrupt last month. He did want to say that the finances would be tight the rest of the year, partly due to the pool bond payment. He didn't see any big expenditures for the rest of October, but since the remaining tax levy will be fairly small there won't be any money for extra large expenditures.

CLERK'S REPORT: Cheryl Brown said that a representative from Data Technologies will be here November 15th to install the Windows-based utility software and get us started. She will be gone this next week on vacation with Mary Anderson filling in at City Hall.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Jim Gates, to recess the meeting for 15 minutes to discuss matters not related to elected personnel with Ed Harmison present. Motion carried; meeting was recessed.

The meeting was called back to order at 9:50 P.M. with no action being taken.

LAW GRANT: Chief Ed Harmison told the council that he has applied for a \$10,000 equipment grant again this year. This is a 90-10, with the city furnishing 10% of however much the government awards. He is requesting 2 dash cams for the patrolcars, and new lightbars. He needs to have a public hearing just prior to the November meeting.

COUNCILMEMBER COMMENTS: Bruce Smith said that he would like to see "a normal week's log" from the maintenance department to go along with his job description.

Rich Hamit reported that Rychert's Masonry had called him saying that they weren't satisfied with the color of the mortar and will be back some weekend to make improvements.

Hamit also asked about the deed to the city lake property. Brown told him that Max Friesen had signed the deed in October, 2000, but the surveyor didn't like the legal description as it was written. The city agreed to vacate Meadowbrook I, which resulted in a legal description that was approved. For some unknown reason, the deed was never recorded, even though Friesen had signed the original in October of last year. The clerk had seen a copy of the original signed deed, and assumed that it had been recorded.

MAYOR'S REPORT: Mayor Young stated that while he is very pleased to have citizens attend council meetings, he would appreciate only positive input, but will be quite intolerant of any disruptive comments at future meetings.

There being no further business before the council, Jim Gates moved to adjourn the meeting. Rich Hamit seconded; motion carried 5-0. The meeting adjourned at 10:00 P.M.

Respectfully submitted,  
Cheryl L. Brown

APPROVED: 11-14-2001

Nov 14, 2001

housing, etc for the facilitation trainers. This person would become an employee of the county, and would remain in the community as a resident.

After listening to the presentation, Jim Gates made a motion to adopt Resolution No. 46 which states the support, financially and community-wise, for establishing the Enterprise Facilitation programs. Bruce Smith seconded the motion; it carried 5-0.

**WATER/SEWER REPORT:** Marian Massoth reported that she has drafted a letter to KDHE requesting an extension for our final report since we have had to change labs that do the testing on wastewater samples. The council agreed by consensus to have Massoth send the letter. She also reported that doing the manhole inspection as part of the sewer smoke testing revealed several areas needing repairs. She has talked to Kansas Rural Water Association about possible solutions and the cost of these solutions. She said that the wastewater seems to be just fine, except during periods of wet weather. Mayor Young asked how the city can get sump pumps disconnected from the sewer lines. Massoth said that the city ordinance prohibits perimeter drains and sump pumps being connected to the city sewer lines.

Massoth presented the council a copy of the final loan application that was submitted to the Kansas Public Water Supply. The proposed expenses are as follows: construction costs--\$135,000, engineering design--\$7500, construction engineering--\$1500, inspection--\$3000, resident cost--\$2000, contingencies - \$5,000, legal & abstracting--\$3,000, and \$0 for soils investigations. The Loan Origination Fee will be \$397.50, making the total loan amount \$159,397.50 as proposed. The current schedule would be completing the project plan by February, 2002 to be followed by submitting plans to KDHE, opening bids, bid awarding, and the start of construction in June, 2002.

**PLANNING COMMISSION:** Mayor Young presented the following appointees to the new Planning Commission: Bruce Cole, Joyce Dillon, Ira Allen, Cliff O'Bryhim, and Glyn Day. Rich Hamit made a motion, seconded by Jim Gates to appoint the above mentioned residents to serve as follows: Positions 2 & 4 to serve 1 year, Positions 1, 3, 5 to serve 2 years, with all positions to serve for three (3) year terms thereafter. Motion carried 5-0. There is nothing in the ordinance limiting how many terms a person may serve, but the council has the right to develop procedures to remove a commission member at any point in the future. City Attorney Stephen Jones said he would get in touch with the commission regarding bylaws, etc. The commission will have to elect a chairperson and clerk, and then start the process of putting together recommendations for new zoning regulations.

**JOB DESCRIPTIONS:** Mayor Young asked that the council set a time for a working meeting to review job descriptions for all city employees. November 30th at 4:30 P.M. at City Hall was the time scheduled. Jason Floraner stated that he would probably not be able to attend.

**ADA CHANGES:** Cheryl Brown said that she had talked to Mary Holloway, and since our bathroom is not a public facility due to having to go through the bathroom to get to the Police Evidence storage room, Holloway recommended making changes to the front entrance only. Bob Sisson said that he is waiting on bids for a ramp. The matter was tabled until we get the bid.

**LAW REPORT:** Chief Ed Harmison reviewed his written report in detail for the council and mayor. Mark Tomlinson, evening and weekend animal control officer, put in 30 hours in October. He is furnishing his personal truck, with the city paying mileage and the magnetic

signs. Chief Harmison said that Ted Miller has passed KLETC training. He will need to be paid two weeks salary in the future.

Harmison said that Charles Simmons' daughter has written asking for an extension of 2 weeks on the clean up of his property on Sycamore. Chief Harmison explained what this would mean in terms of dates. Bruce Smith made a motion, seconded by Jim Gates, to grant an extension until November 28, 2001. Motion carried 5-0.

Chief Harmison reported that one more "junk" vehicle has been removed. Harmison stated his concern about not having any regulations or fees for the city lake. The mayor said that Leonard Jirek will be at the December meeting to discuss these issues. Harmison asked that "No Hunting/No Guns" signs be placed at the lake and also at the lagoons on each side of the properties. Mayor Young stated that a rural resident is planning on attending the next fire department meeting to discuss the old cars parked on the lagoon property. Jim Gates asked what Harmison means when he reports that the police department assists another agency. Harmison said that it could mean helping SRS with children, etc.

Chief Harmison reported that he had spoken to the owners of the building at 327 Maple about the condition of the north wall. Rickie Slechta, the present tenant of the building, stated that there are several things that need repaired. Mayor Young asked Harmison to put some pressure on the owners, possibly from a health and safety viewpoint. Harmison said that we would probably need a structural engineer to inspect it before taking legal steps.

Officer Dannar reported that the yellow lines on Maple have already benefitted the department due to having an established single lane of traffic. Rich Hamit asked if the county painting white stripes will cause problems. The mayor said they were probably guidelines for snow removal.

Chief Harmison asked permission to buy shirts for the police department again this year at a cost of \$15 each for 10 officers. Jim Gates made a motion, seconded by Jason Florance, to approve the purchase of the shirts. Motion carried 5-0.

**RECESS:** Mayor Young recessed the meeting for five minutes for personal reasons.

The meeting was called back to order by the mayor.

**TREASURER REPORT:** Max Friesen reported that the city appears to be in satisfactory shape to finish the year, in spite of low balances. He said that the water fund did better this past month.

**MAINTENANCE REPORT:** Bob Sisson said the new automatic pumping system is due to be installed December 21st. He also said that the maintenance truck had to have a new clutch pressure plate installed. The mechanic recommends replacing the clutch at some point.

Sisson said that 2 of the wells have problems. No 3 has the pump out, but there should be some warranty left on it. No 4 needs new pipe, pump, motor, and checkvalve. There's no warranty on No 4.

Sisson said that he'd received a phone call from Rulon Hurst regarding a house that's going to be in the Meadowbrook II addition. Sisson told him he would need to talk to Max Friesen about the matter.

Mayor Young said several people have asked him about how the city will leave snow when it being plowed. The council recommended that it not be left on sidewalks. The city may have to push it to the end of the street after the county goes through. The city will probably have no control over when or how the county does snow removal on Maple. Mayor Young asked Sisson to talk to the county about their plan.

Rieh Hamit asked if the city has had very many complaints about "brown" water lately. Sisson said that except for right after a break, the water seems to be doing very well.

CLERK'S REPORT: Cheryl Brown said that the Data Technologies technician will be here on Thursday to install the Windows-based version of the utility billing software.

She also said the city received a letter from KDHE regarding a checklist for water system security. Brown reported that the City of Overbrook has been approved for the 'Trails' Project by the Department of Wildlife & Parks in the amount of \$43,000.00 but we have to wait to actually start the work.

Brown asked if she could take vacation on the Friday after Thanksgiving which would mean closing the office. Jim Gates made a motion, seconded by Jason Florance, to approve closing City Hall on November 23rd. Motion carried 5-0.

FLAGS: Mayor Young asked if the city could replace some of the flags supplied by the Sons of the American Legion due to weather damage. The flags were displayed after the September 11th terrorist attack for several weeks. They need 10 flags at a cost of approximately \$350. They won't need them until next year. Bruce Smith made a motion, seconded by David Gerisch, to replace 10 flags. Motion carried 5-0.

MISC: The mayor asked what should be done with the "Don't Overlook Overbrook" sign that PRIDE put up several years ago. Everette Dannar said he would look at it to see if it can be repaired to be put at another location.

COUNCIL MEMBER REPORTS: Jim Gates said that he knows of another city that has received several thousand dollars in grants, and was given the name of Donna Crawford, with Governmental Assistance, who helps with getting grants. Gates was asked to contact her about coming to the December meeting.

David Gerisch thanked the maintenance department for the work done at 705 Walnut around the water meter. Sisson said that there would be some more done when the weather permits.

Rieh Hamit asked what was going on with the city channel, #36. The clerk said that everything has been loaded, but she's having trouble with the phone connection so the host computer doesn't respond.

MAYOR'S REPORT: Young asked who owns the new cellular tower. Dannar said that no one has anything on the tower at this time. He thinks someone built it, but has never done anything with it.

Mayor Young encouraged more people to get involved with the Enterprise Facilitation project. Riekie Sleebta said that while this could be a good thing, she wonders where new businesses would locate in Overbrook as most of the existing buildings are occupied. The mayor said that we have to look at the whole county at this time.

There being no further business before the council, Jim Gates moved to adjourn. Rieh Hamit seconded; the meeting adjourned at 10:15 P.M.

Respectfully submitted,  
Cheryl L. Brown

APPROVED: 12-12-01

MINUTES

REGULAR COUNCIL MEETING NOVEMBER 14, 2001

MEMBERS PRESENT:

Bruce Smith, Rich Hamit, Jason Florance, Jim Gates, David Gerisch, Mayor Jack Young.

OTHERS PRESENT:

Stephen & Kay Jones, JoAnn Lemberger, Rickie Slechta, Pat Martin, Sheila Dale, Carolyn Meerian, Charles Hamner, Ira Allen, JA Cordts, Derrick Dahl, Doug Stallbaumer, Del & Cindy Wymore, Carolyn Gaston, Bob Sisson, Ed Harmison, Everette Dannar, Max Friesen, Cheryl Brown.

The regular council meeting was called to order by Mayor Young at 7:30 P.M. Roll was called by the clerk; there was a quorum present.

MINUTES/WARRANTS: Rich Hamit made a motion, seconded by Jim Gates, to approve the minutes of the October meeting as written. Motion carried 5-0.

Jim Gates made a motion to pay all warrants presented, second by Jason Florance. Motion carried 5-0.

TELEPHONE FRANCHISE: Carolyn Gaston, representative for Sprint Telephone, was present for the first of three readings of an ordinance that would renew the current franchise contract for a period of one year. Stephen Jones, city attorney, has reviewed the ordinance and agrees that because of future legislative action, this would be an acceptable contract. Gaston then proceeded to read the ordinance. Gaston stated that this ordinance is identical to what the current contract stipulates. Sheila Dale asked if there would be some way that the new contract could include coverage for the fire department that would lessen or delete the \$200 month that they are currently paying. Gaston said that normally these type of agreements are not included in the franchise agreements. She also said that she could not negotiate this matter into the contract, but that maybe something could be done through the legal departments representing the fire department and Sprint. Gaston said she would be back for the December meeting for the second reading.

ENTERPRISE FACILITATION: Doug Stallbaumer was present to report on how this program came into being, and also to discuss what must be done in order for Osage County to qualify for the grant. The basic idea is the belief that the business leaders are already in the community, but might need help in developing their ideas, and in the marketing of products. One of the goals is to keep people in their own towns rather than commuting to other towns for employment.

The state of Kansas through the Department of Commerce and Housing, believes that this program will work, and is willing to fund 66% of the cost for 3 pilot projects in the state. Stallbaumer wants Osage County to be one of the 3 projects. He explained the steps necessary to apply for the project funding. The project is county-wide so the financial cooperation of all towns is necessary. Each towns share is based on the amount of county tax levy the town receives. Overbrook's share for 2002 would be \$2604. The county will also be responsible for a share of the financing.

A steering committee will have to be formed to do the actual paperwork for the application. One person would be selected as chairperson. Stallbaumer then discussed what would be needed if Osage County is chosen for one of the pilot projects. This would include

MINUTES

REGULAR COUNCIL MEETING

DECEMBER 12, 2001

MEMBERS PRESENT: Jason Florance, David Gerisch, Jim Gates, Rich Hamit, Bruce Smith, Mayor Jack Young.

OTHERS PRESENT: Charles Hamner, Carolyn Gastin, Carolyn Meerian, Pat Martin, Leonard Jirek, Max Friesen, Bob Sisson, Ed Harmison, Cheryl Brown

The regular December council meeting was called to order by Mayor Young at 7:30 p.m. Roll was called by the clerk; there was a quorum present.

MINUTES/WARRANTS: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the November meeting as written. Motion carried.

Bruce Smith made a motion, seconded by Jim Gates, to pay all warrants presented. Motion carried.

SPRINT FRANCHISE: Before reading the proposed franchise agreement with Sprint, Carolyn Gastin reported that in June, 2000 the franchise payment was \$1,524.62 and December, 2000 it was \$1,713.41, and in July, 2001 it was \$1,895.96. Gastin said she will do the final reading at the January, 2002 meeting, and would appreciate the council's being able to take action on the ordinance at that time. She also explained that Sprint will pay all the publication costs.

P.R.I.D.E.: Pat Martin was present to ask the council to consider paying the electric bill for lighting at the "rock" sign on the west side of town. Ed Butterfield said it would cost about \$9.00 per month. Martin explained that the Fair Board has indicated that they would furnish the electricity for the east-side sign. She also said that PRIDE would like to have an electric meter placed at the archway for future lighting. Martin said she didn't think there would be too much cost involved as Walt Martin would do most of the installation. Jim Gates made a motion, with Bruce Smith seconding, to pay the electric bill for lighting at the west PRIDE sign, and also the installation of a meter at the Nina Schlenk Memorial Archway. Motion carried.

Rich Hamit asked Martin if a final decision has been made about placing the old PRIDE signs at the north and south entrances to Overbrook. She said that she hasn't had a chance to talk to the property owners yet.

FRIESEN LAKE REPORT: Leonard Jirek, Kansas Wildlife & Parks, was present to report on the status of the lake, review the grants received by the city, and discuss future plans. Copies of the Progress & Management Report are available at City Hall upon request.

Jirek told the current council and mayor that he had received approval from the previous governing body to apply for a \$15,000 grant (equally divided between city and state) to build a restroom/storage building. However, because of the storage area, the city would probably have to spend more than \$7500 to build according to blueprints Jirek proposes. He told the council that the grant will expire July 1, 2002.

The second project that Jirek has proposed is for roads, parking lot, and signs around the lake. This grant would be for \$7,000, with the city paying \$3500. Jirek said that other grants or funds, other than state, could be used as part of the city's share. He said that he would require a two-lane road with a good base and crown. There was discussion about how much access we have coming off of Hwy 56, and possibly getting a permanent easement for more space. Jirek recommended that there be two parking lots, one by the ramp and one closer to the Jones Park

12/14/01 JHK

area, with each having space for 6 cars. Jirek said that the state will re-stock fish every year when necessary at no cost to the city and no additional requirements. Mayor Young asked about the possibility of building a road and one parking lot this year, and doing the other parking lot in 2003. Jirek said that the grant would match up to \$3500, regardless of how much is done in 2002. After that he would have to write another grant, but couldn't promise it being approved. Jirek did say that if the city doesn't use the full amount of the grant before July 1, he would not write another grant; that would only happen if we do use the full amount and need more next year. He also stated that whatever work the city does would count towards the city's share of the grant. There was discussion about specifications for the road.

Bruce Smith suggested doing some more checking on both projects before making a final decision.

Jirek also presented the council with a detailed schedule for opening the lake. This would be in May, and would include a short fishing clinic, and a Kids Contest before opening to the general public. Jirek suggested charging \$12 per year for 17 and older, and \$6.00 per year for those 16 and younger. There would be special fees for daily permits for both age groups. He explained that the city would have to pay sales tax on the licenses that are sold. Paying someone other than the city to handle selling the licenses was also discussed, such as Casey's or O'Bryhim's grocery store. Mayor Young also mentioned contracting someone to handle feeding the fish on a regular basis. Jirek said that someone will have to take over maintaining the fishfeeders as he cannot continue doing it on a full-time basis, and most towns don't have a suitable boat. He knows a man that will contract to stock the feeders. Jirek estimates the annual cost of the food and someone to do the feeding will be about \$3,000, which he thinks will be paid for by the license fees once the lake is open. The only other maintenance will be the mowing and maintaining the restroom facility. Chief Harmison asked about ordinances to enforce the regulations. Jirek said that the city would be responsible for writing ordinances to take care of enforcing the regulations, and if the city ordinances match the options provided by the state, they will be enforced by state officers as well. The city would be required to sign a memorandum of understanding with the state. They would be published in the Dept of Wildlife & Parks documents. He did point out that if the city enforces the laws, then the fines would go directly to the city. Chief Harmison asked if the city could afford to have an officer looking at fish all day, even with revenue from possible fines. Jirek said he didn't think that would be necessary, and just one ticket per month would most keep things under control. He recommends a \$50 fine plus court costs. Harmison asked about grants to purchase some kind of vehicle that would allow accessibility to all areas of the lake. Jirek didn't know of any at this time. He did recommend having definite hours for the lake to be open. Jirek suggested getting samples of ordinances from other towns that have had lakes for awhile to come up with a comprehensive ordinance that will be satisfactory for some time. The council agreed by consensus to approve the fees proposed by Jirek which is as follows:

1. 16 and under permit \$6/year; \$3/day
2. 17 and older permit \$12/year; \$6/day

These fees can be changed at a later time if they are not satisfactory.

Jirek recommends prohibiting all boats, but especially motorized boats. He feels that there is plenty of accessibility as is, and boats can lead to conflicts. The council agreed by consensus to keep Jirek advised regarding decisions on accepting grants for a restroom and the roads.

**MAINTENANCE REPORT:** Bob Sisson said he has a bid from Leo Lang for \$500 to build a ramp to the City Hall door. Lang says the present door meets ADA measurements, so does not need to be changed at this time. The ramp would be added to the existing step. Adding a handrail is up to the city, providing the grade is in compliance. Jim Gates made a motion.

seconded by Jason Florance, to authorize Lang to build the ramp as soon as possible. Motion carried.

Sisson reported that wells 3 & 4 are back on line, and he hasn't had to use any rural water since. The automatic pumping station for the east side should be delivered around December 21st. They will be putting in the water service for Tom Athon this week, and Goodyear will be doing some trenching for the city.

Sisson said that the Charles Simmons property on Sycamore has been cleaned by the owner.

He also said that the city has been granted an extension until December, 2002 to comply with the KDHE requirements. The council agreed to keep making improvements whenever possible, and to pursue having toxicity testing done as soon as a qualified lab is found.

Sisson wanted the council to be careful when deciding on accepting more grants from Wildlifes & Parks because he thinks that the city should be able to build a restroom/storage building, and roads for less money than Jirek has proposed in the grants. He also questioned the fish feeding process that Jirek talked about earlier. Jim Gates said that while he wants to spend the least amount possible, he also wants to have quality facilities that will last for many years. Bruce Smith suggested that some of the council, Max Friesen, and Sisson meet sometime to decide the best possible location for highway access, parking lots, bathroom, etc. David Gerisch wanted to know if the city should try to get a turning lane if the entrance remains where it is at this time. Chief Harmison said that while the lake property is in the city limits, the actual highway is not. The mayor and council agreed to start the necessary action to annex that section of highway so that city has jurisdiction regarding speed limits approaching the entrance as well as the lake itself.

**JOB DESCRIPTIONS:** Mayor Young said that he had reviewed the changes made by the council with each of the employees. It was decided to continue reviewing them and table the matter until a future meeting.

**2002 CEREAL MALT BEVERAGE LICENSES:** Bruce Smith made a motion, seconded by Jim Gates, to approve the applications from Casey's, O'Bryhim's, and the Patch to sell cereal malt beverages as stated on their licenses. Motion carried. David Gerisch made a motion, seconded by Jason Florance, to approve 2002 Game Machine & Jukebox licenses for The Patch and Conrad's Bar & Grill. Motion carried.

**LIBRARY BOARD:** As Janeese Bullington is resigning from the board, Bruce Smith made a motion, seconded by Rich Hamit, to appoint Estler Geary to serve the remainder of the term. Motion carried.

**LAW REPORT:** Chief Ed Harmison reviewed his written report for the council. Harmison said he had talked to Sue DeVoe, owner of the building at 327 Maple. DeVoe said that someone checks the roof every two months or so and she is not aware of any loose stones, etc.

Harmison said that he has been notified that the police department was awarded \$9,998.00 grant to be used for new lighthars and dashboard cameras for each patrolcar. This may not cover installation. Harmison said that there are some 20 m.p.h. signs that need to be replaced. Smith said he knows of a stop sign that should be replaced. A couple of the signs at the school crossing also need to be replaced. The council agreed that Harmison and Sisson should order whatever signs necessary.



Chief Harmison gave the council information showing that Overbrook's mill levy is next to lowest in Osage County, with Olivet being the lowest. This was in response to concerns expressed by citizens at an earlier council meeting.

David Gerisch asked if the city has any ordinances regarding limbs remaining in yards for an extended period of time. Harmison said he would contact the person.

Chief Harmison asked if the city policy of paying for half of unused vacation and carrying the other half over to next year would be in effect this year. The clerk stated that this was revised last year due to a cash-flow shortage, but wouldn't know about this year's situation until closer to the end of the month. Bruce Smith made a motion, seconded by Jason Florance, to allow employees to carry over more than half their vacation, and be paid for half in January if funding is not available before December 31, 2001. Motion carried.

**TREASURER:** Max Friesen stated that he was glad the year was almost over, but other than the water/sewer fund being low, he thought that the city would be able to meet necessary expenditures, other than the unused vacation pay. The clerk pointed out that the \$7,000 balance in the pool fund is only there because expenses over the budget limit had to be taken from the General fund. She also said that even though the Law fund shows some cash, she has transferred all their expenses to the General fund to avoid showing a negative fund balance and going over the budget limit. Friesen brought up the fact that the city will probably never recoup the money spent on the lake regardless of what revenue the permits bring in. There was more discussion about maintaining the lake. Ed Harmison stated that while the lake itself may not make a profit, he feels that in the long run it will be a plus for our community. Smith also stated that he feels it will eventually be a benefit. Harmison also said that using whatever grant money is available might be a good thing. The mayor stated that he agrees, but thinks that the city should put alot of thought into agreeing to the grants. Everette Danner stated that he would like the city to allow non-motorized boats for an additional fee. Harmison also pointed out that the lake will be used more each year than the pool or the ball park.

**COUNCILMEMBER COMMENTS:** Bruce Smith asked that we develop 2 or 3 plans for a restroom at the lake. He volunteered to help with the plans.

Jason Florance asked if city employees should get the usual bonuses this year. Jason Florance made a motion, seconded by Rich Hamit, to pay approved employees a \$20 bonus around Christmas if at all possible. Motion carried.

Florance also presented bids for a new patrolcar and maintenance truck. There was discussion about what features are needed for the truck. Florance said that he didn't want to see keeping the 1996 patrolcar so long that it's only worth \$500 like the last car that was replaced. There was discussion about the \$2500 trade in value on the '96 car. Harmison said that Laird Noller offered \$4,000 last October. This bid is for a new 2001 Ford. Danner said that he told the salesman that he needed to re-think the trade-in value for both vehicles. Hamit also said we could probably get by without a 4-wheel drive dual maintenance pick-up. The council agreed by consensus to table the matter until we can get more bids.

Jim Gates repeated that he thinks we should stay on top of the situation at the lagoons. He also said he would have information regarding employee evaluations at the next meeting.

**MAYOR'S REPORT:** Mayor Young brought up two junk vehicles owned by the fire department at the lagoons that have been mentioned to him by several people. Chief Harmison said that he can put an abandoned vehicle notice on them which would require them to be removed in 24 hours. The mayor also said he has received complaints about the city maintenance truck being used to go to Four Corners and Baldwin Junction for breakfast and/or breaks. The council


agreed by consensus to have the mayor take action regarding this matter to bring it to an end. Jim Gates said it should be discussed at the next meeting during the maintenance report.

There being no further business before the council, Jim Gates made a motion, seconded by David Gerisch, to end the meeting. Motion carried; meeting was adjourned at 10:00 P.M.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

APPROVED:

  
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