

email

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 8, 2003

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

OTHERS PRESENT: Ed Harmison, Everette Dannar, Max Friesen, Bob Sisson, Cheryl Brown.

Mayor Young called the meeting to order at 7:30 PM. Roll call established a quorum to be present.

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

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

2003 DESIGNATIONS: Jim Gates made a motion, seconded by Bruce Smith, to name the following as Official Designations:

Official Depositories: Kansas State Bank, First Security Bank

Official Newspaper: Osage County Chronicle

Official Check Signers: Jack Young, Bruce Smith, Jim Gates, Cheryl Brown, Max Friesen.

Motion carried 5-0.

REQUEST FOR RURAL SERVICE: Bob Sisson reported that Bill Baldwin told him that the woman who owns the property where the water service would be located has indicated that she is willing to pay all the costs involved, and might even agree to the city drilling on her property for additional wells in the future. Jim Gates brought up the fact that the well that would supply this service is untreated water. Sisson said that the house on Baldwin property that is currently being serviced is from this same well. Bruce Smith said that, according to his understanding, the Baldwin property was supplied with water from this well as part of the original agreement for the easement. Smith reported that KDHE would not recommend any additional customers be supplied from an untreated well. There was discussion as to how treated water could be supplied to the lady who's requesting the water. Jim Gates said that he would support the service if the property owner is willing to sign a release-type waiver, or install additional lines to treat the water. The council agreed by consensus to table the matter until the city attorney can review the legalities involved. Also more time is needed to determine the current price of rural water meters. Sisson said he would keep Bill Baldwin informed about the council's decision.

STREET LIGHTS: Bruce Smith said he hasn't talked to Ed Butterfield about the street lights as yet. The clerk said Butterfield told her that the supply may not be as large as originally stated, so there may not be much choice. The matter was tabled until more details are known.

POOL REPAIR BILL: The council reviewed the break-down of the bill from McKee's Pools for the repairs done last fall. Jim Gates asked if McKee gave any kind of reason for the damage happening. Sisson said he guessed it was due to settling, but McKee didn't give him any specific reason. Smith asked if the city has the set of plans for the pool. Sisson said he thought Jennifer

Hardesty had the plans. The mayor asked if there's any warranty on this repair work by McKee's. Sisson said there's no written warranty, but that McKee would probably stand behind the work. Mayor Young asked David Gerisch to check into other companies that repair pools for future reference.

KPERS/POLICE DEPT: The clerk reported that the police department can only change from regular KPERS to the Police/Fireman's Retirement once a year, and we've missed the deadline for 2003, so this will have to wait until this fall.

CONDEMNATION OF BUILDINGS: Chief Harmison said that he's talked to the owners of some of the properties, and has been told that they're planning on making improvements in the spring. Jim Gates commented that WrenchBenders has made definite improvements.

COUNCIL MEETINGS: Rich Hamit brought up adding a second monthly meeting. Several formats were discussed, including just having a "work" meeting where no action could be taken, but business could be discussed. The clerk said that all meetings would be "open" regardless of the format. She also said that she would have to research the procedure for changing meeting times, etc.

Mayor Young brought up increasing the pay for the governing body regardless of how many times they meet. The current stipend is \$75/year. The mayor suggested changing it to \$10/meeting. He feels that this might be incentive for people to seek city offices, and also to encourage members to attend more council-related functions. The clerk said that the city does reimburse members for these expenses when approved. Jim Gates said that he thought that most people serve on the council as a matter of civic involvement, and not the money. Several options for determining the stipend were discussed. The council agreed by consensus to make any changes effective after the April elections. The matter was tabled until all the information is available. The council was asked to consider what nights to meet before the next meeting. Jim Gates stated that he would prefer to decline any pay raise. It was suggested that one could donate the extra money, or whatever.

GALAXY FRANCHISE: Galaxy Cablevision has sent a proposal which would extend the current franchise agreement for an additional 15 years (2020). The council agreed by consensus to defer signing any agreements until other providers can be contacted.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. In addition, Harmison reported that he had found two children walking on the ice at the city lake. He safely removed the children and returned them to their parents. He went to the school and distributed some safety material related to this incident. Sisson has ordered some signs to be put up at the lake specifically dealing with this matter. Harmison also said that they have received the 2003 grant money, \$4,528-Federal \$503.15-city. The equipment has been ordered as of today.

Harmison also gave a report comparing the 2001 caseload to that of 2002.

Jim Gates asked what equipment was funded by the grant. Harmison said that they will get a new desktop computer, printer, laptop computer, and a new 35mm camera.

Rich Hamit asked about the mileage reported by the animal control officer--339 miles for December. Chief Harmison feels that this is a reasonable amount considering the trips to Carbondale and routine patrolling. The 2003 animal licenses are due now. Harmison also said that we are now making a copy of animals picked up to display in the window, and the clerk said that she is trying to put the information on the city channel when possible.

Max Friesen asked why there were no fines deposited in December. He was told that there was no city court so no fines could be processed.

Officer Dannar requested that larger speed limit signs be installed on Maple Street. Rich Hamit said that whatever signs are installed have to comply with the MUTCD. This is the Manual for Uniform Traffic Control Devices. Harmison was asked to get a copy of this, and review all the

signs for possible replacement. The mayor asked Harmison to check into some trees at 6th and Maple as they may obstruct the traffic signs.

Jason Florance said that he's received some complaints about the noise from car stereos.

MAINTENANCE REPORT: Bob Sisson said that the new water line has been installed up to the Osage County line road. Sisson said that Marian Massoth told him she hasn't heard from KDHE regarding the wastewater report as of today.

Sisson said that new water/sewer services have been installed at the two new residences in Meadowbrook II. He said that the streets in that addition will definitely need resealed this year.

He said that the Christmas lights will be removed soon. Sisson told the council that he had an emergency heart problem on New Year's Eve and that he had his wife call the police department and Bob Call. The mayor asked that the city clerk and the mayor both be notified in the future whenever this type of thing happens. Dannar explained that he assumed others had been called.

Sisson said that he may be having some more procedures done in February in relation to this condition.

He said that he needs to order more street patching material. The mayor asked if there's something that can be added that would help the patch stay. Sisson said that the main problem is the patch sinking, but he's been adding more rock to try to help that problem. Sisson said that he has a couple of places that need to be smoothed out, but they're still too wet.

TREASURER'S REPORT: Max Friesen reported that the funds were extremely low at the end of December, so we'll have to squeeze by until the January tax levy is deposited. The clerk also said that we received the reimbursement from the Kansas Public Water Supply loan in the amount of \$31,000 which will definitely help the cash flow.

CLERK'S REPORT: Cheryl Brown asked that the east computer workstation be replaced with one that is taller with a solid back. The purpose is to block the sun and also add storage space. The council agreed by consensus for Brown to check out what's available for around \$200.

The clerk said that she sent the judge a letter regarding his salary and phone expenses but hasn't had a reply as yet.

COUNCILMEMBER REPORTS: Jim Gates said that he is very impressed by the Boys & Girls Club facility at the old middle school, and encouraged the other members to visit it.

MAYOR'S REPORT: Mayor Young asked all departments to provide a list of overtime and the reason for it from now on with the payroll reports. He explained that this is one way that he can respond to citizen's comments. Bruce Smith said that just keeping a general daily work log would also provide this information. Chief Harmison said that they keep a log, but the information is not for public knowledge.

RURAL WATER SERVICE: Max Friesen presented a letter to the council applying for a 2" water line running along Stanley Road from US Hwy 56, South 1/2 mile to the City water line which runs along the South edge of his property to connect with our other land North of the Overbrook Cemetery. Friesen is asking the city to install the 2" line, to be paid for by Friesen, since he has already given the city 2 water line easements for the whole 160 acres. He is also requesting 7 water meters at the present city rate as these 7 3plus acre lots are sold. Each lot owner would pay the city water bill as established previously. Friesen is also asking the city to write a letter to Sheila Dale, Osage County Land Coordinator if his request is honored. Other utilities would need this same letter. There was discussion about the charge for the water meters. There was discussion about the sale of a meter to Brad Schwartz for the city rate as opposed to what is specified in Ordinance No 211. Jim Gates made a motion to sell Friesen the meters at the city rate. Motion died for lack of a second. The clerk was asked to have the city attorney review this matter.

MISC: Cheryl Brown reminded the council that the deadline for council filing is noon January 21st.

EXECUTIVE SESSION: Bruce Smith made a motion, seconded by David Gerisch, to close the meeting for 20 minutes from 9:35 pm to 9:55 pm to discuss matters not related to elected members. Motion carried 5-0.

Mayor Young called the meeting back in open session at 9:54 pm. No action was taken as a result of the closed session.

There being no further business before the council, Jim Gates moved to adjourn at 9:55 pm. Bruce Smith seconded; motion carried 5-0.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: 2-12-03

CITY OF OVERBROOK

MINUTES SPECIAL COUNCIL MEETING JANUARY 22, 2003

MEMBERS PRESENT: David Gerisch, Bruce Smith, Rich Hamit, Mayor Jack Young.

OTHERS PRESENT: Delbert & Carol Anno, Cheryl Brown

Mayor Young called the special council meeting to order at 6:30 PM. Roll was called; there was a quorum present.

The mayor stated the purpose of this meeting was to do the following:

1. Discuss the discrepancy in mileage for the new rural water line.
2. Consider the clerk's request for new computer desk
3. Discuss revenue/budget concerns for 2003

WATER LINE PROJECT: Delbert Anno was present to discuss the fact that the current contract does not cover the actual distance needed to bring the line into the city. Marian Massoth had faxed a letter explaining the problem. Two different points of ending had been discussed at one time or another, and the contract had been written using the second choice. Anno said that he would not be able to get the pipe for the same price as the original bid. He said that the cost would be \$4.50/ft which would include extra expense for his bonding. The cost for the additional 2,680 feet would be \$12,060. Massoth has indicated that since the original bid was lower than proposed, this will not affect the loan amount. After discussion, Rich Hamit made a motion, seconded by Bruce Smith, to proceed with the project at \$4.50/ft for the extra footage and with an extension of completion time. Motion carried 3-0. The clerk said that she would have Massoth write the new contract since she has all the technical details.

COMPUTER DESK: Cheryl Brown presented two proposals for her request. One was for \$129 and one was for \$279. The \$279 workstation is much bigger with more storage and is slightly taller. Bruce Smith made a motion, seconded by Rich Hamit, to purchase the \$279 computer workstation. Motion carried 3-0.

REVENUE/BUDGET: The clerk presented the council with some information regarding revenue and expenses for 2002 as requested prior to the meeting. Bruce Smith made a motion, seconded by Rich Hamit, to go into closed session at 6:55 Pm for 30 minutes to discuss matters related to non-elected persons. Motion carried; meeting was closed at which time the clerk left the meeting.

Mayor Young called the meeting back into open session at 7:25 Pm.

Rich Hamit made a motion, seconded by David Gerisch, to adjourn at 7:30 Pm. Motion carried/ meeting adjourned.

Submitted by

Cheryl L. Brown
City Clerk

APPROVED: 2-12-2003

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 12, 2003

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

OTHERS PRESENT: Charles Hamner, Todd Gates, Jimmy Jolly, Jon Brady, Rich Maxwell, Tom & Bonnie Plumberg, Max Friesen, Bob Sisson, Ed Harmison, Everette Darnar, Rachael King, Cheryl Brown.

The council meeting was called to order at 7:30 PM by Mayor Young. Roll call by the clerk established that a quorum was present.

MINUTES / WARRANTS: Rich Hamit made a motion, seconded by Bruce Smith, to approve the minutes of the regular January meeting as written. Motion carried 4-0. Bruce Smith made a motion, seconded by Rich Hamit, to approve the minutes of the January 22, 2003 special meeting as written. Motion carried 4-0.

Following a brief discussion, Jim Gates made a motion to pay all warrants presented. Bruce Smith seconded; motion carried 4-0.

GPS MAPPING: David Porter who was to make a presentation regarding GPS mapping for the city utilities was unable to attend. Mayor Young said that since Kansas Rural Water Association does this same service, he would recommend that we not pursue having Porter come to a later meeting. The council agreed by consensus.

REQUEST FOR NEW RURAL SERVICE: Bruce Smith made a motion, seconded by Jason Florance, to deny providing a new water service as recently requested by Bill Baldwin. Motion carried 4-0.

STREET LIGHT REPLACEMENT: The clerk reported that she's been informed by Ed Butterfield of Westar Energy that the supply of mercury vapor street lights may not be as ample as was first thought. The council discussed replacing them as needed with either High Pressure Sodium lights which are cheaper or with Metal Halide lights which are brighter but much more expensive to operate. Bruce Smith made a motion, seconded by Rich Hamit, to replace street lights with the high-pressure sodium bulbs as needed. Motion carried 4-0.

COUNCIL MEETINGS: Jim Gates made a motion, seconded by Rich Hamit, to add a regularly-scheduled council meeting per month to be held on the fourth Wednesday of each month. Council meeting time would be moved to 7:00 PM for each meeting. Motion carried 4-0. The council agreed by consensus to consider the ordinance at the March meeting, to be effective by the fourth Wednesday in March.

The subject of increasing councilmember and mayor stipends was discussed. The council agreed by consensus to leave this as is due to the economic situation of the city.

SPEED LIMIT SIGNS: Chief Ed Harmison said that he has given a list of signs to be replaced to Bob Sisson. Bruce Smith made a motion, seconded by Jim Gates, to approve the purchase of 9 signs. Motion carried 4-0.

POOL REPORT: Rachael King was present to discuss the reports furnished by Jennifer Hardesty for the 2002 pool season, and also Hardesty's ideas for the 2003 season. King told the council that Hardesty has said that she would prefer concentrating on giving lessons and working

with the swim team. King indicated that she would be willing to take on more of the manager's responsibilities, but would expect to be paid more. The number of lifeguards needed and the necessity of having someone in the bathhouse was discussed. King said she feels that this could be covered by rotating the lifeguards, and that the manager could be responsible for making deposits, etc. King told the council that several people have volunteered to help with lessons, and that should help reduce the payroll. Raising the admission and lesson fees was discussed. King is asking for \$10/hr due to being responsible for scheduling and other managerial duties. The council agreed to call a special meeting to discuss this matter as well as other items soon. The clerk said that Lardesty was paid \$9/ hr during the 2002 season, and King was making \$8/hr due to being the assistant manager and having her Water Safety Instructor certificate.

KANSAS SHARED SERVICES: Rich Maxwell was present to give an update on the company progress. Maxwell said he's talked to Michael Coffman, Overbrook City Attorney about the city's obligation to buy or hire through the company. Maxwell reported that the Attorney General has approved the company's initial paperwork, but he hasn't received final approval. Mayor Young expressed interest in attending a planned regional meeting for more information.

CITY HALL FURNACE: The clerk gave the council a bid from Walt Martin to either repair the chimney (if it can be repaired) or to replace the furnace. There was discussion about the age of the furnace (approximately 20 years old) and whether or not the air conditioning unit needs to be replaced. The matter was tabled until someone can get more details from Martin.

OVERBROOK BALL ASSOCIATION: Todd Gates, Jimmy Jolly and Jon Brady were present to discuss matters related to Jones Park. Jolly asked about the new water line they had requested last fall. They gave the council a list of improvements that they feel need to be made. Security lighting was discussed. The clerk said that the city is paying for security lights now, but Gates and Jolly said that they haven't worked for some time. Sisson said that since the city owns the poles, we would have to pay for our own lights. Mayor Young said he would check into the matter. Jolly asked if the city's insurance covers the kids. Gates said that he would check into this at the next league meeting. The mayor asked that Ira Allen be contacted about the city's coverage.

Forming a recreational committee with a representative from the high school was discussed. The mayor said that he hadn't contacted anyone from the school yet, but is planning to do so, hopefully before the next regular meeting.

Gates asked how much longer the skateboard ramp will be staying where it is. The council told him that the grant for the Trail's project will not pay for the existing ramp, so there are no plans to move it at this time.

Todd Gates is the current President, Dan Brown is Vice-President, Jon Brady is the Treasurer, and Debbie Jones is Secretary. Gates said their next meeting will be February 18th at 7 PM. Mayor Young said that due to current economical conditions in the whole state, he doesn't think that the city will be able to pay for all the improvements, or any of them. The council agreed that they would be willing to help if possible, but can't make a definite commitment. Certain things such as repairing the men's restroom will be checked out, and necessary repairs will be made. Having the restrooms open during the high-school season was discussed. Sisson reported all the problems this has lead to in the past. There was discussion about renting portable restrooms and unlocking the others during games only. This, along with using the concession stand, will be discussed with the high-school at or before the next meeting.

MISC: Bruce Smith reported that John Butel told him that the property owned by Max Friesen east of town is not specifically in Rural Water District #5. They do have service 1 mile north and 1 mile south of the highway at this time.

SUMP PUMP INSPECTIONS: There was discussion about how the city would enforce the current ordinance that prohibits sump pumps and perimeter drains emptying into the city sewer system. There was discussion about how to determine which residences are not in compliance with the ordinance. The council agreed by consensus to consult the city attorney about the city's rights to go on to private property to inspect. The possibility of charging each customer a fee until they can document their compliance was considered. The customer would be responsible for hiring someone to do this inspection, or allow the city to inspect the property. The matter was tabled until the city attorney can advise.

MAINTENANCE BLDG: The mayor asked Bob Sisson if some of the rock piles and equipment could be moved out of the parking lot before ball season. The mayor has already asked Todd Goodyear to move his equipment out of the area.

TIME/WORK LOGS: Mayor Young brought up each of the employees to start keeping a time/work log. This will be done to set a definite work week, and help the council track the work being done and overtime hours. The format would be reviewed after a few weeks for any changes that might need to be made. Also the federal guidelines would be implemented regarding overtime pay, compensation time, etc. This means that vacation, sick days, and holidays would be paid but not count towards overtime or comp time. Various councilmembers would be responsible to approve each departments time sheets before payroll is done.

WATER/SEWER MAINTENANCE BIDS: The mayor told the council that he's received only one bid for doing some of the water/sewer maintenance work so would recommend tabling this until the next meeting.

RATE INCREASE: The possibility of raising the water/sewer rates was discussed. The reason for the increase is partly to pay for the new water line from the wells that's being installed. This was tabled until the clerk can contact some other towns regarding their rates. Ed Harmison suggested a flat fee for each service to be designated to repay the water line loan. The clerk also said that ways to pay for the necessary sewer improvements will have to be addressed soon.

LAW REPORT: Chief Harmison reviewed his written report for the council. They had 20 cases in January compared to 8 in December. Due to the increase of crime investigations, there were only 6 traffic citations last month. Harmison reported that they have purchased the equipment with the 2003 grant money.

MAINTENANCE REPORT: Bob Sisson reported that the new water line has been installed as far as the Steves' residence. They should be crossing over the 4" line in the next day or so.

He said that Marian Massoth has provided us with the letter from KDHE regarding the sewer system improvements.

Sisson said he has a small amount of street-patching to do as the weather allows.

Sisson brought up selling water to a non-resident. He's been selling some to an individual since the co-op closed their hydrant. This person is using the water for cattle only, but Sisson's been approached by another person who wants to buy water to drink. He said that the hose he uses is not fit for supplying water for human consumption.

Sisson asked the council to consider installing some kind of radio-control on the rural water pump if there's money left over from the water-line loan. Smith told Sisson to get some actual prices.

Bruce Smith made a motion, seconded by Jason Florance, to cease selling bulk-water as of today. Motion carried 4-0. Smith also suggested checking the connection that the co-op uses for their bulk water sales.

TREASURER'S REPORT: Max Friesen reported that the balances look good as we've received the first of the tax levy money.

FRIESEN REQUEST: Max Friesen said he needs an answer from the city regarding his request for water. He needs a letter from the city to meet the requirements of the county. Mayor Young said that he feels the residents of the city would be better served if Friesen could get his water from a rural water district at this point, partly due to a concern about this leading to having to provide other developments. There was discussion about this possibility. Bruce Smith made a motion, seconded by Jim Gates, to allow development of rural lines---limited to sections crossed by our existing lines, with the developer paying the cost of the installation and current water district prices for meters, and the lines to eventually belong to the city. Motion carried 4-0. Smith said he would talk to the Meggison's regarding an easement. The clerk will write a letter to show that the city has approved Friesen's request.

CLERK'S REPORT: Cheryl Brown reported that the library will be showing free movies to celebrate their 75th anniversary. Brown asked what should be done with the old computer desk. She was told to contact the library to see if it could be used there.

The documentation for the Road & Sign grant has been mailed to Kansas Wildlife & Parks. She also reported that the hearing for a zoning change at the Church of Christ property has been cancelled.

CONNECTING LINKS: The council agreed by consensus to not accept the Connecting Links agreement with the county. This means that the county will be responsible for the maintenance of Maple Street within the city limits.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting for 10 minutes to discuss personnel matters with Ed Harmison and Everette Dannar. Motion carried; recessed at 10:45 PM. Meeting opened by the mayor at 10:55 PM.

Bruce Smith made a motion, seconded by Rich Hamit, to recess the meeting at 10:55 PM for 15 minutes to discuss personnel matters with Bob Sisson. Motion carried; recessed at 10:55 PM. Meeting called back to order at 11:10 PM.

Bruce Smith made a motion, seconded by Rich Hamit, to recess the meeting from 11:10 Pm to 11:25 Pm to discuss matters not related to elected members. Motion carried.

Mayor Young called the meeting back to order at 11:23 PM. No action was taken as a result of any of the closed sessions.

The council discussed calling a special meeting in two weeks to discuss the pool, water/sewer rates, furnace, and review the time sheets.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 4-0. Meeting adjourned at 11:25 PM.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: 3-12-03

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

FEBRUARY 26, 2003

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

Bruce Smith, Council President, called the special meeting to order at 7:00 PM in the absence of the mayor. Roll was called by the clerk; there was a quorum present.

PURPOSE OF THE MEETING: Bruce Smith read the purpose of the meeting which is as follows:

1. Discuss pool matters
2. Repair/replacement of city hall furnace
3. Increase of water/sewer rates
4. Review time/work sheets
5. Sewer hook-up inspections
6. Fence-crossing ladder purchase

SEWER HOOK-UPS: Cheryl Brown reported that the city attorney, Michael Coffman, recommends that the city ask permission from the property owner to do the inspections, either in person or by phone or letter as a first step. If permission is denied, then we would need to seek assistance from the attorney.

There was discussion about who would do the inspections. Bruce Smith suggested a team-approach, to include one employee. If permission to inspect is denied, then a letter from a certified plumber would be required. The council agreed by consensus that a letter explaining why the inspections are being done should be given to the property owner. Smith said that whoever does the inspections would need some training. The clerk was asked to have Coffman check the current ordinance regarding what can be done to anyone found to be in violation of the ordinance requirements. There was discussion about the expense involved to those who will have to have their drainage systems corrected. Smith said that while some will have to have extensive work done, the alternative is that everyone, even those in compliance, will have to pay for necessary sewer system improvements. While that may be the end result, correcting the illegal hook-ups now may help reduce the total project cost.

The council agreed that this will take some time to accomplish, but we need to try to get started within the next couple of months.

CITY HALL FURNACE: The council reviewed a bid from Martin Service for either repairing the chimney, or replacing the furnace. Martin noted that he wasn't sure if the chimney could be fixed. After discussion, the council agreed that more information is needed, and get another bid before the March regular meeting.

LADDER: Jim Gates made a motion, seconded by Jason Florance, to purchase a metal fence-crossing ladder from Frank Bath for \$30.00. The ladder would be used by maintenance for rural water line purposes. Motion carried 4-0 to buy the ladder.

WATER/SEWER RATES: The clerk reported that she has heard from only two cities about their utility rates. The payments for the water-line project loan will start one year from the completion of the project. They will be approximately \$11,000/year, depending on the actual cost of the project. A set-amount surcharge versus a rate change was discussed. The council agreed by consensus to recommend raising the minimum water rate from \$10 to \$11, and increasing the

charge for each 1,000 gallons from \$5.00 to \$5.50. It was also decided that the revenue from this rate increase would be designated to a separate line in the Water/Sewer fund for the purpose of repaying the loan. The clerk was instructed to have an ordinance ready for the regular March meeting.

TIME SHEETS: Some changes will be made in the format, but no serious problems were found at this time. There was also discussion about changing the pay periods to better coincide with a weekly time sheet. The council agreed by consensus that payroll should not be withheld in the event that the appropriate council member hasn't signed the weekly timesheet. Bruce Smith said that he sees two purposes in the timesheet--tracking hours worked and also what work is being done. He indicated that the council needs to make more of an effort to see what's actually being done.

SWIMMING POOL: There was discussion about having co-managers at the pool. Each of them are asking for \$10/hr salary. Rich Hamit made a motion, seconded by Jim Gates, to recess the meeting for 15 minutes to discuss matters not related to elected personnel. Motion carried 4-0. No action was taken after the meeting was called back to order. Pool matters were tabled until the next meeting

Jim Gates made a motion, seconded by Rich Hamit, to adjourn the meeting at 8:18 PM. Motion carried.

Respectfully submitted,

Cheeryl I. Brown
City Clerk

APPROVED:

3-12-03

CITY OF OVERBROOK

MINUTES

SPECIAL MEETING

MARCH 5, 2003

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

Mayor Young called the special meeting to order at 7:30 PM. Roll was called to establish a quorum.

The mayor stated that the purpose of the meeting was to discuss the new timesheets and other concerns.

Bruce Smith made a motion, seconded by David Gerisch, to go into executive session to discuss matters related to non-elected personnel for 30 minutes. Motion carried; meeting was recessed at 7:40 PM. Mayor Young opened the meeting at 9:15 PM.

No action was taken as a result of the closed session.

Jim Gates made a motion, seconded by David Gerisch, to adjourn the meeting. Motion carried; meeting adjourned at 9:20 PM.

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED: 3-12-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 12, 2003

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

OTHERS PRESENT: Todd Gates, Charles Hamner, Ira Allen, Brady Anshutz, Marian Massoth, Ed Harmison, Everette Dannar, Bob Sisson, Bob Call, Max Friesen, Cheryl Brown.

The regular March council meeting was called to order by Mayor Young at 7:30 PM. Roll call by the clerk established the presence of a quorum.

MINUTES / WARRANTS: Rich Hamit made a motion, seconded by Jim Gates, to approve the minutes of the regular February 2003 minutes as written. Motion carried 5-0.

Bruce Smith moved to approve the minutes of the special February 26, 2003 meeting as written. Jason Florance seconded; motion carried 5-0. Jim Gates made a motion, seconded by Rich Hamit, to approve the minutes of the March 5, 2003 special meeting as written. Motion carried 5-0.

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

CITY HALL FURNACE: Bids from Martin Service and Harrison Heating & Cooling were reviewed. Mayor Young stated that he would be interested in removing the old furnace in exchange for keeping it. The mayor then stated that he did not have the equipment to remove the A-coil, so would have to remove his offer. The differences in the two bids were discussed, including the fact that each bid was for a different size unit. Ed Harmison, speaking as a citizen, stated that in view of the city's current financial situation and that there have been no more problems since some of the debris has been removed from the chimney, he would recommend that the chimney be repaired at this time. The council agreed by consensus to have the chimney inspected and get estimates for repairs to just the chimney. Mayor Young said that they would have to contact a chimney sweep.

JONES PARK/BALL ASSN: Todd Gates and Brady Anschutz were present to discuss matters related to the use of Jones Park. Mayor Young explained that his goal is to create a line of communication between the Overbrook Ball Association, Santa Fe Trail High School and the city so that problems can be resolved quickly. The mayor suggested that the ball association and the high school could probably work together to see that necessary things get done without involving the city in most cases. Restroom facilities were discussed. Anschutz said that the main thing the school teams need from the city is access to the bathrooms. The mayor said that the city is considering renting portable restrooms until the weather gets warmer. Anschutz said that last year the old middle school was available, and they would probably do that again this year, unless that causes a problem with the Boys & Girls Club. Mayor Young stated that he would like to see a recreation commission formed that would include all the groups who use the Jones Park facilities. Gates told the council that the ball association has hired someone to pick up trash at the ballpark. Chief Harmison reminded the group that since this is city property, there is to be no alcohol or beer consumed on the property.

Todd Gates asked if they could review the list that was presented at the last meeting. Gates said that someone has done some seeding in the outfield, but wasn't sure who. He was told that it wasn't done by the city. Sisson said he hasn't done the repairs in the men's bathroom yet, but will as soon as weather warms up and stays above freezing.

Insurance coverage on the players was discussed. Ira Allen said that there is coverage available with \$10,000 first-dollar coverage that's priced according to age. The city's policy doesn't cover individuals. Gates said he would bring this up at the next ball association meeting.

Mayor Young said he talked to Ed Butterfield about the security lights at the park, but hasn't checked to see if they've been replaced.

Sisson was told to check into the cost of renting portable bathrooms before the March 26th meeting.

The mayor also asked Sisson to check into replacing the back panel on the scoreboard before the next meeting.

Gates brought up installing a water line and hydrant between the diamonds to make it easier to wet the diamonds down. Mayor Young said that the city is trying to save money wherever possible, so he asked Gates what things on his list are really needed. Gates said that new trash barrels are needed as the bottoms are rotting out of the old ones. After more discussion about the other items listed, Bruce Smith made a motion, seconded by Jason Florance, to purchase 8 new trash barrels at a price not to exceed \$20/barrel. Motion carried 5-0.

Bruce Smith asked about getting some extra hose and using the hook-up on the back of the concession stand. Sisson explained that it hadn't been replaced when he did the last repairs due to a frozen water line, but that he would replace it.

The mayor told Gates that they need to make what screenings they have go as far as possible, but the city could probably pay for a small amount if absolutely needed.

Marian Massoth suggested that we check into applying for grants to be used at Jones' Park.

WATER/SEWER REPORT: Marian Massoth reviewed an update on the new water-line project with the council. As of this morning, 16,000 feet of pipe has been installed out of the 21,290 feet project. She said she has to do some more research on easements due to the cast iron line being further north than the original plans. Massoth also said that there's been more rock excavation than originally planned, but the loan amount should cover this.

Massoth reminded the council that the state has approved the report submitted by the city, and recommends that the city go ahead and get started submitting the Kansas Water Pollution Control Revolving Fund loan application. Massoth presented the sequence of events that need to be observed regarding this loan application. This loan would finance rip rap at the lagoons, the repair and/or replacement of manholes, and replacing some of the sewer line. Massoth did not have the exact amount of the loan amount approved for Overbrook, but thought it was somewhere around \$300,000.

Massoth said that she's concerned about the higher BOD levels in the influent lagoon tests. Sisson said that the locker plant is back in operation, which may explain this. The mayor asked if there are state requirements for how the locker plant handles their waste materials, especially blood. Massoth said the state would have recommendations, but not necessarily requirements. It would be up to the city to regulate this in order to comply with test limits. Bruce Smith suggested taking a sample from a couple of places, including downstream from the plant, on a day when they're slaughtering livestock to get comparison test levels. Sisson was asked to find out what day the slaughtering is done, and Massoth said she would check into getting some containers.

Massoth mentioned that the city should be receiving a letter from the Division of Water Resources for a lake permit. Bob Sisson said he's already sent in something similar, but Massoth said that what she's talking about has to be done by a registered engineer. She'll be attending a meeting next week to find out more about the inspection.

There was discussion about the water line project loan amount, and the completion of the project.

MISC: Max Friesen had some questions for Marian Massoth about installing a pump station to accommodate future building east of the city lake. The mayor asked that this discussion be tabled as there is still a lot on tonight's agenda.

BIDS FOR WATER/SEWER MAINT: This matter was tabled until a later meeting.

SEWER HOOK-UPS: As the mayor has not composed a letter to be given to property owners explaining why the inspections are being done, the matter was tabled.

ORDINANCE NO. 249: The mayor read an ordinance that would raise the current water rates from the following: \$10.00 for the first 1,000 gallons and \$5.00/1000 gallons thereafter to the following: \$11.00/first 0-1000 gallons and \$5.50/1000 gallons thereafter. This should increase the revenue enough to cover the payments for the water line project. It would take effect with the May, 2003 billing for April usage. David Gerisch made a motion, seconded by Jim Gates, to adopt Ordinance No. 249 to determine new water rates. Motion carried 5-0.

ORDINANCE NO. 250: Mayor Young read the proposed ordinance that would change the council meeting times and frequency. Bruce Smith made a motion, seconded by David Gerisch, to adopt Ordinance No 250 which adds a regular council meeting to be held on the fourth Wednesday of each month (except when it conflicts with a holiday) and changes regular council meetings to begin at 7:00 PM. Motion carried 5-0.

LIBRARY MATTERS: Jim Gates made a motion, seconded by Jason Florance, to appoint Dr. Roberta Daniels to the Overbrook Public Library board for a term of four years. Motion carried 5-0. Marilyn Anderson is also asking for permission to have a drop-box installed in front of the library. As far as the clerk knows, they do not want the city to pay for it but there may be some expense in the installation. The council agreed by consensus to authorize the installation of the drop box.

In celebration of the library's 75th birthday, Anderson would like permission from the city to have a street dance on June 21, 2003. This would mean having Maple Street closed from 6 PM until 11:30 PM on June 21st. The library will provide restroom facilities, the DJ, and also clean-up afterwards. Chief Harmison said that he didn't see any problem with closing the street. Rich Hamit moved to allow the street closing on June 21, 2003 from 6 PM - 11:30 PM. David Gerisch seconded; motion carried 5-0. Mayor Young said that it's encouraging to see different organizations have fund-raisers and celebrations of this kind.

LAW REPORT: Chief Harmison reviewed his report for the council. He also gave a report on the patrolcars. Harmison said he has talked to MVP Tires and WrenchBenders about the dangers of old tires being a prime breeding ground for the mosquitoes that carry West Nile virus. He asked about the city's getting a sprayer.

Chief Harmison said that there are currently 7 people who are incarcerated at this time as a result of city cases. This will be an expense to the city as the county charges a fee for each day per person.

Harmison stated his concern about the entry road to the city lake, and would recommend reducing the speed limits. There was discussion about the city's jurisdiction on Hwy 56. Mayor Young asked Chief Harmison to find out what we need to do to make these speed limit changes. Harmison also reported the city attorney is checking on loitering ordinances as a result of some problems at the school.

Chief Harmison stated that the year-to-date deposits for court fines are \$2,905.50, and the 4 DUI's tried last night could result in an additional \$1,000 apiece, but the court can allow them to make payments.

MAINTENANCE REPORT: Bob Sisson reported that the ventilator pump on the aerator at the lake is not working. The council told him to check into prices for repairs or replacement if it can't be fixed.

Sisson said that he has several streets to patch, but needs to order Saturock. The council agreed by consensus to order Saturock.

He told the council that he's taking some old tires to WrenchBenders to be disposed for a small fee.

Sisson said that the box on one of the crosswalk lights has been broken, so will have to have it fixed. He said that they will be getting the rock piles by the maintenance shop moved soon to make more parking spaces. He also told the council that he has to order a new neutral safety switch for the backhoe..

Sisson told the council that he had Ace Pipe Cleaners come in to blow the sewer line at Gloss's, but it was not the city's line causing the problem. The mayor asked how Ace Pipe Cleaners charge, and if they come for one thing, wouldn't it be a good idea to have them do some maintenance at another location while they're here. Sisson explained that they charge so much for the trip, and then by the foot after that. He was told to check into the exact cost for future discussion.

He told the council that he's been spending quite a bit of time at the new water-line project which means that we're saving some money for engineering fees, but it gives him less time to get his work done.

TREASURER REPORT: Max Friesen said he's encouraged to hear the council is looking at ways to reduce expenses as the balances are low until the next tax levy arrives.

CLERK'S REPORT: Cheryl Brown reported that the Kenneth Jones family would like to have a flagpole installed at the archway as a memorial to their parents. They would be providing more details in the next few weeks. The council agreed by consensus to allow the family to pursue this matter.

PRIDE would also like permission to plant a red maple tree at the city lake. Council was in favor of this. The clerk suggested that some really nice heavy picnic tables would be a good idea for future memorials.

Brown asked for permission to sell the old computer desk for \$25. The council agreed by consensus to sell it as the library did not want it.

The clerk also asked if the council wants to write a letter to Osage Waste Disposal to cancel the solid waste contract. The council, being satisfied with the service, agreed by consensus to let the contract renew automatically.

CABLE SERVICE: Mayor Young showed the council several letters to Galaxy Cablevision asking for the History channel to be added to the basic service. The clerk said she would talk to the state manager about getting the channel.

EXECUTIVE SESSION: Bruce Smith moved to recess the meeting to discuss matters not related to elected personnel at 10:15 Pm until 10:25 PM. Jason Florance seconded; motion carried. Bob Call and Bob Sisson were asked to stay for the closed session.

The meeting was opened by the mayor. Bruce Smith made a motion, seconded by Jason Florance, to go back into executive session at 10:25 PM. Motion carried.

The mayor opened the meeting at 10:35 PM. Bruce Smith moved to recess the meeting at 10:35 Pm until 10:45 PM. Rich Hamit seconded; motion carried.

The meeting was opened; Rich Hamit made a motion, seconded by Bruce Smith, to go back into executive session from 10:45 PM until 11:12 PM. Motion carried.

COUNCILMEMBER COMMENTS: Rich Hamit said that he hopes that having two meetings per month will help prevent having this kind of meeting in the future. All agreed to that.

Jason Florance suggested recommending that the court fees and fines be increased. The judge has the authority to do this.

There being no further business before the council, Bruce Smith moved to adjourn the meeting at 11:20 PM. Jason Florance seconded; motion carried.

Respectfully submitted,

Cheryl L Brown
City Clerk

APPROVED: _____

3-26-03

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

MARCH 12, 2003

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

OTHERS PRESENT: Rachael King

Mayor Young called the special meeting to order at 6:30 PM and took roll call to determine that a quorum was present.

The mayor stated that the purpose of the special meeting is to discuss the pool manager's position, and also budget concerns.

EXECUTIVE SESSION: Bruce Smith made a motion, seconded by Rich Hamit, to go into executive session for the purpose of discussing non-elected personnel at 6:35 PM. Motion carried. Rachael King was included in the closed session upon her arrival at 6:40 PM.

Mayor Young called the meeting back to open session at 7:18 PM. No action was taken.

David Gerisch made a motion, seconded by Jason Florance, to adjourn at 7:19 PM. Motion carried; meeting was adjourned at 7:19 PM.

Respectfully submitted,

Cheryl L Brown
City Clerk

APPROVED: _____

3-24-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 26, 2003

MEMBERS PRESENT:

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

OTHERS PRESENT:

Carolyn & Don Meerian, Mark & JoEllen Criger, Pat
Martin, Larry Boggs, Jon Wilhite, Bruce & Marilyn
Anderson, Ira Allen, Tom Plumberg, Mark Tomlinson,
Ted Miller, Ed Harmison, Everette Dannar, Cheryl Brown

The meeting was called to order at 7:00 PM by Mayor Young. The clerk called the roll; there was a quorum.

MINUTES: David Gerisch made a motion, seconded by Jim Gates, to approve the minutes of the March 12, 2003 special meeting as written. Motion carried.

Mayor Young asked for a motion to approve the minutes of the regular March 12th meeting. Larry Boggs asked the location of these minutes. Cheryl Brown, clerk told him that they were before the council to be approved. Boggs stated that he thought the minutes should be typed as they are, then presented to the council for approval and if there is an amendment, show that in the next month's record. Mayor Young stated that he would check into the correct procedure for minutes.

There was discussion about whether or not the conversation between Max Friesen and Marian Massoth should be included in the minutes as it did not pertain to city business. After discussion, Rich Hamit moved to approve the minutes of the March 12th meeting as written. Jim Gates seconded; motion carried.

CONCERNED CITIZENS: Bruce Anderson came before the council to discuss matters related to the recent decision by the governing body to provide water to rural property now owned by Max Friesen. Anderson explained that his neighbor, Bob Meggison has spent quite a bit of time visiting with him about the pressure he's felt from the city concerning this waterline. Anderson said his water line is tied into the same one as Meggison's. Anderson stated that Meggison's, Jimmy Arnold's and his water would have to be re-valved. He pointed out that Meggison has an easement which means that he would have to give Friesen permission for additional hook-ups. Anderson stated that he has concerns about the city furnishing water to more rural customers since he remembers past problems the city has had with the wells when he was a councilmember. He also reminded the council that there have been previous decisions to deny water to new rural customers. Anderson also is concerned about city customers being expected to pay for maintenance on this rural waterline, as the water sales won't generate enough income to pay for the maintenance. He also wondered how many residents were aware of the project and what it would involve. Mayor Young stated that he was in favor of stopping the previous action if at all possible. Rich Hamit stated that he was not aware of any opposition from neighboring property owners or city residents. Anderson stated that there had been no opposition because most of them didn't know of the project until the minutes had been published. Anderson said that while he didn't necessarily object to more housing, as a former councilmember he was concerned about the city's owning additional rural water lines.

Mark Criger stated that he was opposed to allowing the project at this time because of unfairness to others that had been denied water service several years ago based on water supplies at that time.

Mayor Young said that he has been told by Bob Meggison that he, Meggison, has been negotiating with Max Friesen about granting access to his easement. Meggison seems to feel that the council's decision was made while he was out of town.

Criger also questioned the city's being able to supply additional services in town with the existing water supplies in addition to several new rural services.

Larry Boggs addressed the mayor's wanting to re-address the council's previous decision to approve Friesen's request. Boggs said it appears there's been action taken by previous councils to stop this type of request. His suggestion is to try to find something in the minutes of those meetings to use as a precedent for changing this council's action.

Bruce Anderson stated that if the city is locked into the decision to furnish water to this rural property, he would advise that they give careful consideration to how the maintenance is determined due to the possibility of others wanting services in the future.

Jim Gates stated that he had voted to provide water in this case because he was of the impression that the Rural Water District didn't want to provide the service. Gates also said that in the past, the city has provided water to those who own land where the city's waterline is installed. Anderson and Criger stated that they understood this applied to only the original landowners. There was discussion about other locations that Friesen could use to hook on to a city water line.

Anderson also stated that the letter written by Bruce Smith gives the impression that he is acting as Friesen's agent. There was discussion about this letter.

Jon Wilhite expressed the opinion, as the owner of property within the city limits, that the city shouldn't take on additional waterlines outside the city.

Larry Boggs asked the reason for the recent raise in water rates. Mayor Young explained that the rate increase is to pay the loan for the new 6" waterline being installed from the wells to the city. Boggs stated that if this increase is to pay for improvements to the existing customers, then it would be fair to expect more increases as more customers are added. Mayor Young said there will probably be more rate increases regardless of the number of customers.

Ira Allen asked if the decision to supply water to Friesen is a "done deal"? He said that maybe it could be modified. There was discussion about the costs and the benefits. While the property to be served is not going to contribute directly to the city's tax revenues, new people in the community are a benefit.

There was discussion about the procedure to change the decision made in February. Mayor Young said that he would be willing to entertain action to stay the decision regarding water service to Max Friesen. Rich Hamit made a motion, seconded by Jason Florance, to stay the sale of water to Max Friesen's rural property as stated in the February, 2003 minutes. Motion carried 4-0. The mayor then said that this matter will be addressed at the April 9, 2003 meeting.

MISC: Carolyn Meerian told the council that the Osage Economic Development Corporation will be having their annual meeting soon, and wants to encourage the mayor and council to attend.

CITY HALL CHIMNEY: The council agreed by consensus to have Mayor Young contact someone to inspect the existing chimney. Mark Tomlinson suggested contacting Jim Jackson or Grady Bean of Osage City to do the inspection.

WATER/SEWER MAINTENANCE REPAIRS: The council agreed by consensus to table any action on bids received from G & G Excavating and DA's Backhoe to do routine maintenance on water and sewer repairs and installations.

POOL MANAGER: Jason Florance made a motion, seconded by Jim Gates, to hire Rachael King at a salary of \$9.00 per hour to manage the Overbrook Swimming Pool for the 2003 season. Motion carried 4-0. Rich Hamit is to check into using a vending machine for part of the concessions.

SEWER HOOK-UP INSPECTIONS: Mayor Young presented a letter he drafted that would inform residents why the inspections were being done, and procedures for complying with regulations. The council agreed by consensus to have Bruce Smith develop a plan for the inspecting and necessary follow-up actions.

SECURITY LIGHTS AT JONES PARK: Chief Ed Harmison and Officer Danner both reported that there are no working lights at Jones Park or on the maintenance shop.

PORTABLE RESTROOMS: Cheryl Brown reported that the city paid \$150/month for 2 units last summer. She wasn't sure if Arky's has raised their prices. Jason Florance asked what the maintenance cost would be to just leave the Jones Park restrooms open. The mayor said that it shouldn't cost anything unless a water line would freeze and break. Jim Gates asked who's responsible for cleaning the restrooms. The clerk said that the ball association paid someone to run the concession stand last year, and she was under the impression that included maintaining the restrooms. The council agreed by consensus to have the maintenance department open the restrooms in the mornings, and the concession stand person would lock them after ballgames.

CABLE CHANNEL: Cheryl Brown told the council that she's received 25 letters requesting that the History channel be added to our cable service. She talked to the Topeka office and was told that they will check into this, but there is no channel space available at the moment.

DONATION REQUEST: The city has received a request for a donation for the Renaissance Committee at Santa Fe Trail High School. Jason Florance made a motion, seconded by Rich Hamit, to donate 6 city lake permits at a possible value of \$72.00. Motion carried.

MISC: Mayor Young asked about getting a fish-measuring device for the city lake. He said he would be willing to make them. The council agreed by consensus to use regular yardsticks.

The clerk presented a letter from Pat MacKenzie asking why her meter-reading had been estimated two months in a row again this year. She was at the meeting last year when the clerk was told to make sure meters weren't estimated two months in a row. The clerk wanted to tell the council that she doesn't have much choice when a whole book of meters hasn't been read. Mayor Young recommended Gates and Smith talk to the maintenance department about this.

COUNCILMEMBER COMMENTS: Jim Gates asked exactly what will be done about lights in the Jones Park area. Mayor Young said he had been told by Butterfield that the lights on the south diamond light pole belong to Westar. Gates disagreed, saying that those lights had been installed when the ballpark was built. Harmison said the only working light at this time is located between the water tower and the old middle school. Gates recommended that we ask Westar to put up a pole. The mayor said he would contact Butterfield and set up a meeting to see what options are available.

David Gerisch stated that as a citizen he doesn't like the idea of paying more taxes or higher water bills, but he thinks that the rate increase for water that was just approved at the last meeting was not enough. His recommendation is to raise the minimum to \$15.00/first 1000 gallons, and \$7.50/each additional 1,000 gallons. This would provide revenue to repay the new waterline project loan, and also contribute to other services provided by the city. Rich Hamit expressed his concern about what that much of an increase would cost the average household. Pat Martin mentioned the effect on fixed-income households. The mayor asked Gerisch to present another proposal, using a smaller increase, at the next meeting. Gerisch stated he thinks it is a poor reflection on a town whose Low To Moderate Income level is too high to qualify for grants, but has low funds at the end of the year. There was discussion about re-doing the survey with another grant writer. Jim Gates suggested that Donna Crawford be contacted again. The clerk said she would contact Crawford.

MISC: Ira Allen asked how much revenue is earned from the city sales tax. The clerk said that the city's 1% sales tax averages \$5,000 - \$7,000/month. Allen asked if all the sales tax goes to pay for the pool. The clerk said that a portion of the sales tax goes into the pool bond fund. Allen said it was his understanding that the sales tax was to support the pool and city maintenance. The clerk said the purpose for levying a city sales tax was to supplement the pool bond payment and to maintain other city services. Allen also asked why it is necessary to increase the water rate for usage over 1,000 gallons if the base rate is raised. The clerk stated that previous councils have felt that while raising just the minimum would increase the revenue, those using just the minimum would be paying the same as those customers who use several thousand gallons every month.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Jason Florance, to go into executive session with Cheryl Brown present to discuss matters related to non-elected personnel from 8:50 pm to 9:00 pm. Motion carried. Meeting was opened by the mayor; no action taken.

Rich Hamit moved to go into executive session to discuss matters related to non-elected personnel with Ed Harmison present. Jason Florance seconded; meeting was recessed at 9:00 pm. The mayor opened the meeting at 9:14 pm. No action taken.

Jason Florance made a motion, seconded by Jim Gates, to go into closed session at 9:15 pm. Mayor Young opened the meeting at 9:48 pm with no action taken. Jason Florance moved to go back into executive session at 9:49 pm; David Gerisch seconded. The mayor opened the meeting at 9:53 pm. Jason Florance moved to go into executive session at 9:55 pm; David Gerisch seconded. Meeting was opened by Mayor Young at 10:00 pm. No action was taken as a result of any of the closed sessions.

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 9, 2003

MEMBERS PRESENT: David Gerisch, Rich Hamit, Jim Gates, Mayor Jack Young. Ira Allen (council-elect) was present; Bruce Smith arrived after the meeting started.

OTHERS PRESENT: Don & Carolyn Meerian, Pat Martin, Rachael King, Wilma Sicks, Charles Hamner, Mark & JoEllen Criger, Joe & Kenny Greene, Bob Meggison, Mike Fawl, Marian Massoth, Mark Tomlinson, Bob Sisson, Everette Dannar, Max Friesen, Cheryl Brown.

Mayor Young called the meeting to order at 7:00 PM. Roll call determined that a quorum was present.

MINUTES/ WARRANTS: Jim Gates moved to approve the minutes of the March 26, 2003 meeting as written; seconded by Rich Hamit. Motion carried.

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

OATH OF OFFICE: The clerk administered the oath of office to councilmembers Rich Hamit, re-elected, and to Ira Allen, newly-elected.

DRIVEWAY: Wilma Sicks of 607 Maple was present to request the city do something to improve the slope of her driveway as the present angle causes the back of a car to drag. The council agreed by consensus to have maintenance put in some streetpatch to smooth it out without changing the drainage too much.

CITY HALL CHIMNEY: Rich Hamit volunteered to contact some people to inspect the chimney to see if it can be repaired.

SEWER HOOK-UPS: The council reviewed the letter prepared by the mayor for the purpose of inspecting hook-ups to the city sewer system. The council approved the letter with some changes.

JONES PARK LIGHTS: Bob Sisson reported that the engineer from Westar Energy told him that the cost of setting a pole would be seven or eight hundred dollars, to be paid \$1.59 or so monthly for the lifetime of the pole. It would be necessary to install a transformer if we request a pole at a cost of \$1,000.00. The annual cost for using these lights for security year-round would be \$750. The engineer recommended that the city install regular security lights where there is already electricity. The council told Sisson to check with Lee Krause on what this would cost.

Sisson said that the restrooms at Jones Park are up and running.

MISC: Cheryl Brown said that she has mailed the petitions to add the History channel to local cable service to Galaxy, and that the request is being considered. There was discussion about problems with the cable service, and making phone calls was encouraged.

SOLID WASTE CONTRACT: Joe and Kenny Greene of Osage Waste Disposal, Inc were present to confirm the contract renewal and ask if there are any problems. The

council agreed that the service is very satisfactory, and they have already voted to renew the contract at the current rates. Greene asked that the clerk write a letter to this effect.

REAPPOINTMENTS: Ira Allen made a motion, seconded by Rich Hamit, to reappoint JoAnn Lemberger to the Housing Authority. Motion carried.

David Gerisch moved to appoint Kristy Hamit to the Library board to complete Kelly Mabon's term. Jim Gates seconded; motion carried.

Jim Gates made a motion, seconded by Ira Allen, to reappoint JA Cordts to the Library board for a second term. Motion carried.

The clerk reminded Ira Allen that he will need to resign from the Planning Commission due to his serving on the city council. Allen then stated that the Commission is waiting on guidelines from the council as to their exact duties. Mayor Young said that he and the council need to work on this.

SWEARING IN: The clerk administered the oath of office to re-elected councilmember Bruce Smith upon his arrival at the meeting.

POOL REPORT: Rachael King presented her proposal for the 2003 season. One of the changes will be closing the pool at 5 Pm on Wednesday's. King said that the attendance was low on Wednesday nights due to ballgames, etc. Another change would be fees for swimming lessons and daily admission. She suggested charging \$30/each for the first 2 children in a family, and \$25 for each additional child. The daily admission fees would be \$2 for ages 11 and older; \$1.50 for 10 and younger. The council agreed that King needs to be on the payroll as of now, and that the pool staff should come to a council meeting as soon as possible. The pool will open Memorial Day week-end weather permitting.

King asked if the locks could be changed so that she would know exactly who has keys. The council told Sisson to get new locks installed.

Rich Hamit made a motion, seconded by Bruce Smith, to pay the \$60 for Rachael King to attend a Lifeguard Management Course offered by Red Cross on April 26th. Motion carried to pay the fee providing King can clear her schedule to attend.

Rich Hamit has talked to two vendors. One was not interested at all, and the other would only furnish one for snacks if he could put in one for pop also. Hamit said he would have more details for the next meeting.

King will be gone for two weeks, but has made arrangements for Jeanette King to manage the pool during this time.

RURAL WATER SERVICE: Mayor Young stated he had told several concerned citizens at the last meeting that he would bring up the subject of the city's providing water service to rural property owned by Max Friesen at this meeting. The mayor said that the council had voted at the previous meeting to put this service on "hold" due to the information received at that meeting. The mayor said that the council was not aware that their decision would affect an economical situation between Friesen and Bob Meggison in the granting of a right-of-way. Other citizens had expressed concerns about water supply and water line maintenance. Mark Criger reminded the mayor that he had also recommended the city developing a long-range plan for water supply.

Bruce Smith said that the city had increased the water supply from Rural Water District #5 several years ago, and using figures from the average water usage at this time, he doesn't see a problem with the supply. Smith said that the city should be making money from the sale of water, regardless of whether it comes from city wells or from the RWD5. He also stated that the city should have 200 gal/minutes from the total system--80 gal/minute from the wells and a possible 140

gal/minute from RWDS. Criger asked if Smith knows how many more families can be served with the present supply. Smith replied that by using current estimates, he would say another 350-380 customers could be served. He repeated that this is just an estimate. To be more accurate, he would have to go back and get the actual amounts from the past 2-3 years. Criger said that he was concerned about possible new customers within the city limits having ample supply.

Ira Allen asked why we would want to put in a water line outside the city. Smith said that the developer would be the responsible for the cost of the installation of the line. Allen asked about problems such as rust with dead-end lines. Smith said that can be taken care of by installing a flush-out on the end of the line and occasionally running water through it. He also explained that the present system of roughly 14 miles of pipeline has several flush-out's in it, and so doesn't feel that an additional 2500 feet of line should cause a major problem.

Allen then asked what would happen to the existing meters. Smith said this needs to be discussed. He wrote a letter to Meggison, with the understanding that service with the existing set up was less than satisfactory, suggesting that the present customers be switched over to the new line. Meggison said that he didn't see how being connected to the new line would improve his service, and he wasn't sure how this got exaggerated. Smith then said that was the version he got from somewhere, and since there were 3 households being served from one household meter, it made sense to him. There was discussion about connections to new lines. Smith stated that installing a service line for Friesen's property along the road would be the best choice, but it could be installed wherever the easements can be obtained. There was more discussion about where the existing line is located. Smith said that the line that services Meggison, Bruce Anderson, and Jimmy Arnold is a private line at the present time. Meggison asked about maintenance on a new line. Smith replied that the maintenance would be a routine matter, such as it is currently.

Don Meerian asked how many more housing sections, such as this one, is the city planning to add. Carolyn Meerian asked just how much further east the city was planning to extend. Smith said that the motion passed at a previous meeting was to limit providing water to sections where the city currently has water lines, but has no plans to annex property. There were questions about sewer service. Smith said this would be a matter for the county, not the city.

Mark Criger asked what the positive's and the negative's would be regarding granting this particular service request. Smith said that the positive's would include revenue from the sale of meters at the same rate as RWD#5, which is currently in the \$4,000 range, and from the continued sale of water. He also stated that he would prefer to add customers in town, but more people in the community as a whole would be a good thing. The mayor said that more people could be a good thing, but that alot of people live here because they like smaller towns. Criger said that eventually there would have to be repairs on the line that would be paid for in part by city taxpayers. Smith agreed, but said that ownership brings responsibility. He also stated that the developer has to meet city specs when installing any new service line, regardless of location.

The council agreed by consensus to table the matter until the April 23rd meeting in order to make the most informed decision.

WATER/SEWER REPORT: Marian Massoth reported that the new 6" water line is progressing well, and it's almost to the cemetery. She said a decision has to made concerning the tower telemetry system. She recommends the city pursue getting a sensor that will automatically turn the rural water pump on and off.

Massoth said that they have found the old 6' line isn't always where the maps indicate, so there have been some adjustments in where the new line is installed. KDHE will require as-built plans most likely. There was discussion about having a

tracer wire with the new line. Massoth assured the council that the existing easements cover the adjustments. There was discussion about using a hand-held GPS and mark the new line every so often for future reference.

Massoth said she had written a letter to KDHE regarding some concerns they have about Overbrook's progress with wastewater improvements. They have mentioned having the EPA audit the system. She said that we need to avoid this if at all possible. KDHE is recommending that the city pursue applying for the Revolving Fund loan as soon as possible. Jim Gates said that he agrees that we get started on the recommendations listed in Massoth's report as soon as possible. Massoth said that the additional samples the council requested at the last meeting should be taken next week. Sisson said that the butchering is done on Monday's. Massoth also mentioned the possibility of material going down the carwash drain contributing to high influent BOD levels. The mayor asked if the turn-down elbows are already installed. Massoth said that one has been put in place, but two more are needed. The council told Sisson to have these installed as soon as possible. Sisson said he would make arrangements with Delbert Anno.

There was discussion about financing the other recommendations. The city is going to try the grant-application process again, but Massoth suggested starting the loan application at the same time. The council asked the clerk to have the necessary forms at the next meeting. It was agreed that Massoth would let KDHE know that the city is pursuing the loan application and also the grant.

PROPERTY DEVELOPMENT: Mike Fawl was present to inquire about available sewer service to property just east of the fairgrounds. His plan is to put in 22 family units and one business. There was discussion about what the city would require from him as the developer. The council told Fawl that he would need to install a lift station, but would need to have the property platted, etc in order to know where everything should be located for drainage purposes. Fawl also said he would like to talk about building a road on the property line, and sharing the cost with the city. Bruce Smith said that in the past, the developer has built the road, and then the city would accept the road when approved. Fawl explained that part of his wanting a road is to define the boundary between his property and the fairgrounds. The mayor asked what business Fawl was planning to open to which Fawl responded something like a Dairy Queen. Fawl also asked about economical assistance the city could provide as far as tax incentives. The council said this would have to be researched a lot more. Fawl also asked about the present zoning. The clerk said that she would have to check the zoning map, but thought it might be "Public Use" like the fairgrounds. There was discussion about the lagoon capacity at the present and in the future. Marian Massoth said that the second phase of the recommendation includes building another lagoon to address future growth. The matter was then tabled until more information is available.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. As Harmison had been busy working a case, there was no further discussion.

MAINTENANCE REPORT: Bob Sisson reported that repairs are being done on two of the wells. Sisson said that the pool needs a good cleaning, but doesn't think it needs painted yet. Mayor Young asked if all the concrete work from earlier repairs has been done, and was told it has been taken care of.

Sisson asked the council to consider raising the price for new water meter services from \$500, as this barely covers the cost of a new service. He was told to check rates from some other towns.

He said that he's been patching streets when not out on the new waterline project. The mayor told him to be sure and fix Wilma Sicks' driveway.

Rich Hamit asked if there's been problems with the east lift station. Sisson said that the heaters hadn't been working and is waiting for the company to send someone to fix them. Hamit told him that Shirley Simmons mentioned that there was a terrible odor coming from the ditch on her property. Sisson said that there may be a venting problem. Hamit then said that Simmons told him there was something standing in the ditch. Sisson said he would check it out.

Hamit then asked if Sisson could take the council on a tour of the wells, and lift stations and lagoons. It was scheduled for 5:30 PM on April 23rd before the next meeting.

Jim Gates reported that he had talked to both Bob Sisson and Bob Call about reading all the meters in the middle of the month rather than spreading it out over the last half of the month. Currently they're divided into 3 groups (books) and read on 3 different days sometime in the last half of the month. The council agreed that reading all 3 books within a 2-3 day period would be better for both the clerk and also monthly comparisons between production and sales.

TREASURER'S REPORT: Max Friesen reported that the funds appear to have the normal balances for this time of year. He encouraged everyone to watch the expenses as much as possible.

CLERK'S REPORT: Cheryl Brown asked the council to please review the agreement proposed by Westar Energy regarding street light replacement.

She also said that the contract with Blue Cross Blue Shield for health insurance needs a decision at the next meeting. She was asked to check with some other towns and also to check on different plans available from BCBS. Using the same plan, the new rates would cause an increase of almost \$900 per month. There was discussion about the city paying the difference between the existing deductible and a higher one which would benefit the employee and still save the city money.

The clerk reminded the council that Donna Crawford will be at the next meeting to talk about grants.

The clerk also informed the council that she has to take back some of what she stated at an earlier meeting regarding minutes. The League attorney advised her that she can give copies of "unapproved" minutes to those requesting them, but the copy has to be marked "DRAFT" and the resident must understand that there may be changes in the final approved minutes which is the official record of the meeting. However, there are no rules about when the minutes have to be prepared, other than before the next regular meeting. This means that copies do not have to be available until they are ready for the meeting.

She reminded everyone that the city-wide garage sale is April 26, 2003.

COUNCILMEMBER COMMENTS: There was discussion about several meetings for councilmembers and mayors that the League has scheduled. It is a good thing for all, but especially new members.

MAYOR'S REPORT: Mayor Young asked Bob Sisson about several things regarding the pump houses, including the exhaust fan, keeping them clean and locked, and also the set-up for the AquaMag dispenser. He also had questions about the concrete around well #2, the heater lights in well #2, and having resistors installed at the wells. Sisson said he would check into each of these matters soon.

The mayor also reminded the council that he would like to make some changes with the ordinance regarding the sale of water to rural customers, or re-do it completely. He would like to delete part of Section III that gives the council the ability to grant exceptions to single-family services.

The lumberyard does not sell or give away yardsticks, so the mayor said he will check into another option for measuring fish at the lake.

Mayor Young told the council that he had given the clerk permission to buy Peachtree Accounting software at a very low price, almost free after rebates.

The mayor told Smith and Gates that they need to meet with Sisson and Call again to talk about time-sheets, overtime and compensation time, preferably before the next payday. He said that they need to understand that sick leave, vacation, holidays, and comp time do not apply to hours worked, so they have to be deducted from total hours paid to calculate overtime hours. There was discussion about the possibility of changing the pay periods to better coincide with the work weeks.

There being no further business before the council, Jim Gates made a motion to adjourn at 11:00 PM. David Gerisch seconded; meeting was adjourned.

Respectfully submitted,

Cheryl Brown,
City Clerk

APPROVED: 4-23-2003

MINUTES

REGULAR COUNCIL MEETING

APRIL 23, 2003

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

OTHERS PRESENT: JoAnn Lemberger, Donna Crawford, Dennis Graves, Walt Martin, Tom
Saner, Conrad Boos, Bob Meggison, Mark Tomlinson, Max Friesen,
Ed Harmison, Everette Dannar, Cheryl Brown.

The council meeting was called to order by Mayor Young at 7:00 PM. Roll call verified that a quorum was present.

MINUTES: Rich Hamit made a motion, seconded by Ira Allen, to approve the minutes of the April 9, 2003 meeting as written. Motion carried 4-0.

REQUEST: Conrad Boos came before the council to ask permission to block off some of the parking in front of Conrad's Bar & Grill for a special event on May 23, 2003. They hosted this same event last year. Mayor Young asked Boos if he would be willing to share in the cost of extra policemen needed for that event. Boos asked if other groups were asked to share the cost for extra police coverage. The mayor said not at this time, but he may be asking them in the future. Boos said that as a taxpayer, he would be opposed to the extra expense. After discussion with Chief Harmison, Jim Gates made a motion, seconded by Ira Allen, to approve the request. Motion carried 4-0.

AFLAC: Tom Saner, agent for AFLAC was present to ask permission from the council to present their plan to city employees. AFLAC does ask for the payments to be made in one check through payroll if enough employees are interested. They do require a certain percentage of employees to participate. The council agreed by consensus to allow Saner to make an appointment with the employees at a mutually convenient time.

GRANT PROCEDURES: Donna Crawford, Governmental Assistance Services, was present at the council's request. Crawford had previously sent packets for the council's consideration. She pointed out that Overbrook's current Low-To-Moderate Income level is 32.3% and 51% is required to be grant-eligible. Crawford said that this means a survey would have to be done, and her company does this. There was discussion about the advantages of having this done by someone other than local people. Crawford reviewed her qualifications and proposal with the council. Her company does charge \$4,550 to do the survey which would be paid regardless of the results. The survey results are acceptable for 3 years. She explained that her company does not allow the mayor or council to look at individual survey results. Crawford said that they give a total tally, then put the surveys in a locked box until a decision has been made on whether or not the grant is awarded. Crawford then delivers the surveys to the Department of Commerce. Crawford has bid \$5,450 to write the grant application, providing the city qualifies for a grant. Crawford informed the council that the grant application must be submitted by October 1st of this year, and must be accompanied by the engineer's report. There was considerable discussion about the entire procedure. Crawford encouraged the council to check the references, and the whole proposal is available for public inspection at City Hall. The matter was tabled until the May 14th meeting.

CITY HALL CHIMNEY: Walt Martin presented a bid for \$650 to repair the chimney. He said that it will probably take 2-3 days. The council tabled the decision until the next meeting.

MISC: The procedure for sewer hook-up inspections, vending machines at the pool, increasing the rate charged for new utility service connections within the city limits, and the security lights at Jones Park were all tabled until a future meeting.

WATER TOWER TELEMETRY: Mayor Young reported Sisson's findings about prices on a water-level sensor to be installed on the 50,000 gallon tower. There were questions about what DA's Backhoe bid included. The council agreed by concensus to have the sensor installed, providing the current loan covers the cost.

EMPLOYEE HEALTH INSURANCE: After discussion about the city's self-insuring the employees to help offset the increased deductible, David Gerisch made a motion, seconded by Ira Allen, to approve the plan from Blue Cross Blue Shield which includes a \$1000/\$2000 deductible. Motion carried 4-0.

RURAL WATER SERVICE: Mayor Young stated that it was his opinion that the city isn't wanting to add more easements, but is just waiting on some kind of agreement between two neighboring property owners.

Max Friesen stated that his plan is to develop 6 building sites, and is wanting to pay for the installation of a water line connecting the city's new 6" line to these building sites. As the property is outside the city limits, fire coverage would be done by Osage Rural Fire District No 4. The meters would be read in the same manner as the existing rural meters. Ira Allen stated that after having read minutes from previous meetings, it seems to him that the council has already voted to supply water and that only the details need to be decided. He personally would like Friesen to pay for at least 3 meters up front, and also install a 4" line rather than a 2" line. He also would like to see a hydrant installed on the line. After discussion, Friesen said he would consider paying for 2 meters at the current Rural Water District rate. Bob Meggison, owner of adjacent property, still had some concerns about easements and where the new water line would be installed. The council agreed by concensus to postpone any final decisions until the city attorney can review all the documents relating to the current easements. The matter was tabled until the next meeting.

MISC: Rich Hamit made a motion, seconded by David Gerisch, to accept the resignation of Ira Allen from the Overbrook Planning Commission. Motion carried.

POOL FEES: The new fees for swimming lessons and admission was brought up for discussion. Several people have voiced their concern over the amount of the increase. It was decided to have Rachael King and her staff attend the May 14th meeting.

LAW REPORT: Chief Harmison reported that he has had the city limit signs moved to correlate with the latest boundary ordinance. He mentioned the place by the school where water always stands after rains and voiced his concern that this could cause problems in the winter time. Bob Sisson is to check this out to see if the drainage can be improved. Harmison told the council that he is getting estimates for installing bars in the police department door and windows.

Mark Tomlinson told the council that he's been using his personal live traps for animal control, but would like the city to buy two for him to use instead. Mayor Young told him to get prices for the next meeting.

The council agreed by concensus to have Sisson repaint the crosswalk on Highway 56 as soon as possible.

COUNCIL MEMBER COMMENTS: Ira Allen asked that the council set up guide lines for the Planning Commission. Mayor Young said that he was told that the city does need to check into their zoning ordinance, and is thinking of forming a committee to help the Planning Commission.

Rich Hamit wanted to encourage Ira Allen to attend the Governing Body Institute sponsored by the League of Municipalities. Hamit also said that he's been informed by KDOT personnel that they won't be recommending changing the speed limit on Hwy 56 near the city lake. Everette Dannar said he would check into other ways to reduce the speed in this area.

MAYOR'S REPORT: Mayor Young announced the following council liaison: Bruce Smith--water/sewer, Jim Gates--streets, Ira Allen--police, David Gerisch--office, and Rich Hamit--recreation & special projects. The mayor asked for the following: Hamit to develop a plan for a Recreation Commission, Allen to work on 4-yr plan for personnel and budget for law, Gates to come up with 4-yr plan for street repair and budget, Gerisch to work with the clerk for 4-yr plan for equipment, and Smith to develop a 4-yr plan to cover sewer requirements and

testing. The mayor also asked for volunteers to work on guidelines for the Planning Commission. Allen and Gates volunteered, and Smith was volunteered by the mayor.

Rich Hamit made a motion, seconded by Jim Gates, to name Bruce Smith as President of the Council. Motion carried.

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:

5-14-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 14, 2003

MEMBERS PRESENT: Bruce Smith, Rich Hamit, Jim Gates, Ira Allen, Mayor Jack Young, David Gerisch (7:40 pm).

OTHERS PRESENT: Rachael King, Don & Carolyn Meerian, Sheila Dale, Bruce Anderson, Michael Coffman, Charles Hamner, Jon Wilhite, James Foster, Bob Meggison, Ed Harnison, Everette Dannar, Mark Tomlinson, Bob Sisson, Max Friesen, Bob Call, Marian Massoth, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 P.M. Roll call by the clerk established that a quorum was present.

MINUTES/ WARRANTS: Jim Gates made a motion, seconded by Ira Allen, to approve the minutes of the April 23, 2003 meeting as written. Motion carried 4-0.

After a brief discussion, Jim Gates made a motion, seconded by Bruce Smith to pay all warrants presented. Motion carried 4-0.

POOL REPORT: Rachael King was present to give an update on the pool. Rich Hamit and Bob Sisson gave an update on the repairs by McKee Pools. Hamit reported that the Schmidt Vending is willing to supply machines but would bring 3 machines--one for pop, one for snacks, and a refrigerated one for candy. The candy machine is not weather-proof so would need to be inside. Hamit and King have checked on where this could be located. They are suggesting that the full-size refrigerator be replaced with a countertop model. Exchanging the one at the pool with the one at city hall was discussed. Cheryl Brown said that the countertop model at city hall is sitting under a table in the copier room, and she doesn't have any idea where a full-sized one would fit. The possibility of checking with Walt Martin regarding a trade-in was discussed. Sheila Dale suggested removing a section of counter to make room. Hamit said he would look at the possibility. The council agreed by consensus to proceed with using the machines if the logistics can be settled.

King reported that she's been checking on family passes at some other pools. After discussion, Bruce Smith made a motion to charge \$140 for a family pass, \$50 for an adult pass, and \$40 for a child (11 & younger) pass which would be good for the 2003 season. Jim Gates seconded; motion carried 4-0. It was also decided that a family pass would include just immediate family members.

WATER SERVICE/FRIESEN: Results of the Osage County Planning Commission hearing regarding the Friesen rural development were discussed. Sheila Dale, ~~City Engineer~~, explained the plat approval was tabled because of various deficiencies in the plat itself. Mayor Young asked Michael Coffman, City Attorney, to summarize his opinion of the easements. Coffman stated the following: there are public records showing 3 documents addressing use of water related to Friesen's property. The first one is a 1953 easement to the city, which addresses a pipeline and the city's right to maintain it. The second agreement is between individuals and doesn't give the city any rights. The third one is an easement that grants the addition of another pipeline beside the original pipeline, but doesn't pertain to the easement crossing the Meggison property. Coffman said that the city would have to have an easement to install a new pipeline across the Meggison property, but the developer could be asked to obtain such an easement. Bruce Smith said that the city would need to have some involvement with the wording of the easement because it would eventually be responsible for the maintenance.

Bruce Anderson stated that usually the developer brings the completed plat, but he feels in this case the city has become the agent for the developer, including the extra expense of attorney fees. Mayor Young stated

that the attorney was being paid for opinions to benefit the city, and not the developer. Anderson asks why the city hasn't required the developer to bring in complete plans, including necessary easements, and the council base their decision on those plans. The mayor said the city will probably wait until the county makes a decision regarding the matter. Sheila Dale said the county feels that if the city wants to provide Friesen with water, the city should annex the property. Bruce Smith asked the attorney about jurisdiction regarding Osage Rural Water District #5. Coffman said that he doesn't see a problem as long as RWD#5 agrees with the city's decision. Dale then asked if RWD#5 would have to sell that section of their district to the city. Coffman said he didn't think that would be necessary, but would have to check into it. Smith said that he didn't see annexation as the issue, as we have other customers outside the city limits. Dale then asked if that made it "right"? Smith said that he didn't know about it being right or wrong, but that it's been done for the past 50 years. Coffman said that he would research the matter, but doesn't see a problem with the city supplying water, as long as RWD#5 isn't in opposition. Mayor Young then asked Max Friesen if he has a letter from Rural Water District #5 stating that they didn't want to supply water to the property. Smith said that the manager had told him that the property wasn't specifically their territory.

Jim Gates stated that he is in favor of Friesen presenting a set of complete plans for the council to consider. Smith said that Friesen did present a set of plans showing the plats. Ira Allen said that those plans didn't show any easements, and that we may need a contract with RWD#5. Coffman said that he doesn't think this matter should be treated any differently than existing agreements regarding RWD#5. He has spoken to the manager and his understanding is that who supplies the water is a non-issue.

There was discussion about the size of the waterline, and requirements concerning fire hydrants in rural areas. Dale said that the fire district can require certain size pipe in order to service fire hydrants.

Anderson brought up the quality of water to the Jim Arnold property. Arnold has indicated that he would prefer the line he installed in such a way to prevent his having "muddy" water. Boh Sisson said that Arnold is now on a dead-end line, and a new line would improve the quality.

Sheila Dale made a presentation in opposition to the city's supplying water to the Friesen rural development. It included the following points: 1. The amount of water in the wells 2. The taxpayers helping Friesen developing the rural property including attorney fees regarding easements 3. The length, future extension, and the cost of water contracted from Rural Water District #5 4. Means of paying for the waterline now being constructed. She was told that the new waterline is being paid for by an increase in water rates. The mayor said that taxes may be raised in the future, but not to pay for the current construction. Dale stated that she was concerned about money being earmarked for one purpose and then being spent on something else, especially something outside the city limits. 5. The addition of another lift station east of town--who's going to pay for this additional development. 6. The concern about taking on the maintenance of rural water lines when the city waterlines are in bad shape 7. The city issuing a moratorium on rural water service until good regulations are in place 8. Applying for grants for planning and zoning from the state that are not income-based This presentation will be included in it's entirety with the official minutes. The mayor thanked Dale for coming to the meeting.

James Foster came before the council to discuss the importance of the city's being very careful about planning and developing. He told the council that he has literature with names, etc that will be helpful in researching this matter. He also said he has an address for a website that has alot of information regarding public works. He wanted to emphasize the importance of this matter to the whole community, and not just the city itself. Mayor Young thanked him and asked him to provide the addresses mentioned above.

There was more discussion about the conditions of the current easements owned by Friesen. Friesen has the right to hook on to the city's line that runs through his property, but how this is done is yet to be determined.

Dale brought up the fact that the city has denied water to rural property owners in the past. Smith said that this may have been done due to water supply at that time, but the current contract with RWD# 5 has increased the supply available.

Don Meerian stated that he's heard of the wells having to be shut down due to iron, bacteria, or salt. He asked what the city's recourse is in that case. He was told the wells would be treated, and the city would use rural

water while this is done. Carolyn Mecrian asked about the current limit from RWD#5. The clerk said the current contract allows the city to buy approximately 3 and one half million gallons per month, and to her knowledge the most that's ever been bought is 2 1/2 million gallons.

Mayor Young said that it seems to him that this matter is back to where it started. Jim Gates made a motion, seconded by Ira Allen, that Max Friesen bring a complete set of plans, including all necessary easements, and a letter from Rural Water District #5 stating that there is no conflict with the city supplying water, to the council before a decision is made. Motion carried 5-0. The mayor told Bob Meggison that agreements concerning easements are to be made by him and Friesen, and not the city. The matter was tabled until these documents are available.

WATER/SEWER REPORT: Marian Massoth was present to tell the council that the new pipeline is almost done. They have to install one more clean-out valve, flush and clean the line, and chlorinate it. She's not sure of Anno's schedule, but it should be done soon. She's prepared another addendum to the contract which will authorize the installation of a water-level sensor that will automatically control the rural water pump depending on the tower level. The one originally bid would just set off a series of phone calls. After discussing the benefits, Jim Gates made a motion, seconded by Bruce Smith, to authorize the extra \$3800 expense to the original loan amount to install the automatic water-level sensor. Motion carried 5-0.

Massoth then brought up the matter of the improvements to the wastewater system that have been required by the Department of Health & Environment. She has written a letter to KDHE stating that the city has passed a resolution to apply for a Revolving Fund loan, and that a letter has been composed to send to the residents regarding illegal hook-up's. Smith said he is still working on the plan for inspecting hook-up's.

Massoth gave the council a spreadsheet outlining the phases of the project, and the estimated costs for each item. The total cost would be approximately \$400,000. She said that the actual cost would probably be less, but KDHE prefers ample leeway to avoid having to start over. Massoth said that the loan could be used as matching funds for any future grants. She also reminded the council that the final loan amount depends on what we actually use. Massoth said the next thing to be done is set a time for the public meeting and hearing. The council agreed by consensus to set the public meeting to be followed by the hearing at 8 PM on June 25th. Comments and or questions from the public will be heard at this hearing, followed by a final decision by the council. Sheila Dale asked about houses outside the city limits, but within 400 feet of a public sewer. There are some residences just north of the city limits that may be subject to this county ordinance, depending on how the measuring is done. Massoth said she would provide information for public inspection between now and the meeting.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to go into executive session from 8:45 pm until 8:55 pm with the city attorney to discuss matters not related to elected personnel. Motion carried. Mayor Young opened the meeting at 8:55 pm. Jim Gates moved that the meeting be recessed from 8:55 pm until 9:05 pm; David Gerisch seconded; meeting was recessed. Mayor Young called the meeting back to order at 9:05 pm. Bruce Smith made a motion, seconded by Jim Gates, to call for the dismissal of Bob Sisson as Maintenance Supervisor based on his recently revealed health issue that makes it impossible for him to complete the duties of his position, and that he be paid until the end of May, 2003 including unused vacation pay. Motion carried 5-0. Sisson asked about his insurance. The clerk said that he will be covered until the end of June.

CITY HALL CHIMNEY: Jim Gates made a motion, seconded by Ira Allen, to wait until August or September to replace the chimney, and to consider replacing the whole unit at that time if necessary. Motion carried 5-0.

GRANT SURVEY PROPOSAL: Mayor Young said that while there are no guarantees that the survey will be in our favor, he thinks that the survey will have to eventually be done. Bruce Smith asked about contacting

some other grant-writers. Carolyn Mecrian suggested Peggy Clark be considered, as she has done work in Osage County. The council agreed by concensus to contact Clark to come to the next meeting before making a final decision. It was also decided to contact some of the towns listed in Donna Crawford's proposal. Smith said he would contact some of these towns to see what their income levels were before the surveys were done. Jim Gates said that he feels that we need to do something to satisfy the citizens about efforts to obtain a grant.

MISC: Bob Sisson said that K&K Electric has ordered the security lights, but isn't sure when they'll be installed.

RE-APPOINTMENT OF CITY OFFICERS: Max Friesen stated that in two months he will have been either on the city council or treasurer for 50 years and thinks it's time for him to retire. Mayor Young asked permission to reappoint him until he resigns as he doesn't have anyone else to appoint at this time. Bruce Smith made a motion, seconded by Ira Allen, to reappoint all city officers as listed. Motion carried 4-0, with Gerisch abstaining. This list is available for public inspection during regular business hours.

P.R.I.D.E.: Bruce Smith made a motion, seconded by Jim Gates, to adopt Resolution No 49 to authorize the P.R.I.D.E. committee for the current year. Motion carried 5-0.

LAW REPORT: Chief Ed Harmison presented a bid from Everette Dannar to install metal bars in the police department door and windows for \$400.00. Jim Gates made a motion, seconded by Bruce Smith, to accept the bid. Motion carried 5-0.

Harmison reviewed his written report for the council. He also asked permission for Dannar and himself to attend a school for 3 days at a cost of \$12/person. Council agreed by concensus.

Harmison pointed out that a small portion of the city lake property is technically outside the city limit, and recommends that the city pass an ordinance to include all the property in a boundary ordinance. He can legally enforce city laws as it is, but would like for it to be addressed. The clerk said she is having Michael Coffman research this matter.

Harmison reviewed the path of the recent tornado that skirted Overbrook, and told the council that he has a video taken by a deputy sheriff in his possession. He pointed out the possible path that would have been affected had it stayed on the ground.

Harmison asked that driving on the dams at the city lake be prohibited, and some kind of posts be put in place as prevention.

Chief Harmison pointed out that Overbrook is the lowest taxed city in Osage County, and shared comparisons with other cities our size.

He also told the council that he has a list of 6th, 7th, and 8th graders that would be interested in working this summer. Jobs ranged from reading to the elderly to mowing to washing windows, so we might keep this in mind.

Harmison asked if the council still agreed to order the signs he had requested in February. The council agreed as they thought this had been done.

Mark Tomlinson asked that the council consider making changes in the rates for city lake licenses for 2004 based on where the person lives and also their age. He also suggested charging for boats. The council said they would take this matter into consideration this winter.

TREASURER'S REPORT: Max Friesen said that he's concerned about the Water/Sewer fund. The clerk told him that the expenses for the new waterline come out before the reimbursements show up.

CLERK'S REPORT: Cheryl Brown read a thank-you note from the Greens's for a plant sent after the accidental death of one of their employees. She also said she had sent coupons for city lake permits to Santa Fe Trail High School. She also mentioned a letter received regarding participating in a national "Lights On"

campaign later this year. Various ways to recognize Bob Sisson's time of service was discussed. This was tabled until the next meeting.

BALL ASSOCIATION: Jim Jolly was present to discuss some items at Jones Park, including the scoreboards. The council said that Lee Krause should be contacted. Jolly about the status of cleaning the bathrooms. The clerk said that this has always been done by whoever is in charge of the concession stand. The problem may be partly due to them being unlocked during the day when no one is around. Ed Harmison said that he feels they should be unlocked for public use. Jolly also pointed out that when the stools back up, it backs up into the other parts of the building. Everette Dannar said he's noticed that the doors are sometimes unlocked after the games. Jolly said that all the coaches have keys, and they're supposed to be locking the doors before they leave. He also said that he hasn't seen any kids in the park at that time. His policy has been to keep kids out of the park after 10 PM when there are no games. Harmison said that the additional lighting may help the problem. The possibility of hiring a couple of kids to clean the bathrooms a couple of times was discussed. Mayor Young said that the parents of the kids who play ball may have to decide just how much they want their kids to play ball, and help more with the overall maintenance and upkeep of the bathrooms and concession stand. Jolly also said that the electricity will have to be left on all year to operate the security lights. The council wasn't sure how to handle the bathroom situation. Several did say it would be cheaper to hire the cleaning be done than rent portable bathrooms. Jolly was told to check with some people about what they would charge to clean them and report back to the council. Harmison was asked to check with some of the school kids. Jolly asked permission to put up an announcer's stand between the diamonds. It's still in the planning stages.

MISC: Ed Harmison reported that he is researching grants, etc to get a siren for the north side of town.

EXEC SESSION: Bruce Smith made a motion, seconded by Rich Hamit, to recess the meeting for 15 minutes with Bob Call to discuss personnel matters. Motion carried. The mayor called the meeting back to order. Bruce Smith moved to go back into executive session for another 10 minutes; Rich Hamit seconded. Motion carried. Mayor Young called the meeting back to order. Bruce Smith made a motion, seconded by Jim Gates, to raise Bob Call's pay to \$11.00/hour for a 90-day probation period and also to authorize calling Todd Goodyear for help with emergencies. Motion carried 5-0.

There being no further business before the council, Jim Gates made a motion to adjourn. Rich Hamit seconded; meeting was adjourned at 11:00 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

5-28-2003

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 28, 2003

MEMBERS PRESENT:

Bruce Smith, Ira Allen, Jim Gates, David Gerisch (7:07 pm),
Rich Hamit (7:55 pm). Mayor Jack Young absent.

OTHERS PRESENT:

Don & Caroly Meertian, Sheila Dale, Charles Hamner, Pat Martin, Mike
Fawl, Frank Rhodes, Michael Blood family, Shelley Foulke, Bob Call, Ed
Harnison, Everette Dannar, Cheryl Brown, Beth Pankratz, Joyce Metzger,
group of 49 citizens.

In Mayor Young's absence, Council President Bruce Smith called the meeting to order at 7:00 PM. The clerk called the roll; there was a quorum present.

MINUTES: Ira Allen asked that the reference to Sheila Dale as Osage County Land Use Coordinator be eliminated as she was present as a concerned citizen. Jim Gates made a motion, seconded by Ira Allen that the minutes be approved with the above change. Motion carried 3-0.

POOL REPORT: Rachael King asked if the council would approve charging the Fast Lane kids the same admission fee as in 2002. Jim Gates moved that the fee be the same, \$1.00 per child. Ira Allen seconded; motion carried 3-0.

SAVE THE CLINIC GROUP: Beth Pankratz and Joyce Metzger came before the council as spokespersons for the group of approximately 50 people to present their concern about the Kansas Medical Clinic's announced closing at the end of July. Pankratz reported on what has been done in just the past few days, and some of the plans for the future. She stated that the clinic staff has been in contact with the clinic's management, and that the owners are aware that the community is very concerned about the matter and are willing to work to keep the clinic open. Pankratz reported that there will be a public meeting at the grade school next week, and the exact date will be announced after the time is confirmed with the school. She also mentioned that in addition to private donations, community fundraisers could be held. Pankratz said that things need to be done immediately to buy time, and then other resources of revenue can be pursued.

The matter of approaching the owner of the building to lower the rent was mentioned. Pankratz said that she's not been in contact with Dr. Ruble, but is hoping that he will join in the effort to keep the clinic open. She said that she's hoping that representatives from each of the community's groups will be willing to serve on a committee that will put together a plan to present to the clinic's owners. Jim Gates and Ira Allen volunteered to represent the governing staff on the committee. Contacting the Jones Fund was mentioned as a possibility also.

Pankratz mentioned that the community came together about 50 years ago to bring in medical care, and that needs to be done again. It was also stated that more people need to use the clinic to ensure it's continued presence.

GRANT SURVEY: Cheryl Brown reported that Peggy Clark has not responded to her messages as of today. Bruce Smith said he had visited with a couple of towns on Donna Crawford's reference list, and they were very pleased with her work. Smith said he also talked to Crawford, who while she can't guarantee positive results, is optimistic about the possibility of success. After further discussion, Jim Gates made a motion, seconded by Ira Allen, to hire Donna Crawford to do the survey at a fee of \$4,550.00. Motion carried 4-0. The clerk stated that the survey results are valid for three years, and this Low To Moderate Income level must be established to apply for almost every grant available.

WATER METER RATE INCREASE: This matter was tabled until more information is available. The current rate is \$500 for a new service, but rates for other towns is not known at this time.

JONES PARK RESTROOM: The matter of restroom cleaning was tabled as there hasn't been any contact with the ball association.

BOUNDARY: The clerk said she is still waiting to hear from the city attorney on what parts of the city lake property are not included in the current boundary ordinance.

FRIESEN WATER REQUEST: Bruce Smith said that this matter is up to Friesen's presenting the requested information to the council. Smith and Gates both said that their understanding is that Friesen is planning to obtain water from the rural water district instead of the city.

Carolyn Meerian had asked about the terms and length of the city's contract with Rural Water District #5 at the previous meeting. Smith told her that the city has a 40-year contract that is in effect until 2021. The contract was updated in 1993 to increase our supply from 40 gal/minute to 120 gal/minute. The city's share of the tower bond will be paid in 2009. This monthly bond share is currently \$3,177.57. The contract is open to re-negotiation by both parties. Smith said that while we do not use the full amount allocated to us, what we do use is about 50% of what's necessary to supply the city at this time.

LAW: Chief Ed Harmison stated that in the future, meetings with a large number of people should be moved to a bigger facility for fire safety reasons.

Harmison said that he and Officer Dannar have completed their required schooling for the year.

He reported that there are some big fish being caught at the city lake. The special event at Conrad's Bar & Grill went very well with no problems.

WARRANTS: The clerk presented four warrants that need to be paid before the next meeting. Jim Gates made a motion, seconded by Ira Allen to pay the warrants. Motion carried.

CLERK'S REPORT: Cheryl Brown told the council that someone from Fort Scott Community College will be here, in conjunction with KDHE grants, to review the lagoons and sewer system. There was discussion about how to provide a boat. This will be done on June 13th.

The clerk asked if anyone wants the updated Governing Body handbook for \$15/each. No one did.

She also told the council that we've received an invitation to Rachael King's wedding on June 21st.

Brown also asked that the council and the mayor encourage people to contact her personally in regards to being on the agenda. This is very helpful when material needs to be researched, and also lets the whole council and mayor have an idea of what's to be discussed. She reminded them that there is an answering machine at City Hall so messages can be left when the office is closed.

She told the council that the auditor will be here on June 3rd for the annual inspection of the city records

SECURITY LIGHTS: K & K Electric sent a proposal that will increase the cost of installing 2 security lights at Jones Park. There was discussion about ways to use the less-expensive lights. The council agreed by consensus to ask Lee Kraus about pursuing using 110 volt fixtures. Brown said she would try to contact Kraus tonight before the meeting ends.

EXECUTIVE SESSION: Jim Gates made a motion, seconded by Ira Allen, to go into executive session with Mike Fawl and Frank Rhodes present, for 15 minutes to discuss the sale of real property. Motion carried 5-0; meeting was recessed. Bruce Smith called the meeting back to order at 8:00 PM; no action was taken as a result of the closed session.

PARK LIGHTS: Jim Gates moved, with Ira Allen seconding, to allow Kraus to go ahead with the 480 volt lights if it's not possible to use the 110 volt lights. Motion carried 5-0.

MAINTENANCE HELP: Bob Call has asked the council to consider hiring someone part-time to help with the mowing. Ira Allen has had several people suggest hiring a retired person to read meters and help with other projects when necessary. It was noted that Mark Tomlinson and Ed Harmison have been doing some mowing at the lake. Gates asked about hiring Tomlinson to help Call. He would only be available evenings and weekends. The council agreed to talk to Tomlinson.

Gates asked what the status is on the Trail's project. Brown said that the next step is to carve out the path with the backhoe, but she hasn't talked to Roger Harmon since Bob Sisson's leaving. Harmison said he thinks another little bridge may be needed. Rich Hamit said that there were a lot of people fishing Memorial Day, and that they were catching fish. There was discussion about possible changes in the licensing for next year. Bruce Smith said he would contact Harmon before the next meeting.

Mark Tomlinson arrived at the meeting. After discussion, Jim Gates made a motion, seconded by David Gerisch, to authorize hiring Mark Tomlinson as part-time temporary help to be used as needed by Bob Call at a salary of \$6.00/hr. Motion carried 5-0. Smith said he'd let Call know he has some help, and the two guys can work out the details.

There was discussion about the things being left at the tree-dump area by the lagoons. The only things that are supposed to be there are limbs and leaves that can be burned occasionally. If this continues to be abused, it may be closed altogether.

COUNCIL MEMBER COMMENTS: Ira Allen reported that he had learned a lot at the League of Municipalities seminar. He said that one thing they recommended is that if the city is considering raising the tax levy that they do so this year as the tax lid may be put back in place this next session. Allen said that water revenue and court costs were also discussed. Changing the quorum required for meetings from three to four was also mentioned. This has been discussed in the past. They also suggested having a call-list for people wanting to be notified for special meetings since the meetings do not have to be published in advance.

Rich Hamit said that things seem to be going well at the pool, including the vending machines. The clerk said that more keys to the gate are needed.

Ira Allen also recommended that more of the council attend future League classes if at all possible, including the city clerk.

PART-TIME HELP: Mark Tomlinson returned to the meeting to report that Bob Call would prefer having someone available during daytime hours. Bob Call was then asked to come to the meeting. He explained that he needed someone that to help with major projects or water breaks in addition to the mowing. This person would also be trained to check things when Bob Call is on vacation, etc. Ira Allen made a motion, seconded by Rich Hamit, to authorize Bob Call to pursue hiring someone part-time at a salary of \$7.00/hr., up to 16 hrs per week. Motion carried 5-0.

There being no further business before the council, Jim Gates made a motion, seconded by Rich Hamit, to adjourn. Motion carried; meeting was adjourned at 9:25 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JUNE 11, 2003

MEMBERS PRESENT: Jim Gates, Ira Allen, David Gerisch (7:05), Rich Hamit (7:06), Mayor Jack Young. Bruce Smith absent.

OTHERS PRESENT: Donna Crawford, Mike Fawl, Frank Rhodes, Marian Massoth, Roger Harmon, Bob Call, Ed Harmison, Everette Danner, Mark Tomlinson, Cheryl Brown.

The meeting was called to order at 7:05 pm by Mayor Young. Roll was called by the clerk.

MINUTES: Jim Gates made a motion, seconded by David Gerisch, to approve the minutes of the previous meeting with spelling changes. Motion carried 4-0.

WARRANTS: Jim Gates moved to pay warrants that were presented. Ira Allen seconded; motion carried 4-0.

GRANT SURVEY: Donna Crawford, Governmental Assistance Services, was present to discuss the schedule for doing the survey that's required to determine the percentage of low-to-moderate income that's necessary to qualify for grants. Crawford told the council that this will start on Monday, June 23rd, and will be done by Dax Mayes. Crawford explained that she will have a notice published in the Osage County Chronicle explaining the surveying process, and will send a flyer to be displayed around town. She told the council that Mayes will be carrying business cards, and that they don't go door-to-door after dark. Crawford also explained that they will continue the surveying until the required percentage of returns have been acquired, up until the grant turn-in date if necessary. The council thanked her for coming.

REAL ESTATE MATTERS: Mike Fawl and Frank Rhodes were present to discuss matters related to the medical clinic's closing. Fawl said that he has visited with the business manager, and has concluded that their bottom line is making a profit. He also talked to the Osage County attorney regarding the possibility of waiving county taxes. The council agreed by consensus that any further action be delayed until after the next community meeting on June 17, 2003. The clinic management is supposed to attend the meeting. Providing another source of medical care for the community was discussed, including someone just out of medical school. Fawl stated that this is agreeable to them as they are not trying to push things forward, but are interested in helping.

MISC: The sewer hook-up inspection was tabled due to the absence of Bruce Smith. David Gerisch reported the fees charged by several other cities for new water meter connections. They range from \$200 to \$850. Overbrook is currently charging \$500 for new water meters, \$50 for a new sewer connection, and a \$2 inspection fee. After discussion, Ira Allen made a motion, seconded by Rich Hamit, to raise the sewer connection fee to \$100 and leave the meter charge as is. Motion carried 4-0.

Jim Gates said that he hasn't had any complaints about the restrooms at Jones Park, and Bob Call reported that they seemed to be clean the past few times he's checked them.

The city attorney hasn't sent any information about updating the boundary ordinance as yet.

SALARY REVIEW: The clerk explained that this was put on the agenda as it's traditionally been done in June. The council agreed to postpone this discussion until after the 2004 budget is set. Chief Harmison asked why this was being done. The mayor explained that the 2003 salaries are funded by the current budget, and future raises need to be addressed when preparing the 2004 budget. Mayor Young stated that the council needs to be thinking about the new budget. Ira Allen said that he would like the council to determine what it's going to cost to run the city next year, and require the necessary mill levy to provide the services. There will be a public hearing before the budget is approved, so people will have a chance to voice their opinions to help the council know what services they want and don't want. Harmison stated that the police department has never had enough revenue to last the whole year for as long as he can remember. Ira Allen said Harmison has given him the figures necessary to run the police department when the 2004 budget is prepared. Harmison then said that based on a population of approximately 1,000, one cent per person per hour would generate \$87,000 annually for the police department. He also pointed out all the different aspects of police coverage that most people are not aware of to justify adequate funding, even if it means an increased mill levy. He also reminded the council that Overbrook has the lowest mill levy in the county. Mayor Young said that the Overbrook budget needs to be figured on what it takes to run our city, regardless of what other towns do. The mayor stated that's why he feels raises should be considered after the budget is ready. The council agreed that the raises would be retroactive if the matter is tabled. There was discussion about the "expenditure" levels that are put into the budget. The clerk explained that there has to be a stated limit as to what can be spent to avoid repeating the budget hearing, adoption, etc. The mayor stated that while he doesn't want to pay more taxes, he thinks that the city shouldn't have to just "get by", but should be made better whatever it takes.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council, including other agencies assisted by city officers. He stated that two citations have been issued regarding the city lake. Harmison also presented information about what other towns are charging for various fines. Rich Hamit reminded the council that the judge sets the fines, and Harmison said he has asked that they be raised several times in the past. Harmison said that he, Dannar, and Miller will be going to Osage City to qualify on the firing range. He also said that he's considering authorizing Mark Tomlinson to issue tickets at the city lake, but only if his salary would continue to be funded from the General Fund, and not Law. He's also going to check with the law enforcement training academy regarding the matter. Harmison also gave the council some details about a recent bomb threat in the community. It turned out to be a problem with the anti-theft device on the car. Harmison also had questions about the amount he's having to pay for each doctor's visit. He also had questions about the amount of money bequeathed to the city by Pearl Stitt. The clerk said she remembered a donation that was made several years ago to be used for the pool/recreation. Harmison told the council that he's pleased that they are being realistic about the budget.

WATER/SEWER REPORT: Marian Massoth reported that the new water line has been chlorinated and cleaned. Opening the new lines caused a lot of air in the water, but that should clear up soon. She also said that the city needs to get another chlorine pump as a back-up to be in compliance. Bob Call said that the cost would be approximately \$900. Massoth also said that a couple of gauges need to be replaced also, but they shouldn't be too expensive. Massoth also said that she became aware of a rural residence that is connected to untreated water. The clerk said that this arrangement had been made with the property owner, but that she doesn't have any details. Massoth advised the city to get something in writing for their protection.

She reported that she and Bob Call did some wastewater sampling in regards to previous concerns about the locker plant. Massoth was informed by Roger Davis that he does have a collection system to handle blood on their "kill" days. Massoth said that the wastewater appeared to be fairly clear when they did the sampling. Davis has requested a copy of the test

results. Massoth also wondered about other factors, such as livestock trailers being washed at the carwash.

Massoth told the council that someone affiliated with Fort Scott Community College will be doing a study of the lagoons and wastewater system in conjunction with KDHE. This will be free of charge.

Massoth asked if she should contact Donna Crawford about reports that will be needed to apply for a grant. She also asked if the council wants to add the chlorine pump and pressure gauges to the waterline loan as there is about \$39,000 left in approved funding. Bob Call said that the concrete around Well #3 needs to be replaced. The council agreed by consensus to add these items to the loan as soon as definite prices are determined.

Massoth said that the telemetry system should be installed soon, too.

MAINTENANCE REPORT: Bub Call reported that he had Well #1 oxidized, and it's still down. He arranged for Patchen's and Ed Butterfield to meet to determine the cause of the electrical problems to see if the problem can be fixed once and for all. Call said he met with the Sprint service tech to get a phone line installed for the telemetry system. He also said he's repaired the stools at Jones Park. Call said that the security lights are up at Jones Park. The mayor said they work very well. He said that he's planning on cleaning out water valves to make it easier to turn them on and off to fix water breaks. Call said he'd been asked by the new owner of the trailer court on Elm who owns the abandoned railroad tracks. Ed Harmison said that where there are still tracks belongs to the adjacent land owner, and where the tracks have been removed belongs to the Kansas Horse Foundation. The mayor said that the owner should verify the ownership with the county. Call said that he's done some street-patching and has more to do. He also is going to repair some of the fence around the lagoons.

Call recommended skipping re-sealing the streets this year, and work on repairing the really bad places, including along the edges rather than just covering up these areas with more chip & seal material. The mayor commended the job being done by Call. Call said he hasn't been able to find a part-time helper as yet. There was discussion about whether or not Mark Tomlinson was still authorized to help mow at \$6.00/hr. The most recent motion was to hire someone who could work days.

Bob Call said that the tree/limb dump area is a real mess. He asked the council for suggestions. The mayor suggested poles and cable be put around it to limit the access. The problem is that things are being left there that are not allowed. The only things that are to be put there are tree limbs, leaves and brush. Ira Allen mentioned that someone has left chunks of concrete. Issuing fines for illegal dumping was mentioned. The mayor asked Call to check into getting some new signs, and also adopting an ordinance that would define the penalties for violators. While this has been a good service for the community, the state could fine the city if the wrong things are dumped there. Call also asked about continuing to let someone hay the grass around the lagoons. He was told to ask the people who are coming on Friday about whether or not this should be allowed.

TREASURER'S REPORT: Max Friesen reported that the fund balances are low but there should be a sizable tax levy from second-half taxes in mid-July. Friesen agreed that the figures need to be ready for the July meeting so the 2004 budget can produce the necessary revenue, but new wages shouldn't come from the current budget. He also recommended taking some of Bob Call's salary from Special Highway as he does the street repairs. The clerk said that Call's wages come from Water/Sewer, but she can change that if the council wants it done this way. She will check with the auditor.

CLERK'S REPORT: Cheryl Brown said that she heard from Peggy Clark regarding writing grants, and she recommended hiring Donna Crawford. Brown said that she had received a notice from the state regarding Bob Sisson's unemployment benefits, but hasn't received a final

amount as yet. She told the council that she'll be on vacation next week and Mary Anderson will be working. Brown also explained that she had put the requirements for minutes in their packets to clarify that the official city records do not have to be written word-for-word. The council can ask for things to be added or removed if they so desire.

TRAILS GRANT: Roger Harmon arrived at the meeting to discuss the status of the work on the Trail. There was discussion about what is needed, including drainage tubes and dirtwork. The clerk reminded them they need to keep records on time and equipment used for the reimbursement request. Ed Harmison agreed to meet with Harmon to go over the area again.

COUNCILMEMBER COMMENTS: Jim Gates mentioned that the Pat Neil, Jr residence is still in bad shape, and wants to know what should be done next. Chief Harmison was asked to have Neil come to the June 25th meeting, and Bob Call was told to check the water meters.

Ira Allen mentioned getting the Planning Commission involved on updating the zoning regulations. He realizes that the members are busy people, so maybe the council needs to consider finding people who have more time.

Rich Hamit reported that the pool seems to be running with no major problems, and that the vending machines are working out so far. Hamit said he's talked to Rachael about several situations. He said several season passes have been sold.

PLANNING APPOINTMENT: Rich Hamit made a motion, seconded by Jim Gates, to appoint Don Meerian to serve the remainder of Ira Allen's term on the Planning Commission. Motion carried 4-0.

TREE TRIMMING: Ed Harmison asked if the council wanted to have someone trim trees again this year to avoid having to mail numerous notices at \$4.42 per notice. The council agreed by consensus for Harmison to take care of the matter.

MISC: Mayor Young read thank you notes from the 6-th grade classes for the day they spent at the city lake.

Ed Harmison mentioned a new business in town, the Barbeque Barn owned by Bruce Sisson.

Ira Allen also suggested the council consider changing the quorum from 3 members to 4 to allow for 2 members to visit or be on other committees without it being classified as an open meeting. The clerk said that if the quorum is changed to 4 members, they'll have to be very dedicated on attendance because there must be a quorum to have a meeting.

There being no further business before the council, Jim Gates moved to adjourn the meeting at 9:50 PM. Rich Hamit seconded; motion carried.

Respectfully submitted,

Cheryl L Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JUNE 25, 2003

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

OTHERS PRESENT: Mike Fawl, Frank Rhodes, Max Friesen, Pat Martin, Ed Harmison, Everette Danner, Mark Tomlinson, Bob Call, Cheryl Brown

Mayor Young called the meeting to order at 7:00 PM. Roll call by the clerk established the presence of a quorum.

MINUTES/ WARRANTS: After discussion about the wording of the previous law report, Rich Hamit made a motion to approve the minutes of the June 11th meeting as written. Jim Gates seconded; motion carried 4-0.

Jim Gates made a motion, seconded by Ira Allen, to pay the warrants presented. Motion carried 4-0.

WATER CONCERNS: Pat Martin, as owner of the laundromat, came before the council to ask if something could be done to offset their losses due to the recent rusty water. She told the council that they had to drain the water heater several times, and run each washer through several cycles which will cost them extra money, even though they lost several days of income. After a brief discussion, Jim Gates made a motion to adjust the water bill by deducting \$75.00 on the next billing. Rich Hamit seconded; motion carried 4-0.

Martin also stated her concern about the kids riding bicycles on the sidewalk in front of the laundromat again. She said the "No bicycle riding" sign is no longer there. The council agreed by consensus to have the sign replaced, and more added if necessary. The danger of kids riding their bikes on the street in the business district was discussed. The clerk said that the ordinance prohibits the bikes being ridden on the sidewalk, but the bikes can be walked.

REAL ESTATE MATTERS: Mike Fawl said that he and Frank Rhodes have come back to the council to see how they should proceed with an earlier proposal. Ira Allen asked if they have thought about a pharmacy and another business, in addition to a pharmacy and doctor. Fawl said they had not considered this combination. The council asked them to postpone any decisions until after the August 1st deadline. Fawl and Rhodes agreed to this as they aren't working under any particular timeframe.

PROPERTY SAFETY: Ed Harmison reported that he had contacted Pat Neil, Jr in regards to coming to this meeting, but he has yet to make an appearance.

RESOLUTION: Cheryl Brown presented the council with a resolution that asks the Director of Accounts and Reports to waive certain requirements of accounting in order to have the audit prepared as usual. This has been requested by Bogner & Long who audit the city's financial reports each year. After discussion, Ira Allen made a motion, seconded by David Gerisch, to pass Resolution No 50. Motion carried 4-0.

STREET LIGHT REPLACEMENT: After discussion regarding the cost and performance of the different bulbs for street lights, Jim Gates made a motion to replace street lights with the Metal Halide lamps. Motion died for lack of a second. Rich Hamit made a motion, seconded by Jim Gates, to use the High Pressure Sodium lamps as replacements are needed. Motion carried 4-0. The sodium bulbs put off an amber light rather than a bright white light, but are more

economical. This choice can be changed in the future if the sodium lights prove to be unsatisfactory.

The clerk said that a new schedule for water/wastewater training has been received by the city, so Bob Call can make plans for his testing.

Brown reported that she is still waiting for an opinion from the city attorney regarding the current boundary ordinance.

CURFEW ORDINANCE: The present curfew ordinance was reviewed, with possible changes being tabled until more information from the city attorney is available.

GRANT WORKSHOPS: Mayor Young said that he found a website with information on grant workshops regarding Planning/Comprehensive Plans. The mayor said he has talked with someone who has prepared comprehensive plans, and he recommends that the city pursue having one prepared by a professional. The clerk was asked to see if one can be borrowed from another city, and to get information on who is available to prepare it.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Ira Allen, to recess the meeting to discuss matters not related to elected personnel. Motion carried; meeting was recessed from 7:40 PM. The mayor opened the meeting at 7:50 PM. Mayor Young told the council that he has been thinking about a person to replace Max Friesen as City Treasurer when he retires. He has talked to Patty Hylton, and would like to have the council's approval for pursuing the matter. Jim Gates made a motion, seconded by Ira Allen, to approve paying the treasurer \$75/month, with the understanding that this would include attending necessary council meetings and other requirements of the position. Motion carried 4-0.

LAW REPORT: Chief Ed Harmison said that he had told Pat Neil, Jr that the council wanted him to attend tonight's meeting, but Neil hasn't arrived yet.

Harmison met with Roger Harmon and walked the Trail to discuss what needs to be done. They agree that two drainage tubes will be needed, and that it will take a bulldozer to do the preliminary skimming of the actual path. Harmon is going to talk to some people who may help with the project.

Harmison told the council that Mark Tomlinson can be authorized to issue citations regarding animal control and the city lake and still be paid from the General Fund as he is now.

Dannar's patrol car has had four new tires put on, but WrenchBenders has agreed to bill them in two different months. Harmison said his car needs new tires, but will wait awhile.

Harmison reported that Tomlinson spotted someone attempting to dump a load of lumber at the tree/limbs dump and got ahold of Dannar to stop them. Dannar told the council that most people think it's okay to dump things that can be burned. The council agreed by consensus to have Bob Call order some more signs to make it clear that only trees/limbs/leaves are to be dumped there.

Chief Harmison also said that the goat has been removed from the city, and also the junk vehicle is no longer in the alley behind the Bob Clark residence. He also said that the library celebration street dance went well.

Harmison asked if the council was going to discuss employee raises this month. The clerk stated that the council had decided to postpone the matter until the 2004 budget is prepared. The mayor asked that the council plan a working meeting to work on the budget before the last meeting in July. Ira Allen recommends each department determine what is needed to fund it, and then the auditor can use these figures to determine the mills that have to be levied. There was discussion about why raises have been set in June in previous years. The clerk said that this has been done since she started here in 1988, and doesn't know why.

The clerk also reported that the co-pay for doctor office visits does not apply to the deductible. The council didn't realize that this was changed in the current policy. Harmison said

that he has spent about \$105 out of pocket so far this year. Reimbursement for co-pay was tabled until the next meeting. Jim Gates recommended visiting with Blue Cross Blue Shield about this change in the policy.

Harnison asked the council how they wanted him to proceed with the Pat Neil, Jr property complaint. The council agreed by consensus to give him another chance to attend the next council meeting and issue a citation if he doesn't attend.

MAINTENANCE REPORT: Bob Call told the council that the recent problems with dirty water was partly a result of not having valves and bleeders in the right places. He has no way to flush water in a couple of sections of line coming from the wells to town. Call didn't have prices to install them, but thought that it could be included with the waterline project loan. The council agreed by consensus to approve installing two valves and bleeders at a cost of up to \$1600. This will be added to the waterline loan if possible.

Call said he has gotten the meters read, replaced 7 old meters, did some repairs on the library roof, and repaired the water service at the Boy Scout building. Jim Gates asked about using Mark Tomlinson to help mow at the city lake. Jim Gates made a motion, seconded by Ira Allen, to approve Tomlinson to mow at the lake - approximately 10 hours- at \$6.00/hr. Motion carried 4-0.

Call asked if it was necessary to continue using the timesheets. Rich Hamit said that there was a purpose for using the timesheets, and didn't want to see them completely abandoned. The mayor said that he felt the most important thing is to have a record of overtime and why it was necessary. The council agreed by consensus to consider revisions, but not stop doing it altogether. Tomlinson said he would bring the form that Osage City uses. Allen recommended that the employee sign the timesheet, and that an explanation be provided for overtime.

Harnison said that it's not always possible for him to balance his duty hours to avoid having any overtime and still provide adequate coverage during the daytime. The council told him that they want him to continue as he has been. Harnison said that the overtime issue has to be addressed in the next budget.

COUNCILMEMBER COMMENTS: Rich Hamit said that he has been contacted by Dax Mayes who's doing the grant survey. Hamit said it took about 30 seconds to complete it. Hamit said that he felt the meeting with Sprint personnel regarding their DSL service. Cheryl Brown said she is going to get more information, but would like to have it since businesses can have up to 5 devices on one service, which would be very good for both the police department and city hall. Daunar said the police department has been thinking that they need a private fax line for sensitive material. Brown said she would try to have the information at the next meeting. The clerk said that Sprint uses EarthLink for internet/email so there would be some changes in that regard.

MAYOR'S REPORT: Mayor Young advised the city employees that they are not to use city equipment for personal use.

MISC: Mark Tomlinson said that he thinks the city should get another set of blades for the new mower. He thought they would cost about \$50. Bob Call said that they have never been

sharpened, but thought that the mower was bought just for the ball diamonds. The council agreed by consensus to purchase another set of blades.

There being no further business before the council, Jim Gates made a motion, seconded by David Gerisch, to adjourn. Motion carried 4-0; meeting was adjourned at 9:00 PM.

Submitted By:
Cheryl L. Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 9, 2003

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

OTHERS PRESENT: Beth Pankratz, Joyce Metzger, John Pankratz, Marian Massoth, Vicky Robbins, Ed Harmison, Bob Call, Cheryl Brown.

Mayor Young called the meeting to order at 7:00 PM. Roll was called by the clerk to establish that a quorum was present.

MINUTES / WARRANTS: After discussion about signs at the tree-limb dump, Jim Gates made a motion, seconded by Ira Allen, to approve the minutes of the previous meeting as written. Motion carried 4-0.

Bruce Smith moved to pay all warrants; Jim Gates seconded. Motion carried 4-0.

SAVE THE CLINIC: Beth Pankratz came before the council to give an update on the group's progress, and to ask the city to abate the utility billing for the Kansas Medical Clinic. This would include fees for water, sewer, and trash pickup. The clerk said this would probably amount to approximately \$50 per month. Pankratz reported that \$28,325.00 has been raised as of today. Jim Gates made a motion, seconded by Bruce Smith, that the city waive the water, sewer, and trash billing for the next six months, to be reviewed for possible extension. Motion carried 4-0. Pankratz expressed optimism about the amount of money raised being a positive influence on the clinic remaining open for the next six months. The mayor said that the city will send a letter to the clinic informing them of the council decision.

ZONING REQUEST: There was discussion regarding the Planning Commission's recommendation for re-zoning property as requested by Ron Zeckser and H. Hurst Coffman, Attorney for Velma J. Vann. The original request was to re-zone the entire piece of property from Residential Single Family to Commercial. During the hearing, Sharon Gunter who owns the adjacent property on the north presented her concerns. After consideration of these concerns, the Planning Commission recommends that the north part of the Vann/Zeckser property remain zoned for Residential and re-zone the south part of the property to Commercial. The clerk reminded the council that they cannot take any action at this meeting, but must wait 14 days for formal written protests. The clerk also said that she has received a revised legal description that would determine the exact area to be zoned Commercial.

SEWER HOOK-UP INSPECTIONS: Bruce Smith recommended that more research be done before residents are given official notice of inspections, especially regarding how the inspections would be done. He indicated that he would check with the League of Municipalities and also Kansas Rural Water Association about the legal aspects of inspecting.

CURFEW/BOUNDARY ORDINANCE: Chief Harmison said that the city attorney is working on amending the curfew ordinance for action at the next meeting. Harmison also told the council that while Michael Coffman was talking to him about updating the boundary ordinance, Coffman asked why the cemetery has never been annexed into the city. Bruce Smith said that it was a half-mile away from town until annexations during the past 10 years or so.

Rich Hamit asked if Chief Harmison could check into an ordinance that would limit the time for shooting fireworks next year.

COMPREHENSIVE PLAN: The clerk has received a copy of Lyndon's Comprehensive Plan for reference. The mayor stated that he has been made aware that the governing body hasn't given the Planning Commission adequate direction for what is expected of them, so would like the council to be more involved.

The council agreed by consensus to have a working session on July 22, 2003 at 5:00 PM to address the 2004 budget and also review the Lyndon comprehensive plan.

TIMESHEETS: The council agreed that while the concept of using a timesheet is valid, they would be willing to change the format. Ira Allen recommended that the timesheet show not only the hours worked, but also how many vacation and sick leave hours are included in the total number of hours paid. The clerk reported that she has a separate form that she records vacation and sick leave earned, used, and the balance at the end of each month. Chief Harmison also said that they have been filling out a form stating when and for what reason time-off is taken. The main idea for having the timesheet is to have a better idea of how many regular hours and overtime hours are being worked, and the reason for overtime hours. The fact that the current monthly pay period doesn't work with a 7-day work cycle was discussed. Changing the pay period was discussed. The mayor asked what would have to be done to change the pay period to coincide with a 40-hour work week. The clerk said she would have to talk to the auditor about this matter. Mayor Young said that he would like to see something put into place that would be more standardized in the event something happened to the one presently doing the payroll. The matter was tabled until more research can be done.

Compensated time was discussed. Bruce Smith said that "comp time" is paid time-off to compensate for overtime worked. This is the employer's choice, up to a certain limit of hours at which point the employee has to be paid monetarily rather than given time off from work. This time is figured at a time-and-a-half rate, the same as overtime pay, so one hour of overtime would result in one and a half hours of time off.

8:00 P.M. - Kansas Water Pollution Control Revolving Fund Loan Hearing: The mayor called the hearing to order. He stated that the city is considering this to make necessary improvements to the wastewater system that have been mandated by the Department of Health and Environment. As there were no citizens present to comment, the hearing was closed.

The mayor stated that he is irritated that there are no citizens present when a \$408,000 loan is being discussed.

WATER/SEWER REPORT: Marian Massoth said that we haven't received the report from the Fort Scott inspection, and have not gotten the results of the testing done upstream and downstream from the meat processing plant.

Massoth told the council that the North Osage 4-H club might be interested in helping with the 'Trails' project. She was told to contact Roger Harmon for ways to help.

LAW REPORT: Chief Harmison reviewed his report for the council, including a break-down of cases. He reported the year-to-date total of fine money deposited is \$10,075. He has ordered 2 new tires for the 2001 patrolcar. Harmison has contacted the tree trimmer, and that will be done next Tuesday. He asked the council to consider adopting an ordinance that would be specifically for the area by the lagoons where we allow people to leave tree limbs and brush. He will look into setting hours for the use of fireworks, and also requiring a license to sell them. He also suggested passing an ordinance that would include the walking trail as well as the lake. Harmison also presented the council with a fine and court-cost schedule comparing the county and some other cities. There was discussion about raising these fees to be comparable to the other locations. The council agreed that the judge should be asked to come to a meeting to discuss fines and court costs.

TREASURER'S REPORT: Max Friesen reported that the balances appear to be in pretty good shape at this time. Friesen suggested that since there is quite a bit of money in the Special Highway fund, that resealing the streets be given. Friesen also suggested that a certain percentage of Bob Call's wages be taken from Special Highway as part of his job is street repair. The clerk said that it would be a small percentage, but she would look into making that change. Friesen also wondered if the City Lake permit fees should be increased. The council said that the current fees are in line with what other cities charge, and they would prefer not to raise them at this time.

MAINTENANCE REPORT: Bob Call told the council that he has ordered some signs and poles. He asked if the council would have a problem with his re-working some of the poles that have been bent or twisted so that they can be used again. The council agreed by consensus for him to proceed. Call said that he has replaced some of the signs that Chief Harmison had requested, and also has put up some new signs regarding the bicycles and skateboards on sidewalks.

Call said that we will have two phone numbers for the new water tower telemetry system. The tower and the rural water pumping station have to be able to communicate with each other, so this will be an additional monthly expense for two basic services.

He said that he's gotten new blades for the mower. He also told the council that he's been working on inventory for water/sewer repair supplies.

There was discussion about where the new mower should be used. It was decided that it should only be used at the ball diamonds, and previously mowed areas around the lake. The council agreed by consensus to have Bob Call tell Mark Tomlinson, or others, what areas are to be mowed with the new mower.

Bob Call was asked if he has any questions or concerns about his job at this point. Call said that he would need help if the property just east of the fairgrounds is developed in the future. The council assured him that help would be provided.

EXEC SESSION: Bruce Smith made a motion, seconded by Rich Hamit, to recess the meeting for 10 min (9:07 pm - 9:17 pm) to discuss matters not related to elected personnel. Motion carried. Mayor Young opened the meeting at 9:17 PM; with no action being taken.

CLERK'S REPORT: Cheryl Brown reported that the auditor will be here on July 23, 2003, and will also have a proposed 2004 budget to be discussed. Brown also said that she will be on vacation the week of July 14th. She also said that the latest letter from the Dept of Human Resources indicates that Bob Sisson's request for unemployment insurance has been denied. Sisson still has the option to appeal, so the matter may not be settled.

Brown said she still doesn't have all the information specifically for the city's situation, but would like the council to consider approving switching to the Sprint DSL if all the city's needs can be addressed. Bruce Smith made a motion, seconded by Ira Allen, to allow the clerk to pursue getting Sprint DSL providing it will be satisfactory for both City Hall and the Police Department. Motion carried 4-0.

Mayor Young indicated he would be interested in attending the League Municipal Leadership seminar in Emporia on July 26th that covers meetings, conflict resolutions, policy development, and planning. The city would pay the \$75 cost.

COUNCILMEMBER COMMENTS: Ira Allen reported that according to the Kansas Government Journal, Overbrook has the lowest mill levy in Osage County, and thinks that raising the mill levy needs to be seriously considered when preparing the 2004 budget. Mayor Young said that he agrees, but wants the council to consider actual dollars needed to fund the departments, and not necessarily how many mills that is or what other cities are doing. Allen agreed, but wanted the record to show that we have the lowest mill levy, and not the highest in

the county. Allen also said that he has received a letter of complaint regarding the police department, but would prefer discussing the matter at the next meeting with Chief Harnison and the officer in attendance.

Rich Hamit presented a pool report which indicates things are going well so far. The vending machine people have told Hamit that they are very pleased with the sales, and are interested in contracting for next year. He did say there is a problem is accessibility with the one's inside the bathhouse. Removing part of the concrete wall to allow for use without the kids going into the bathhouse might be a good idea for next year. The clerk had a question about the policy for closing early due to numbers of swimmers. Hamit said he was told they are closing the pool if there aren't at least 10 swimmers in the first hour and a half. The clerk said that she's had several phone calls from people in mid-afternoon wanting to know why the pool is closed early. Jim Gates said someone told him that they had to leave when the FastLane kids came, and then had to re-pay when they came back. Hamit said he would check into that before next year. He also said that the pool is still losing water, but not sure where.

MISC: Bruce Smith made a motion, seconded by Ira Allen, to go into executive session for 5 minutes to discuss non-elected personnel. Motion carried; meeting recessed at 9:43 PM. Mayor Young opened the meeting at 9:50 PM.

There being no further business before the council, Jim Gates made a motion to adjourn the meeting. Bruce Smith seconded; motion carried. The meeting adjourned at 9:51 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

7-23-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 23, 2003

MEMBERS PRESENT:

Bruce Smith, Rich Hamit, David Gerisch, Ira Allen, Jim Gates,
Mayor Jack Young.

OTHERS PRESENT:

Bob Sisson, Larry Coursea, Ron & Cindy Zeckser, Rick Godderz,
Jim Long, Bob Call, Mark Tomlinson, Everette Dannar, Ed
Harmison, Cheryl Brown.

The regular council meeting was called to order by Mayor Young at 7:00 PM. Roll call was taken by the clerk.

MINUTES/ WARRANTS: Bruce Smith made a motion, seconded by Ira Allen, to approve the minutes of the July 9th meeting as written. Motion carried.

ZONING CHANGE: Mayor Young presented the ordinance for a zoning change as requested by Ron Zeckser. The Planning Commission had recommended the zoning be changed as requested, and the clerk reported that no letters of protest have been received within the previous 14 days. Bruce Smith made a motion, seconded by Rich Hamit, to adopt Ordinance No 251 which will change the zoning of a portion of the property north of Hwy 56 adjacent to Maple owned by Ron Zeckser, from Residential Single Family to Commercial/Business. The remaining section of this property will remain zoned for Residential Single Family. Motion carried 4-0 (Gates not yet present).

MUNICIPAL COURT: Larry Coursea, Municipal Court Judge, informed the council that he is retiring, and that August 12, 2003 will be his last court date. Coursea told the council that Eric Godderz had stated he would be interested in the position. Godderz is currently judge for Carbondale, and is City Attorney for Scranton at this time. Coursea said that Shayne Coursea would like to stay as Court Clerk. He also asked for permission to keep his cell phone, and pay for service as he has been. Mayor Young thanked Coursea for his service as judge, and Coursea said that he has enjoyed working with everybody.

MISCELLANFOUS: The sewer hook-up inspections, curfew ordinance revisions, boundary ordinance update, planning/ comprehensive plan items were all tabled until more information is available. The council agreed to keep the timesheets as is, but will review for the purpose of improving both the content and ease-of-use.

STREETS: Bruce Smith said that he had received some information about asphaltting streets. According to his calculations, it would cost about \$45,000-50,000 to lay a 2" layer of asphalt for 4,000 feet. Smith had gotten this information to use in deciding whether or not to change the long-range plans for street maintenance.

2002 AUDIT REPORT: Jim Long, Bogner & Long, was present to review the audit of 2002 financial statements for the City of Overbrook. Long reported that there were several funds that had negative balances at the end of the year, which is a violation of the Cash Basis law. A copy of the audit report has been sent to the County Attorney, so there may be some action regarding the matter. He also noted the amount of funds transferred from the General Fund into the Law Fund and the Pool Fund. Long stated again that he's concerned about the city's not having any kind of

a reserve for unexpected expenses. Rich Hamit made a motion, seconded by Bruce Smith, to accept the 2002 Audit as prepared by Bogner & Long. Motion carried 5-0.

2004 Budget: Jim Long presented the council with a proposed budget for 2004. Long explained that while the mills can be moved between funds, the total mills cannot be increased without an ordinance. The council told Long that they had discussed this matter at a work session, and while they are reluctant to do so, they see the need to increase the tax levy to provide necessary services. The dollars that they feel are needed to run the city have been included in the proposed budget as this information was faxed to Long earlier in the day. The council had requested that the general fund levy be raised by \$11,000 and the law fund be raised by \$32,000 and the street maintenance fund be raised by \$1,000. Long told the council that he didn't raise the mill levy for street maintenance as expenses for that can be taken from the Special Highway fund if necessary. Long then reviewed the notice that would be published in the paper. He told the council that the final assessed valuation for Overbrook is \$4,952,103. This means that one mill is equivalent to \$4,952. The estimated tax rate would be 35.9, or almost 8 mills more than 2003. The increase in assessed valuation would raise revenue by approximately 5%, but this wouldn't be enough to do the necessary funding. Long also stated that he feels it is possible that the legislature will impose a tax lid again. He also reminded the council that the city did not raise the mill levy the first year that they could have done so. When asked if Long had suggestions about the proposed mill levy, he said he would consider raising the general fund one more mill as money can be transferred from this fund into any of the other funds. Ira Allen asked about raising the levy for the bond fund, but Long feels that the interest rate is low enough that paying down the debt early would not be that much of a plus. The mayor asked the clerk to reserve the Kansas State Bank basement for the night of the budget hearing to accommodate a larger crowd than normal. Long told the council that while he doesn't envy their position, he also is concerned about the city not having a reserve cash fund as a safety net. There was discussion about what the county and school tax rates might be in addition to the city levy. The tax levy for other towns in the county was discussed. The council agreed by consensus that they need to be more concerned about the needs of Overbrook rather than what the other towns are doing. Ira Allen made a motion, seconded by Jim Gates, to approve the proposed 2004 budget with a one-mill increase added to the General Fund. Motion carried 5-0.

ORDINANCE NO. 252: Bruce Smith made a motion, seconded by David Gerisch, to adopt Ordinance No. 252 which authorizes increases in the tax revenue as in the proposed 2004 budget.

NEIL, JR PROPERTY: Pat Neil, Jr told the council that he's still working on the improvements to his property on Walnut. He does the work as he is able financially. The council asked if he could do any backfilling soon. Neil said he could probably backfill the east side this coming week-end. The council agreed by consensus that this would be satisfactory at this time.

EXECUTIVE SESSION: Ira Allen moved to close the meeting for 10 minutes with Bob Sisson and Cheryl Brown attending to discuss matters not related to elected personnel. Rich Hamit seconded; meeting was recessed at 8:30 PM.

The mayor opened the meeting at 8:40 PM. No action was taken at this time. Bruce Smith moved to take a 5 minute break from 8:40 PM - 8:45 PM.

Ira Allen moved to recess for 10 minutes; Jim Gates seconded. Meeting was closed from 8:52 PM to 9:10 PM. No action was taken when the meeting was opened by the mayor.

LAW REPORT: Chief Ed Harmison reported that there had been an incident involving the anhydrous tanks owned by the co-op. Harmison recommends addressing the co-op about their future plans for the tanks.

Harmison also addressed the following issues:

1. Replacing the school speed limit signs on Hwy 56
2. Making the fire escape on south side of City Hall childproof
3. Hiring a couple of people to help with putting up the fair parade route signs
4. Will be using extra help for fair coverage
5. Standing water on 7th St in front of school
6. Replacing Judge Coursen
7. Talking to the County about their officers slowing down when going through Overbrook

Bob Call was asked to check into what can be done about the standing water problem by the school. Possible solutions were discussed about changing the draining, etc.

There was discussion about the requirements are for a municipal court judge. The possibility of using a substitute judge was discussed if necessary.

The council agreed by consensus to authorize Harmison to hire help with the fair signs at \$5.15/hr.

FISH FEED: Bob Call told the council that he had bought fish food from the co-op, but asked if he should order the feed that Leonard Jirek is requesting. The council suggested that we hold off for awhile.

Call presented two bids for installing 2 valves and bleeders at the wells for the purpose of preventing having to shut off the wells when there are problems at the wells. Jim Gates made a motion, seconded by Bruce Smith, to hire D.A.'s Backhoe to install the valves and bleeders for \$1863.80. Motion carried 5-0. This may be added to the water-line project if at all possible.

Call also said that people have asked why Goodyear was being used to help with emergencies and other projects. The council agreed by consensus that Call should use whoever he could find in emergencies, but routine jobs could be decided by availability and cost.

Ira Allen moved that Bob Call purchase a good back brace to prevent injury; David Gerisch seconded. Motion carried 5-0.

There was more discussion about what to do with the streets this year. The matter was tabled with no decision made at this time.

DSL SERVICE: The clerk said that she has learned that 2 DSL services would be necessary for City Hall and the Police Dept as they have 2 separate phone lines which would be an additional cost. Bruce Smith made a motion, seconded by Ira Allen, to pursue getting Sprint DSL for each of the two lines. Motion carried.

The clerk reported that the city has a charter ordinance to allow non-residents being appointed as City Treasurer.

The survey has hit a snag at Brookside due to new privacy laws. Mayor Young said he would talk to the administrator about this matter.

The clerk showed the council some information about an external drop box for City Hall to be considered in the future.

She also reported that she has reserved the bank basement for August 13th.

COUNCILMEMBER COMMENTS: Rich Hamit reported that he had talked to Rachael King Strohm about policy on closing the pool. She told him that if there aren't a certain number of swimmers there after being open an hour, the pool closes. Two lifeguards are required regardless of the number of swimmers. The council agreed by consensus to have her change this to ~~two~~ *keeping pool* hours to try to avoid the pool being closed when people come later in the afternoon.

open reg hours in case

SALARY REVIEW: Bruce Smith made a motion, seconded by Ira Allen, to recess the meeting for 15 minutes to discuss salaries for non-elected personnel. Motion carried. Meeting was recessed from 9:55 PM until 10:05 PM. Ira Allen made a motion, seconded by Jim Gates, to raise

the salaries of full-time employees by 1% retroactive to June 1, 2003. Motion carried. This will be reviewed after the 2004 budget is in place in January, 2004.

There being no further business before the council, Jim Gates moved to adjourn at 10:20 PM. Rich Hamit seconded; meeting adjourned.

Respectfully submitted,

Cheryl L Brown
City Clerk

APPROVED: 8-13-2003

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

AUGUST 13, 2003

MEMBERS PRESENT: Jim Gates, Ira Allen, Rich Hamit, David Gerisch, Bruce Smith,
Mayor Jack Young

OTHERS PRESENT: Charles Hamner, Michael Coffman, Patty Hylton, Billie Gerisch,
Eula Lee Fuller, Max Friesen, Ed Harmison, Everette Danner, Bob Call,
Marian Massoth, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 PM. Roll call established the presence of a quorum.

MINUTES/ WARRANTS: Bruce Smith made a motion, seconded by Ira Allen, to approve the minutes of the July 23, 2003 meeting with changes in the pool report wording. Motion carried 5-0.

Jim Gates moved to pay all warrants presented. Bruce Smith seconded; motion carried 5-0.

LEGAL CONCERNS: Michael Coffman, City Attorney, was present to discuss several matters related to current ordinances.

The first matter was in regard to city property that is not included in the current boundary ordinance. This is property adjacent to the Overbrook City Lake which was inadvertently excluded from the most recent boundary ordinance. This will require a new ordinance be prepared.

The second parcel of property of concern is the wastewater lagoons. This property is not within the city limits, but this does not present any major legal issues as it does belong to the city. Coffman does recommend that while the boundary ordinance is being updated, the governing body consider including the lagoon property. This can be done without annexing private property between the city limits and the wastewater facility itself.

The third section of land Coffman mentioned is the cemetery. This process is different because the property is not owned by the city. Coffman said that the Cemetery Board is going to be meeting in the near future and will be discussing this matter. He would advise following whatever the board decides, but does feel that annexing would reinforce the police jurisdiction. The cemetery would remain private property, but would become a part of the city. Coffman said that he would check into tax issues as there is a levy collected for cemetery maintenance.

The final property that Coffman mentioned was the property north of Brookside Manor and just west of the Overbrook Bible Church. Max Friesen said that Brookside has always maintained it, and it was never annexed due to lack of drainage into the city's sewer system. Coffman advised that the property remain as is until the situation changes.

Coffman brought up the subject of rural property east of Overbrook that had been the subject of a recent request for city water. Bruce Smith had reported at that time that the property was not included in Osage Rural Water District #5, or any other rural water district. Coffman, as attorney for RWD 5, has been told by John Butel, that RWD 5 is interested in annexing that property into their district. Since the property is within three miles of Overbrook, RWD 5 must consult the council to determine if the city has an interest in annexing this property. If it's annexed into RWD5, and the city does annex it at a later time, the city would have to purchase any equipment that they've installed. Coffman stated this would be an

advantage to the city if at some time in the future they could connect to RWD5 at an additional location. Bruce Smith and Jim Gates both stated that the results of the recent request for rural service indicated that there would be opposition to the city's developing to the east at this time. Gates then asked Max Friesen, as the property owner, what his opinion is. Friesen stated that he is planning to eventually bring the northwest corner of the old Van Patten place into the city to attach to the property east of the city lake. This would enable a road to be constructed for direct access to the southeast part of town from Hwy 56. He's planning on bringing this before the council later in the meeting. RWD5 having the water rights would not interfere with this plan, unless Friesen pursues annexation. Friesen indicated that he would most likely pursue annexation as the property is adjacent to the city. The council agreed by consensus to inform RWD5 that they have no present or near-future plans to develop to the east of Overbrook. Coffman said he would inform the water district.

Coffman then said that he would like more time to research the curfew ordinance regarding penalties and the responsibilities of the police department after violators are in custody. The matter was tabled until the September 24th meeting.

Bruce Smith asked Coffman for guidance on enforcing the current ordinance regarding violations on hook-ups to the wastewater system. Smith said that the inflow from improper drains is a big part of the city's wastewater problems. Coffman said he would research the existing ordinance and have some information at a later meeting.

STANDARD TRAFFIC ORDINANCE: Bruce Smith made a motion, seconded by Rich Hamit, to adopt Ordinance No 253 which adopts by reference the 2003 Edition of the Standard Traffic Ordinance prepared by the League of Municipalities. Motion carried 5-0.

UNIFORM PUBLIC OFFENSE CODE: Bruce Smith made a motion, seconded by David Gerisch, to adopt Ordinance No 254 which adopts by reference the 2003 Edition of the Uniform Public Offense Code prepared by the League of Municipalities. Motion carried 5-0.

ALCOHOLIC LIQUOR LICENSE RENEWAL: Jim Gates made a motion, seconded by David Gerisch, to approve the 2003-2004 city alcoholic liquor license for Conrad's Bar & Grill. Motion carried.

RECESS: Mayor Young recessed the meeting at 7:50 PM. The mayor opened the meeting at 7:55 PM.

2004 BUDGET HEARING: Mayor Young opened the 2004 Budget hearing at 8:00 PM. After opening the floor for discussion (there was no discussion) of the proposed budget, Jim Gates made a motion to approve the budget as prepared and published. David Gerisch seconded; all members voted to approve the motion at which time the hearing portion of the meeting was closed.

COMPREHENSIVE PLAN: Mayor Young stated that he has looked at the comprehensive plan of Lyndon, and doesn't feel that one can be prepared without using professionals. While the council and Planning Commission are needed for input, there's too much material to be evaluated and compiled. Bruce Smith suggested that this matter be considered at a work session. Mayor Young said that having a plan is important due to questions such as the matter of annexation by RWD5. Ira Allen mentioned that it might be a good idea to designate certain areas of town for commercial development. The issue was tabled until more councilmembers can review the material.

STREET RE-SEALING: The clerk asked the council to make a decision about what and how to maintain city streets this year. After discussion, Bob Call was asked to check into the cost to rent equipment to do special repairs such as filling some of the more serious cracks. Jim Gates said he would do some checking also. Bob Call said his thinking was that until all the bad spots are fixed, resealing only covers them and he would prefer saving the money this year and re-sealing more streets next year. The council agreed by consensus to pursue this action.

There was discussion about the area of 7th Street in front of the school. The mayor said that Todd Goodyear thinks that spreading Saturock over it will fix the problem. Call said he had been told the same thing by the representative from Carter Waters. Jim Gates made a motion, seconded by Bruce Smith, to hire Goodyear to do the job for under \$2,000 including the cost of the Saturock. Motion carried. Hopefully this can be done before school starts on August 21st.

WATER/SEWER REPORT: Marian Massoth said that the waterline project is done, except for the telemetry system between the tower and the rural water pumping station. She said that the contractor will be required to take care of any problems with the project for 2 years, and that she will be responsible for the inspections.

Massoth said that she had reviewed the preliminary report from Fort Scott Community College, but had some questions about parts of it. She did say that the results about the amount of sludge present seem to be reasonable, and de-sludging needs to be considered. The council agreed by consensus to include de-sludging the necessary areas in the wastewater improvement loan. This could cost approximately \$100,000 depending on where the material is deposited. The city has been approved for up to \$408,000 from the Revolving Fund, but may only have to actually borrow half if we can qualify for a grant. Applying the sludge to neighboring property would lower the cost even with the expense of the required testing, etc. The clerk said that Pat Flynn from Fort Scott is planning to attend the next meeting. The clerk also said that Brookside has given permission for surveying, and that Donna Crawford was very optimistic about the results because of this. She's hoping that we will hear from her soon about the results. Massoth said that things are in place for the required meeting with the grant committee in September.

MUNICIPAL COURT JUDGE: Mayor Young presented Stephen Jones to be appointed as Overbrook municipal court judge at a salary of \$300/month. Bruce Smith made a motion, seconded by Jim Gates, to appoint Stephen Jones as judge. Motion carried 5-0. Shayne Coursen will remain as court clerk until further notice.

CITY LOCKS: The mayor asked that the locks on City Hall, police department, and maintenance buildings be changed. Bob Call was asked to check to see if Overbrook Lumber could re-key the locks. There was discussion about which locks could be keyed the same to simplify things. The clerk was told to check other sources if the lumber yard can't do the job. Ira Allen asked that the charges for Larry Coursen's cell phone be assigned to him personally, and taken out of the city's name. David Gerisch said that this can be done by releasing liability from the city to Coursen. The mayor said he is still working on a cellphone policy for the city.

LAW REPORT: Chief Harmison reported that there were only 5 criminal cases in July. They attended an Intell meeting with other county agencies which was beneficial. There has been \$10,075 in fines collected so far this year. Harmison said that Ulric Baumgardner was very good help in putting up fair parade signs. He presented the council with some information about street measurements. Harmison said that Mark Tomlinson told him that Wildlife & Parks recommends letting the grass die, go to seed and then burn it later. He reported that a citizen found a blacksnake in their house. He also said that there are currently 18-20 houses for sale in

town. Ira Allen asked how much it costs to provide police coverage for the fair. Harmison said he didn't have exact figures for the past few years. He did say the only major problem was during the demolition derby.

MAINTENANCE REPORT: Bob Call said he has been making improvements at the wells, putting up new signs at the tree dump, and plans to fix some minor water leaks in the next week or so. He also straightened and replaced signs around the school. He will also be painting crosswalk lanes before school starts. The water service for Ron Zeckser's new property has been installed. He's also working on a drainage problem behind the library. The mayor told him to get Goodyear to clean it out if necessary. Call told the council that he'll be taking the Water Operator certification test on September 19th. Smith asked if Call has plans to take the Wastewater test soon. He has been informed by the state that since Bob Call is not certified, and that the previous maintenance supervisor was classified as an "Operator in Training", that the city will need to hire someone to sign off on any testing to meet legal requirements. We cannot have 2 people classified as "Operator in Training" in a row. The previous employee was certified for water, so that is not a problem.

The mayor reminded the council that the 3 month probation for Bob Call has been completed.

TREASURER'S REPORT: Max Friesen reported that the general fund balance seems to be fine, but the Water/Sewer fund balance is quite abit lower than this time last year. The clerk said that it's due to the waterline project expenses coming from that fund, but that the auditor recommends putting that activity into a separate fund since it's not regulated by budget authority. Friesen also suggested contacting some other towns about renting equipment to maintain the streets.

Max Friesen then read his letter of resignation as City Treasurer. He has served as either as council member or treasurer for 50 years. He also stated that his resigning doesn't mean that he won't still be appearing at council meetings as a concerned citizen as he wants to see the town grow and prosper. He also told the council that he's been working on improving cell phone service in Overbrook, and will continue to do so. Friesen said that he's enjoyed working with all the different councils, mayors, and city employees. Ira Allen stated that we have to grow to survive, and that's what this council is working to achieve.

Mayor Young thanked Friesen for all he's done for the city. Jim Gates made a motion, seconded by David Gerisch, to accept Max Friesen's resignation as of August 31, 2003. Motion carried 5-0. There was discussion about when to replace him. The mayor asked Friesen if he would object ot making his resignation effective tonight. Friesen said that was fine with him. Jim Gates then moved to change the date of Friesen's resignation to August 13, 2003. Bruce Smith seconded; motion carried. The mayor then recommended that Patty Hylton be named City Treasurer at a salary of \$15/hr for 5 hours/month. Jim Gates made a motion, seconded by Rich Hamit, to appoint Patty Hylton as City Treasurer. Motion carried. The clerk administered the oath of office to Hylton.

CLERK'S REPORT: The clerk asked that Ira Allen replace Bruce Smith as a check signer while Patty Hylton is being added. Bruce Smith made a motion, seconded by David Gerisch, to name Jack Young, Jim Gates, Ira Allen, Cheryl Brown and Patty Hylton as check signers. Motion carried.

The clerk reported that she has visited with Michael Coffman and Ed Harmison about changing court nights to the third Tuesday of the month to move it away from council meeting weeks. She will be talking to Stephen Jones and Shayne Coursen about the change.

The city hasn't received the judge's decision regarding Bob Sisson's claim for unemployment benefits.

She also has obtained the League's manual for Personnel Policies to be considered later.

The clerk said the DSL service hasn't been activated as she needs to get an ethernet card. Gerisch said he has one he would sell for \$15.

COUNCILMEMBER COMMENTS: Jim Gates said he would willing to attend the meeting with the grant committee along with the mayor and others.

He also mentioned that we need to check into getting some work done on the Trail's project.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting to discuss matters related to non-elected personnel for 5 minutes. Motion carried. The meeting was opened at 9:55. Bruce Smith made a motion, seconded by Jim Gates, to raise Bob Call's salary to \$11.65/hr effective August 16, 2003 as he has completed the 3-month probation as Maintenance Supervisor. Motion carried.

MAYOR'S REPORT: The mayor asked the council's opinion as to whom should be required to attend the second meeting of the month. Jim Gates said that the purpose of the second meeting was intended to be more of a working meeting. The council agreed by concensus that department heads are required to attend only the first meeting of the month, unless specifically asked to come to the second meeting by the mayor or council. Chief Harmison said that he would be at both meetings regardless. Mayor Young said that anyone can attend the meetings, but unless they were required to be present, they wouldn't be paid for the second meeting.

There being no further business before the council, Jim Gates moved to adjourn. Ira Allen seconded; motion carried and the meeting was adjourned at 10:05 PM.

Respectfully submitted,

Cheryl Brown
City Clerk

APPROVED: _____

8-27-2003

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

AUGUST 21, 2003

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

OTHERS PRESENT: Max Friesen, Cheryl Brown

Mayor Young called the special meeting to order at 5:30 PM. He then stated the special meeting had been called for the purpose of discussing easements allowing the city to supply water from wells located outside the city limits.

Max Friesen, current owner of this property, has been informed by the Osage County Land Use Coordinator that the language of the easements originally granted to the City of Overbrook are not clear on just how much of the property is covered by the easement. Friesen has asked that the easement be amended to clarify the matter.

Friesen presented just such an amendment that would designate the easement to restrict the City of Overbrook's right of use of such property to a strip of land not exceeding 36' in width, the center line thereof to be located along the center of the pipeline as laid in place. The amendment does not affect or change any other part of the original easement granted in 1953 or 1970.

After discussion, Rich Hamit made a motion to approve the agreement to amend the easements as stated. Jim Gates seconded the motion; motion carried 4-0.

Jim Gates made a motion, seconded by Rich Hamit, to adjourn at 5:38 PM. Motion carried; meeting was adjourned.

Respectfully submitted,

Cheryl L Brown, City Clerk

APPROVED: _____

8-27-2003

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

AUGUST 27, 2003

MEMBERS PRESENT: Ira Allen, Bruce Smith, Jim Gates, Rich Hamit, David Gerisch (7:10)
Mayor Jack Young.

OTHERS PRESENT: Marian Massoth, Ed Harmison, Everette Dannar, Mark Tomlinson,
Cheryl Brown.

The meeting was called to order by Mayor Young. Roll was called by the clerk; a quorum was present.

MINUTES: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the August 13, 2003 meeting as written. Motion carried 4-0. Bruce Smith made a motion, seconded by Jim Gates, to approve the minutes of the August 21, 2003 special meeting as written. Motion carried 4-0.

WARRANTS: There were no warrants to consider, but Cheryl Brown asked the council about making a donation to Officer Ted Miller's wife's memorial fund. Council agreed by consensus to donate \$25.00.

COMPREHENSIVE PLAN: The council is still reviewing the comprehensive plan from the city of Lyndon. There will be a session regarding planning and zoning during the League of Municipalities convention in October. The mayor asked that the council consider attending as many sessions of the convention as possible. The cost of attending all the sessions and events is \$175 per person.

EASEMENT AGREEMENT: Ira Allen asked exactly what is the purpose of the easement agreement with Max Friesen. The easement agreement approved by the council specifies that the existing easement pertains only to existing waterlines, and not to all of Friesen's property. Friesen had asked that this be done to satisfy county zoning regulations. While this has always been the city's understanding of the easement, it was made official for legal purposes.

OSHA MATERIALS: The clerk explained that the notice from Aspen Publishing had to do with training materials that Jennifer Hardesty had received. According to her, the material was not ordered by her, and as it wasn't ordered by the clerk, the material was returned per their instructions. Hardesty has received a notice from the company threatening to turn the matter over to a collection agency. Brown then stated that she has returned all the material, and the matter should be settled. She will call Aspen Publishing if another notice is received.

SISSON'S CLAIM: Ira Allen suggested having the City Attorney write a letter to the judge who issued the opinion that Bob Sisson is entitled to unemployment benefits stating that the council dismissed Sisson because of his doctor's recommendation, and that Sisson was unable to operate city equipment. They understand that this will not affect the judge's opinion, but would like this to be on record.

CLINIC: Mayor Young read the letter of thanks from the Save the Clinic committee. Smith asked if there's been any activity regarding this matter. Jim Gates said that the committee is supposed to be meeting soon, and some interest has been indicated from another group.

MISC: The mayor reported that the locks have been re-keyed on all doors in the city building, and new padlocks have been put on the maintenance shed and pump house. He wanted to establish who should have keys. After discussion, the council agreed by consensus that Mark Tomlinson and the police department have keys to the maintenance shed and the following people have keys to City Hall: Mayor Young, Rich Hamit, Bob Call, Chief Harmison, Officer Danner, Judge Jones, Clerk Coursen, Patty Hylton, and Clerk Brown.

Mark Tomlinson requested that he be told when he is to stop mowing at the city lake rather than his having to find out by asking. The mayor said that this can be arranged in the future. Marian Massoth said that trees shouldn't be allowed to grow on the dam, and the mayor said he would have Bob Call take care of this. Jim Gates commented that if the city lake falls under city maintenance, then it should be up to Bob Call to either do the upkeep or ask for help.

GRANT SURVEY RESULTS: The clerk reported that Donna Crawford, Governmental Assistance Services, has told her that after counting the survey results several times, that with a 84.77% return rate the result is a 53.06% Low-To-Moderate income ratio. A 80%-return is necessary, and the LMI ration has to be at least 51%. At this point, the city should meet requirements to apply for Community Development Block Grants. The next step is to hire someone to prepare the grant application, and then someone to administer the grant when awarded. Bruce Smith made a motion, seconded by Jim Gates, to hire Governmental Assistance Services to prepare the grant application at a cost of \$5450.00. Motion carried 5-0. The possibility of including this fee in the grant was discussed. Crawford will re-submit the application until it has been awarded at no additional cost.

WATER/SEWER REPORT: Marian Massoth said that a request has been made for the required meeting with Department of Commerce officials, and that some city personnel will be expected to attend. Everything that's done counts as points towards the city's getting the grant. We are applying for this grant to pay for half of the wastewater improvements being required by the state. The clerk reminded the council that the survey results are valid for three years in applying for future grants. The mayor, Jim Gates, and Ira Allen agreed to attend the meeting with Massoth and Donna Crawford.

The mayor asked Massoth if KDHE has ideas on how to enforce legal hook-ups to the sewer system. She said there are state regulations, but she's not sure about the enforcement part of them. Allen asked if we have a specific plan for the sewer improvements. Massoth said that everything is included in the Wastewater Facility Plan. This plan has been prepared with phases of work to be done. Allen then asked if what's being proposed will handle future growth. Massoth said that the improvements are to comply with state regulations for the current population needs. There was discussion about the costs involved with adding new cells to the existing lagoons, or building new lagoons in another location. Mayor Young said that no money has been spent on the sewer system for some time. Smith said that the last major improvements were made in 1988. The mayor then said that it was suggested in a previous meeting that a moratorium be put on future building due to the sewer capabilities. Smith said he didn't feel that there was that many building sites in the city to make much difference, but that this should be considered when annexing more land. The mayor asked Massoth her opinion of what would justify changing from lagoons to a treatment plant. Massoth said that probably wouldn't be necessary until the population is around 2,000.

SPRINT FRANCHISE: Bruce Smith made a motion, seconded by Jim Gates, to approve the new agreement with Sprint which updates the definition of gross receipts that applies the

current franchise fee percentage rate to all services now included which will increase the city's franchise fee remittance starting in January, 2004. Motion carried 5-0.

AUDIT CONTRACT: Bruce Smith moved to accept the agreement with Bogner & Long to do the 2003 audit for a price of \$4,050. Jim Gates seconded; motion carried 5-0. This is the same fee they charged for the 2002 audit.

CITY OFFICER REPORTS: The council agreed by consensus that the city officers should not be required to give reports at the second monthly meeting unless requested to do so, or if they have something that can't wait until the next regular meeting.

COUNCILMEMBER COMMENTS: Jim Gates stated that he is very excited about qualifying for grants. Ira Allen recommends that we consider applying for another grant as soon as possible to be used for purchasing land for the purpose of building another lagoon cell. Applying for a grant to pay for the Comprehensive Plan was discussed.

Bruce Smith said that Pomona is selling a couple of pieces of equipment that the city might want to consider as they are used for street maintenance. Jim Gates said he would check into why they are selling it. Ira Allen mentioned the possibility of other used equipment. Gates then said that it wouldn't be feasible to buy equipment unless you have qualified people to use it.

Rich Hamit reported that the pool will be closing on Saturday, August 30th. The clerk said that she should have final figures on revenue, expenses and water usage at the next meeting. The mayor also asked Hamit to see if Rachael can come to the next meeting.

Ira Allen asked what the difference is between the KDHE and the KRWA. He was told that the Kansas Dept of Health & Environment is the state agency that determines the regulations we have to meet, and that Kansas Rural Water Association is an association of rural water districts and cities who have chosen to belong to that group. KRWA assists their members with different procedures.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting from 8:35 pm to 8:40 pm to discuss matters not related to elected personnel. Motion carried; meeting was recessed. Mayor Young opened the meeting at 8:40 pm. No action was taken at this time.

There being no further business before the council, Jim Gates moved to adjourn. Ira Allen seconded; meeting was adjourned at 8:45 pm.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

9-10-2003



approved 9-24-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 10, 2003

MEMBERS PRESENT: Bruce Smith, Rich Hamit, Jim Gates, Ira Allen, David Gerisch (7:15 pm), Mayor Jack Young.

OTHERS PRESENT: Marian Massoth, Charles Hamner, Bob Call, Ed Harmison, Everette Dannar, Mark Tomlinson, Patty Hylton, Cheryl Brown

The meeting was called to order by Mayor Young; there was a quorum present.

MINUTES/ WARRANTS: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the August 27th meeting with a change referring to the equipment for sale at Pomona. Motion carried 4-0.

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

COMPREHENSIVE PLAN: There was discussion about the upcoming League of Municipalities convention with sessions related to zoning and comprehensive plans.

EXECUTIVE SESSION: Ira Allen made a motion, seconded by Bruce Smith, to recess the meeting for 10 minutes with Ed Harmison present to discuss personnel policy matters. Motion carried. Meeting recessed from 7:15 to 7:25 pm. The mayor opened the meeting at 7:25 pm. Ira Allen recommended that the city consider requiring all employees who have access to firearms, city-owned vehicles and equipment, and the water/sewer systems have a federal-state-local criminal background check as allowed by law, and also have an annual random drug-screening. The mayor said that the Federal law grants require the city staff to be drug-free. The clerk was asked to check with the city attorney and the League about existing policies related to these matters. The mayor also asked that room be made available for personnel files where they can be locked. The clerk was asked to make copies of the existing personnel policy for each member.

LAW REPORT: Chief Ed Harmison reviewed his written report for the mayor and council. Harmison told the council that the October court docket will be very full. Harmison said that the total police hours for fair coverage were down this year, but he will be scheduling more officers next year due to some critical events this year. Harmison said he will be attending an EMT class at the end of the month in Wichita. Judge Jones has increased the court cost to \$30 which is an increase of \$20.50. Chief Harmison said that he has received grant application forms and they are different this year.

Harmison requested permission for Dannar and himself to attend classes in Wichita the first of October. For 24 credit hours per officer, the cost is \$20 per officer, plus motel expenses as it's a three-day course. Ira Allen made a motion, seconded by Jim Gates, to approve Harmison and Dannar to attend the school October 1, 2, and 3rd. Motion carried.

Harmison reported that the court software used by Shayne Coursen needs to be updated for approximately \$250. Coursen thinks that his laptop will probably need to be replaced sometime next year. Ira Allen says that if the court program uses Windows 98 to operate, they

may need to look for something else as Microsoft is no longer supporting Windows 98. The council asked Harmison to have Coursen check into all these possibilities before doing any upgrading to the current software.

There was discussion about changing plans for the Cingular Wireless phones used by the police department and maintenance. Dannar said that the new plan would provide for new phones, more minutes, and a better coverage area. After comparing the plans, Jim Gates made a motion, seconded by Ira Allen, to approve changing the plan if there's no penalty for cancelling the extra phone that had been used by maintenance. Motion carried 5-0.

MAINTENANCE REPORT: Bob Call reported that he's fixed four water leaks, with G & G's help. They've also installed a new service in Meadowbrook II. Call also said that he's drained the pool and has done some cleaning. Bruce Smith asked about the condition of the pool. Call said that the pool bottom and the sides appear to need some repair and painting. He recommended trying to get it done this fall so it would be ready next spring. Call also said that the underwater lights need some repairs or replacement.

Call said that he will be taking the Water Operator test on September 19th.

Jim Gates asked about the street problems by the grade school. Call said that Goodyear had done some more work, and hopefully the drainage problem is fixed, but he won't know until it rains again.

Call told the council that he needs to have McKee winterize the pool again this year as he's never done it himself, or even been there when it was being done. The council said if Call has McKee winterize the pool, he should also get estimates from them for repairing cracks, and other needed repairs. Call was also told to get estimates from any other pool technicians he could find. There was discussion about the pool still leaking, and possible causes.

Mayor Young brought up the possibility of fencing an area around the maintenance building to enclose all the city equipment, and adding another small storage shed for fish food, etc. The mayor said he was thinking of a 6' chain-link fence, but more measuring needs to be done before we get estimates.

TREASURER'S REPORT: Patty Hylton told the council that she has given them two bank reconciliation reports, and that the second one shows balances after all the WaterLine Project revenues and expenses have been pulled from the Water/Sewer fund. This gives the Water/Sewer fund a positive balance as of August 31, 2003. Hylton also reviewed the other accounting reports. She told the council that she would work on different reports for their benefit as necessary. The mayor said that he would like for her to start working on budgets for 2005 and 2006.

The possibility of putting a set amount of money into a separate account at the bank for the purpose of payment of the Waterline project loan was discussed. Hylton was asked to check into what type of account would be the most beneficial.

Hylton told the council that she recommends buying tech support for the Peachtree Accounting program for \$300 which would give us unlimited support for one year. The library might be willing to share the cost as they use the same program. The council agreed by consensus to buy the support.

Hylton also said that we need to do some checking into Microsoft not supporting Windows 98 anymore, as that's the operating system for the Utility Billing computer. She's contacted Ramy Morris about costs for necessary changes and also networking the two computers. Jim Gates said that upgrading to Windows XP will probably be expensive. Gates said that he has the XP program that he's not using, but isn't sure if it's the professional edition or the one for home use. The council thanked Hylton for the extra reports.

WATER/SEWER REPORT: Marian Massoth, King Engineering, reported that she had discussed the results of the lagoon testing done by Fort Scott Community College with Pat Flynn, the Director of Environmental Technology at the college. She noticed some discrepancies in the wording of the report, so Flynn will review the report at the September 24th council meeting. They may do some more testing to include in the final report.

Massoth said that she has been working with KDHE and Donna Crawford regarding the grant application. A meeting has been scheduled with the Dept of Commerce for October 14th, which gives us favorable points. KDHE has indicated that they will cooperate in any way possible to help us obtain the grant. Crawford did say that there are lots of applications for grants this year due to state-wide budget problems.

She reported that the waterline project is almost done, but the telemetry system is not in service as yet, and there are still some checkvalves to be installed at the wells.

CLERK'S REPORT: Cheryl Brown reported that the city attorney, Michael Coffman has stated that the city's position regarding Bob Sisson's eligibility for unemployment benefits has been entered on the record without sending any additional statements. Coffman is of the opinion that the matter is closed since the city didn't want to appeal the judge's decision to allow Sisson to receive unemployment benefits.

Brown reminded the council that the public hearing regarding the grant application is set for September 22nd at 7 PM. Donna Crawford and Marian Massoth will both be present to answer questions from the public. A quorum will not be required, but all are encouraged to attend.

The clerk said that as far as she can tell from previous minutes that Max Friesen served on the council from 1957-1963. He was appointed City Treasurer immediately after leaving the council, where he served until August 13, 2003. There was discussion about the best way to recognize the many years of service to the community.

Brown asked the council to consider hiring someone to clean the front office, the old courtroom area and the bathroom. She did not include the police department at this time as she isn't sure who Chief Harmison would permit to have access to his offices. Brown has been doing the cleaning since Bob Call assumed Maintenance Supervisor duties in May, but doesn't have time either during regular office hours, or when the office is closed. She told the council that Diana Hylton is interested in the job. After discussing Hylton's references, Rich Hamit made a motion, seconded by David Gerisch, to hire Diana Hylton to clean the above-mentioned areas for \$70/month, with hours worked to vary with the jobs to be done. Motion carried 5-0.

COUNCILMEMBER COMMENTS: Bruce Smith said he is concerned about the funding for the rest of the year after seeing the estimated revenues and expenses presented by the treasurer on one of the reports. He mentioned that was the main reason that he had recommended employees using compensation hours off rather than be paid overtime. Bob Call stated that he is taking comp time rather than being paid for overtime hours. There was more discussion regarding the matter, but no action was taken.

Discussion was held about limiting the business during the second meeting of the month. Several members stated that they would like to use the second meeting as more of a working session, and to set the agenda as such. However, the council did encourage the clerk to present less time-consuming matters as necessary.

Rich Hamit told the clerk to have the ceiling lights over the council table fixed as they constantly flicker. She said she would call Martin Service this week.

There being no further business before the council, Jim Gates moved to close the meeting. David Gerisch seconded; motion carried 5-0. Meeting adjourned at 9:20 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: 9-24-2003

X applied 10-8-03

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 24, 2003

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

OTHERS PRESENT: Gil Crouse, Keith & Martha Badger, Pat Flynn, Art Houser, Rachael Strohm, Marian Massoth, Mike Fawl, Frank Rhodes, Max Friesen, Mark Tomlinson, Ed Harmison, Everette Dannar, Cheryl Brown.

Mayor Young called the meeting to order at 7 PM. Roll call determined that a quorum was present.

MINUTES/ WARRANTS: Rich Hamit made a motion, seconded by Ira Allen, to approve the minutes of the September 10, 2003 meeting as written. Motion carried 4-0. Ira Allen moved to approve the record of the September 22, 2003 Grant Application hearing as written. Jim Gates seconded; motion carried 4-0. Bruce Smith made a motion, seconded by Jim Gates, to pay all warrants presented. Motion carried 4-0.

CEREAL MALT BEVERAGE LICENSE: Gil Crouse came before the council representing St. Patrick's and Lapeer Catholic churches who will be sponsoring a Harvest Fest at the Overbrook fairgrounds this coming weekend. The group is wanting to have a beer garden, and needs a license to sell beer. After discussion about the exact location of the beer sales, hours of the event, and security measures, Jim Gates made a motion, seconded by Bruce Smith, to approve the license request, contingent to it's being legal with state laws. Motion carried 3-1, with Hamit voting against. Bruce Smith made a motion to waive the city fee and charge only the state fee of \$25. Motion died for lack of a second. Bruce Smith then moved to charge \$50 for the license. Ira Allen seconded; motion carried 4-0. Chief Harmison is to check with the state agency regarding regulations on Sunday sales.

POOL REPORT: Rachael King Strohm was present to give her opinion of the past pool season. She wanted to thank Rich Hamit for his support. Strohm said she thinks the passes will be even better next year. She also said some of the programs need more advertisement. She would like to have a key to vending machines available if we choose to rent them again. The machines were profitable, but Strohm feels that some of the problems could have been handled by staff. She also said that a policy should be in place regarding being open from the very beginning of the season, and stick with it. The council agreed by consensus that the pool should remain open during the set hours regardless of the number of swimmers. Strohm said she is interested in managing next year, but did not want to make a definite committment at this time. She told the council that there is still a leak, but has no idea where it is, and that there are some areas which may need painting, etc. The council thanked her for doing a good job.

LAGOON/SEWER REPORT: Pat Flynn and Art Houser of Fort Scott Community College were present to discuss their report. Flynn told the council that some federal funding has allowed him and a few others to consult with communities regarding their wastewater systems and problems. They only make recommendations, not regulations. They are recommending the city establish a long-range plan for the facility which has been partly done through the process of applying for a state revolving fund loan. They also suggest separating the fund reporting

between water and sewer to give a clear picture of revenues and expenses for the sewer system. Flynn feels this would make it easier for governing bodies to review rates. He stated that it's very common for cities to put off raising rates on a regular basis, but then when major problems occur they have no choice to make large rate increases. Flynn also said that the government is also beginning to require more funds to be set aside for equipment replacement as fewer federal dollars become available. He reviewed his written report and also said that they are available as back-up since Bob Call has not been certified as a WasteWater Operator. Ira Allen made a motion, Jim Gates seconded, to accept the agreement to use them to assist with wastewater management and training for Bob Call. Motion carried 4-0.

Ira Allen asked if councilmembers could also observe when they are here. Flynn said that they would encourage them to be present when possible. Marian Massoth asked if the sludge levels in Cell #3 have been confirmed. Flynn said that they will be doing that in the near future. There was more discussion about improvements that Flynn and Houser feel need to be done as soon as possible. Art Houser will be the one to come on a regular basis. The council thanked Flynn and Houser for the report.

MISC: Officer Dannar reported that an official from Alcoholic Beverage Control told him that Sunday sales of 3.2 beer is allowed, but only for consumption on the premises, and that the license must state the precise location where the beer is to be sold.

WATER/SEWER REPORT: Marian Massoth reported that the draft for the Revolving Fund Loan should be ready by the next council meeting. All documents should be signed before the Grant meeting on October 14th. Donna Crawford has told us that as many people as possible should plan to attend.

Massoth told the council that she has the results from the wastewater sampling taken on West First Street. The upstream sample was almost the same as the first test, but the downstream sample was over 5800. According to previously gathered material, this would be about 5 times the rate from a typical slaughterhouse. This same reference material indicated that a slaughterhouse could equal the use of about 200 residents. Massoth said she didn't know exactly how a typical slaughterhouse is determined, but feels that the test results indicate more testing may be necessary. Bruce Smith asked what each test costs. The clerk said that Environmental Labs charges \$15 per sample. Smith suggested testing periodically to monitor the situation. Mayor Young said that he would talk to the owner tomorrow about the situation. Massoth said the test results do not indicate anything negative about the processing procedure, but that something may need to be done after the processing.

GRANT ADMINISTRATOR: The clerk reported that only two applications had been received for administering the grant should we get it. After discussion of the qualifications, Jim Gates made a motion, seconded by Ira Allen, to hire Donna Crawford of Governmental Assistant Services as Grant Administrator. Motion carried 4-0. There will be a contract to sign after Crawford's been notified.

GRANT RESOLUTIONS: Bruce Smith made a motion, seconded by Jim Gates, to adopt Resolution No 57 to certify the legal authority to apply for the block grant. Motion carried 4-0.

Bruce Smith made a motion, seconded by Ira Allen, to adopt Resolution No 58 which is a commitment to seek funding through the Ks Dept of Commerce in the amount of \$300,000 and the city to leverage an additional \$300,000 through KDHE revolving loan fund. Motion carried 4-0.

Bruce Smith made a motion, seconded by Rich Hamit, to adopt Resolution No 59 which assures the Ks Dept of Commerce that funds will be continually provided for the operation and

maintenance of improvements to the sewer system that are financed with grant funds. Motion carried 4-0.

Bruce Smith made a motion, seconded by Ira Allen, to authorize the signing of the Statement of Assurances and Certifications as required. Motion carried 4-0. Bruce Smith made a motion, seconded by Rich Hamit, to name Mayor Jack Young as official signer for all documents pertaining to the grant and revolving fund loan. Motion carried 4-0.

BILLING ADJUSTMENT: Mark Tomlinson came before the council representing his mother-in-law, Ilo Downs owner of Overbrook Floral. At the present time, all water used by the Wakarusa Watershed office is running through the flower shop meter even though there is a separate meter in the watershed office. This means that the flower shop could be billed for water leaks on the watershed side unless the leak can be pinpointed before it goes to the watershed side. After discussion, the council agreed to adjust the current billing for the flower shop, and to pursue installing a separate water service to the building that houses the watershed office. Smith said that he would talk to Bob Call and also Todd Goodyear about the recent repairs to try to determine where the leak occurred and make the necessary billing adjustment.

PROPERTY DEVELOPMENT: Mike Fawl and Frank Rhodes came to discuss property east of the fairgrounds, approximately 5 1/2 acres. Fawl said that they are still needing to know how the sewer service would be handled. The property is within the city limits, but is currently zoned for single-family residential. Fawl asked how this could be changed. The clerk told him that the property owner would have to request the zoning be changed which would require a hearing before the Planning Commission, and final approval by the council. There was discussion about providing sewer service to this area if developed as multi-family apartments and/or business. Fawl said that they would install the system as developers, but need to know if the existing sewer system can accommodate the additional services. The mayor told them that it's his intention to have a comprehensive plan in place by July of next year. Fawl said that paying taxes on idle property is one of his concerns. The mayor and council agreed that they cannot give him a definite date at this time as we don't know how much the current system will be improved by the current project. There was discussion about building a new lagoon on the north side of the town. The state has been opposed to this in the past, but Smith said he would check with KDHE again. Max Friesen showed the council a map showing possible locations for an additional lagoon. He also told the council that he might be interested in developing his property just east of the city lake in the future. Ira Allen mentioned the possibility of selling municipal bonds as a means of financing all of this expansion. Mayor Young said that while the city needs a long-range plan, the most critical concern is getting the existing system into compliance. Fawl told the council that his first project will be commercial rather than apartments, so there wouldn't be a large number of additional users added right away.

COUNCILMEMBER COMMENTS: Rich Hamit asked about the city channel. Brown told him that the computer at the cable building has been hit by lightning again, and she's waiting for repairs. Ira Allen said he has someone coming to discuss computer issues; Hamit said to send him to City Hall if the city channel computer still hasn't been repaired. Ira Allen also mentioned the police department has obtained funding for their expenses for their training in Wichita the first of October. Hamit asked how the new cell phones are working. Harmison said that the reception is still lacking in some areas, but feels that they are better.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting for five minutes to discuss matters not related to elected personnel. Motion carried; meeting was recessed from 8:50 pm to 8:55 pm.

The meeting was opened by Mayor Young.

MISCELLANEOUS: Cheryl Brown reported that Bob Call is now a certified Water Systems Operator as he passed his test.

There was discussion about the procedure for applying for No-Fund Warrants. The clerk was told to check with the auditor and city attorney about this matter.

There being no more business before the council, Jim Gates made a motion, seconded by Bruce Smith, to adjourn. Motion carried; meeting adjourned at 9:10 PM.

Respectfully,

Cheryl L. Brown
City Clerk

APPROVED: 10-8-2003

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

OCTOBER 8, 2003

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

OTHERS PRESENT: Charles Hamner, Donna Crawford, Michael Coffman, Marian Massoth, Patty Hylton, Ed Harmison, Everette Dannar, Bob Call, Mark Tomlinson, Cheryl Brown

The meeting was called to order by Mayor Young at 7:00 PM. Roll call was taken by the clerk to establish the presence of a quorum.

MINUTES / WARRANTS: Jim Gates made a motion, seconded by Ira Allen, to approve the minutes of the September 24th meeting as written. Motion carried 5-0.

Jim Gates asked if the cost of the check valves installed at the wells will be added to the waterline loan. Marian Massoth told the council that KDHE will not approve the additional expense for the check valves or the new chlorinators, only the cost of the telemetry system. Jim Gates made a motion, seconded by Bruce Smith, to pay all warrants presented. Motion carried 5-0.

REVOLVING FUND LOAN: Donna Crawford, Governmental Assistance Services, was present to report on the necessary requirements to complete the application for a CDBG (Community Development Block Grant). The first item is an ordinance authorizing the City of Overbrook to enter into a loan agreement with Kansas Dept of Health and Environment. This needs to be done before we submit our application for the grant as it will give the city points towards being awarded the grant. Bruce Smith made a motion, seconded by Jim Gates, to adopt Ordinance No 258 to authorize the revolving fund loan from KDHE in the amount of \$300,000 for the purpose of bringing the city's sewer system into compliance with state regulations. Motion carried 5-0.

Marian Massoth expressed gratitude to Donna Crawford for her efforts in getting all the necessary documents signed and delivered in order to help the city get the grant application processed. Crawford said she has enjoyed working with all involved, and pointed out how much has been accomplished in a short time.

Massoth reported that the company installing the telemetry system between the water tower and rural water pumping station wants the phone lines checked again. They keep saying that there's nothing wrong with their product. The council expressed some concern about the service from this company after the system is completely installed.

Massoth presented a change order to extend the contract date for the waterline project due to the telemetry problems. The council asked Massoth to relay their concerns about the maintenance when she next meets with them. Bob Call said he would contact Sprint and try to set up a time to recheck the phone lines. Massoth said that the Pedrotti tech should be there, too.

LEGAL MATTERS: Michael Coffman told the council that he is still waiting on some results from another ordinance before recommending one to deal with curfews.

Coffman said that he hasn't heard from the Cemetery Board regarding annexing the cemetery property before we update the boundary ordinance.

Coffman then reported on the matter of inspecting drains to find those that are illegally hooked into the wastewater system. He told the council how this matter has been handled in

other towns, especially Independence, Ks. Coffman told the council that two things are definite--first, public education about why compliance is necessary and how the city plans to accomplish this and secondly, that this will take time and quite a lot of manpower.

There was discussion about the city's existing ordinance and how it hasn't been enforced adequately. Coffman said that "grandfathering" was not an option since the state regulations have to be enforced.

Coffman said the first thing to be addressed is educating the public about how the city will go about the inspecting. He recommends two ordinances. The first one would address the regulating of public and private sewers and drains, the connection of such sewers and drains, and provide penalties for violations. Coffman gave the council a model ordinance provided by KDHE for their consideration. He said that having public meetings would be a good idea. The council discussed doing a direct mailing and highlight the topic of the meetings to encourage good attendance. Coffman recommended that the letter state what has been done, and what must be done to be in compliance with state regulations. Before these meetings are scheduled, the council must come up with the details of inspections, fees, etc. The council also needs to decide who will be responsible for the inspecting, and what their qualifications need to be. The bookwork required to keep track of all the information was also discussed. Coffman emphasized the importance of educating the residents before any action is started to avoid confusion, and also having a standard for who's qualified to do the inspecting.

Coffman recommends that the city adopt an updated personnel policy manual that would address background checks and drug-screening in addition to all other matters presently covered. He advised that any testing policy be non-discriminatory. Ira Allen said that he was thinking of anyone who operates city equipment, firearms, etc. Coffman said that a program that randomly selects when the testing is to be done and to whom should be satisfactory, and that a particular employee can only be designated when drug use is suspected. Everette Dannar said that employees where he was previously employed were randomly tested, and also if they were involved in an accident. The council agreed to check with the League for sample personnel policies and ordinances. Mayor Young asked what happens to current employees if there are changes in the policy. Coffman said that while the process for hiring employees would not affect current employees, other changes would apply to all employees since this is "An Employment At Will" state, and that policies can be changed as the council acts. The matter was tabled until more information is available.

MISC: Mayor Young stated that he has been informed by several young ladies in our community that may not sign up to play ball again due to a coach's behavior. They've complained about being belittled, sworn at, practiced very little and they're discouraged because of this. While the council has no direct authority over coaching behavior, they did agree that they should address the ball association concerning this. Jim Gates said that some people have been "requested" by the league not to coach or umpire. Contacting the Flint Hills league was discussed.

FLOWER SHOP BILLING: Bruce Smith reported that while the set up for the water meters at the flower shop and the watershed needs to be addressed, the watershed meter shows usage of 4300 gallons during the past 20 months. After discussing the matter, Bruce Smith made a motion to write off \$330 of the current water/sewer bill for flower shop and pay the G & G bill for repairs, and install a separate meter for the watershed office. The flower shop would still be responsible for the trash charges for these months. Jim Gates seconded the motion; motion carried 5-0. Mark Tomlinson said he would inform the flower shop of the council's decision.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. He reported that repairs to the 2001 Ford were covered by warranty. Harmison said they spent the

remainder of the 2003 law grant on a telescopic lens and a night-vision device for Danner's patrolcar. The expense for their recent training was paid for by the county attorney's office at a savings of almost \$400 to the city. Harmison has applied for the 2004 Law grant in the amount of \$6,399 with the city paying for 10% if awarded. He will probably hear the results sometime next month. Harmison said that as of the end of August, the police department has spent \$6,806 less than in 2002.

MAINTENANCE REPORT: Bob Call reported that the fire hydrant by the Wright building is leaking and needs to be replaced. He said there's one on Cedar that also leaks. He estimates the cost of a new one is approximately \$1000. Bruce Smith said that his water district may have a spare one that the city could use, and then replace it after the first of the year. Call was told to pursue getting them replaced.

He told the council that the water valve at 7th & Oak is still leaking, so he may have to dig it up and replace it. The council told him to work with Goodyear and try to pick a time when school is not in session.

Call said that the new service for Erickson's has been installed, the bathrooms at the ballpark have been winterized, well #2 has been pulled but he hasn't heard from Patchen's on the problem yet, he's still waiting on McKee's to come winterize the pool, and he will be taking his Wastewater Operator's test on December 18th. Call asked what the council wanted him to do about sealing cracks in streets. He has talked to someone about renting a machine for \$97/day, but isn't sure how well it will work. Rich Hamit said he's seen machines that use an epoxy rather than tar. Call was told to do some more checking. There was discussion about the definition of what size the crack would have to be to be sealed. Call is to check with the county about the matter. Bruce Smith asked Call if he would dig a hole for PRIDE by the pool when they decide on the exact location for the "Welcome to Overbrook" stone.

TREASURER'S REPORT: Patty Hylton reviewed the report she prepared about estimated expenses and revenues for the remainder of the year. The report shows each of the funds, with the Law fund and the Bond fund having estimated negative balances. There may be enough in the General fund to transfer into these funds to avoid having year-end negative's. Hylton reminded the council that these figures are based on 2002 revenues and expenses, but there should be enough in the General fund to transfer to avoid having negative balances at the end of the year, providing there are no major unexpected expenses in the next 3 months. Cheryl Brown reported that the pool would actually have a positive balance of \$153 this year, compared to a negative \$7000 balance in 2002. She did say that all the utilities were taken from the general fund this year which helped. The council was encouraged by the report, but realized that spending still needs to be kept to a minimum. Hylton also reported that we are set up to report project expenses electronically in the future which should cut down the time between issuing warrants and being reimbursed.

CLERK'S REPORT: Cheryl Brown reminded the council of the League's session on Planning and Zoning this coming Saturday. She also said that the meeting regarding the grant is on Tuesday, October 14th at 4 PM.

Brown said that she hasn't heard anything about the computer for the city cable channel as yet. Ira Allen said he would talk to Derrick Weigel tomorrow.

COUNCILMEMBER COMMENTS: David Gerisch said he would like to attend the League session about personnel policies but would have to check his work schedule before picking a date. He also said that he has talked to his neighbor, Mike Blood, who works for Kelly Compliance, about prices for the drug testing. He will have more information later.

Ira Allen suggested that the members attending the seminar this weekend carpool.

Bruce Smith asked if the council would authorize sending a letter to Rod Geisler regarding the addition of another lagoon. The council agreed by consensus to write the letter.

MAYOR'S REPORT: Mayor Young said that he had attended the Harvest Fest, and thought it was successful. Everette Dannar said that the location for the sale of beer had been changed from what was mentioned at the council meeting. The clerk said that the license stated the location given when they actually paid for the license.

MISC: Bob Call asked about the city's policy of installing culverts, including the gravel. Smith said that this has been done for a long time, but doesn't think there's anything in writing to support it. The council agreed by consensus for Bob Call to tell people that they need to come to the council before he can install the culvert, and that they will need to be responsible for the gravel from now on.

Mark Tomlinson asked if some Saturock could be put around the dog pen as he's had trouble with some dogs being able to dig out of the pen. Call said he would look into how much asphalt he has.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 5-0. Mayor Young adjourned the meeting at 9:08 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:

10-22-2003

IA = JG 4-0

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

OCTOBER 22, 2003

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

OTHERS PRESENT: Charles Hamner, Dan Brown, Don Meerian, Cliff O'Bryhim, Glyn Day, Everette Dannar, Cheryl Brown.

There being a quorum present, Mayor Young called the meeting to order at 7:00 PM.

MINUTES: Jim Gates moved to approve the minutes of the October 8, 2003 meeting with changes. Bruce Smith seconded; motion carried 5-0.

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

OVERBROOK BALL ASSOCIATION: Dan Brown introduced himself as the new president of the ball association. Brown told the council that they would like to add some fill dirt and a backstop on the east field by the tennis courts as there may be 13 ballteams in 2004. There will be no expense to the city. He also told the council the concession stand needs a new roof. Brown said that the south bank of lights on the north diamond are not working. He said that the scoreboard is still not working completely. Brown also asked for help to install netting between the diamonds. The netting has been acquired, but they need help with the poles, etc. Brown said that they have been discussing putting up an announcer's stand that could also be used as storage. He asked about the city putting in a hydrant between the two fields. Brown said that the backstops have just a few years of use left, and new ones will cost approximately \$10,000 each.

Jim Gates made a motion, seconded by Rich Hamit, to allow the east field to be finished as requested. Motion carried 5-0. Jim Gates said that he feels the city is obligated to have the lights repaired, and that he was under the impression that the city had agreed to install a water hydrant last year. Brown said that the concession stand roof will make it through the winter. Everette Dannar suggested using people who need to fulfill community service hours for some of the work at the ballpark.

Brown told the council that there's a possibility of changes in the league by the first of the year, but he doesn't have all the information at this time. He did warn of increased player fees if these changes are approved. Cliff O'Bryhim commended the association on the improvements that have been made the past couple of years.

PLANNING COMMISSION: Mayor Young explained that one of the reasons for combining the Planning Commission and Board of Zoning Appeals a couple of years ago was to help the the zoning regulations and develop a comprehensive plan for the city, but realizes that the council has not given the new commission much guidance. Cliff O'Bryhim stated that there hasn't been very much guidance in all of his 10 or so years on the Planning Commission. Ira Allen said that after having gone to the League's seminar on Planning/Zoning, he wanted to apologize for not having the commission members attend. Allen stated that the League suggests starting with a strategic plan to determine where the city wants to go, and how we want to get there, and then to formalize a comprehensive plan. He said that this will take quite

abit of time by both the commission and the council. There was discussion about using a comprehensive plan currently being used by another town of similar size to Overbrook. Allen stated that in addition to doing that, the gentleman who conducted the seminar for the League is willing to work with us. Glyn Day said that most plans are done by firms that come in and look at all the physical features of a town, including the current utilities being provided and growth potential. Allen said that before the city hires a firm to do this, it's necessary for the citizens to determine the direction and methods to achieve that direction. There was discussion as to why the city needs a comprehensive plan. Allen stated that the rules and guidelines need to be in place before someone makes a request for land to be annexed or developed, whether it's for housing or commercial purposes. The city's responsibility for how utilities are provided would also need to be addressed. The council agreed that the Planning Commission should help with the outline of what needs to be covered in future ordinances and regulations, but that both the commission and council will need to be very involved with the actual plans. Allen stated that having a valid comprehensive plan will also help the city qualify for future grants. The mayor explained that the council will understand if any of the current commission members feel they cannot put in the amount of time necessary and resign. There was also discussion about paying someone to record the minutes from Planning Commission meetings and hearings. Allen stated that the council may have to consider this, ~~as well as payment for the commission members.~~ Bruce Smith suggested having the commission members and council meet with the league representative to get things started. All those present agreed to a meeting.

SEWER HOOK-UP INSPECTIONS: After discussion, the council agreed by concensus to do a bulk-mailing explaining what legal and illegal hook-up's are, and why the city needs to do inspections. The matter was tabled until all sample ordinances can be reviewed by the city attorney, and a letter can be written for the bulk-mailing. The mayor suggested including very general information in the first bulk-mailing about the existing problems and state regulations, and do a second mailing after a new ordinance has been adopted that deals with inspections, expenses, and penalties. The council agreed by concensus to do 2 mailing's. Smith said he would revise his original letter for consideration at the next meeting. The mayor asked Smith to contact the city of Independence to see how they did their inspections.

PERSONNEL POLICY: Michael Blood of Kelly Compliance, Inc, who lives in Overbrook, was present to talk to the council about substance abuse screening. Blood told the council what his company can and cannot do regarding drug screening. He explained what procedures are used for random sampling and testing. The city would be responsible for developing their own policy for positive test results. Blood reviewed the fees his company charges. He presented references from TeleTech, Wal-Mart, State of Kansas, LaidLaw Transit, and the Kansas Children's Service League. This information is available to the public during regular business hours. Blood said he would provide more information about the legal requirements.

CITY CHANNEL COMPUTER: Cheryl Brown reported that Derrick Weigel is still finding the necessary parts to repair the computer, so she doesn't have a cost estimate at this time.

CITY HALL FURNACE: Ira Allen said that a decision needs to be made about repairs to the chimney before the weather gets cold. Walt Martin had submitted a bid for \$650 to re-line the chimney. Ira Allen made a motion, seconded by David Gerisch,

to hire Martin Service to repair the city building chimney to ensure that the furnace will work safely. Motion carried 5-0.

FIREWORKS SALES: The mayor brought up what should be required for people to sell fireworks within the city limits. Mayor Young said someone approached him with the understanding that the city was going to require a license in the future. Rich Hamit said that he was more concerned with limiting the hours that fireworks are allowed to be used by everyone more than licensing sales. Everette Dannar said that he considers shooting fireworks after 10 PM to be disturbing the peace, except on the 4th of July. There was discussion about the vendors giving out flyers with the rules about the time limits. The council agreed by consensus that anyone wanting to sell fireworks must come to the council to get a certificate of permission to be displayed on their stand. This certificate will list approved times for selling and shooting the fireworks. Appearing before the council prior to selling fireworks would also make sure the location is approved.

P.R.I.D.E: The mayor wanted to express his thanks to the P.R.I.D.E. committee, Bob Call and Bruce Smith for the "Welcome to Overbrook" stone located by the pool. It looks very nice. Rich Hamit said that the "buffalo" will be placed next to it in the near future.

ALARM/PHONE BOX: The clerk said that there have been several long-distance calls charged to the phone service on the water tower that's to be used for the telemetry system. She has contacted Carolyn Gaston with Sprint to see if the charges can be removed. Rich Hamit said he found some information on the internet regarding the calls.

EXECUTIVE SESSION: Bruce Smith made a motion, seconded by Jim Gates, to go into executive session for 5 minutes to discuss matters not related to elected personnel. Motion carried; the meeting was closed. The mayor opened the meeting; no action was taken.

CDUNCILMEMBER COMMENTS: Jim Gates reported that Osage County doesn't do any sealing of cracks on county roads, but Miami County has someone doing this at this time. Gates is going to contact the company to see if they will come to Overbrook and give an estimate to do our streets.

Ira Allen said that he felt that the council was not as prepared as it should have been when attending the hearing with the Dept of Commerce, and that most of the responsibility had been put on the grant-writer and the engineer. Allen would like to either meet an additional night or use the second monthly meeting as more of a working-session. The rest of the council and the mayor agreed to try limiting the second meeting agenda in the future. The clerk reminded them that the second meetings in November and December conflict with holidays, and that they need to decide when to reschedule them.

There being no further business before the council, Jim Gates made a motion to adjourn. Rich Hamit seconded; meeting was adjourned at 9:15 PM.

Cheryl L. Brown

APPROVED: 11-12-03

DG IA 5-0

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

NOVEMBER 12, 2003

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

OTHERS PRESENT: Max Friesen, Charles Hamner, Patty Hylton, Ed Harmison Everette Dannar, Bob Call, Mark Tomlinson, Cheryl Brown.

Mayor Young called the council meeting to order at 7:00 PM. The clerk called the roll: quorum present.

MINUTES/ WARRANTS: Ira Allen made a motion, seconded by Jim Gates, to approve the minutes of the October 22nd meeting with changes in the wording in the discussion of the Planning commission. Motion carried 4-0.

Jim Gates made a motion, seconded by Ira Allen, to pay all warrants presented. Motion carried 4-0.

PRESENTATION: Mayor Young presented a plaque and gift to honor Friesen's service to the city for almost 50 years as either councilmember or City Treasurer. Friesen resigned as treasurer in August, 2003. Friesen said that it takes everybody working together for a city to grow, and hopes that what he's done for the city has been for the good of the city.

DRAIN TUBE: Mayor Young said that he'd been contacted by Dave Watkins who's recently had a new house built on Trail Drive. Watkins was under the impression that G & G Excavating was installing the driveway drain tube for the city, and is asking for reimbursement for part or all of the expense. Rich Hamit stated that his opinion, following a previous meeting, was that the city isn't responsible for installing drain tubes unless the property owner came before the council. Ira Allen said his understanding was that the city would install the tube, with the individual paying for the tube and gravel. There was discussion about the city's involvement in this process. Bob Call questioned why the city was expected to even do the installation of the tube. Jim Gates suggested paying for half of the expenses in this case since requiring the property owner to come before the council is a new procedure. Call did tell Watkins that he needed to come to the council. Rich Hamit made a motion, seconded by Jim Gates, to deny reimbursement to Watkins. Motion carried 4-0. Rich Hamit made a motion, seconded by Ira Allen, to no longer install drain tubes which means that the entire procedure will be the responsibility of the property owner. Motion carried 4-0.

SFWER HOOK-UPS: The clerk had made copies of an ordinance and policies from the city of Independence. The mayor asked that the council review the material for discussion at the next meeting.

MISC: There was no report on changes in the curfew, boundary, or personnel policy ordinances as Michael Coffman was not present with his recommendations.

CITY CABLE CHANNEL: Cheryl Brown presented the council with a proposal from Derrick Weigel of Network Computing Solutions to put the required video card into the Compaq computer now being used for accounting, and replacing it with a new unit rather than putting the new unit in the cable building. He submitted two prices--\$870.50 for this with Windows XP HOME edition, or \$940.50 with Windows XP Professional edition operating system. After a lengthy discussion about the need to upgrade the accounting computer in the near future, Jim Gates made a motion, seconded by Ira Allen, to approve the second option at a cost of \$940.50. Motion carried 4-0. Brown said she would talk to Weigel about dividing the billing into 2 payments.

KPERS TRANSFER: The clerk presented Resolution No 60 which authorizes the police department to transfer from KPERS to Kansas Police and Firemen retirement fund. This can only be done once a year, with the paperwork due by December 1st. Hamit brought up the fact that while the employee's share goes from 4% to 7%, the employer's share will go from 3.22% to 16% the first year. The employer's rate after the first year will depend on the legislature. The clerk had prepared a report showing that, based on 2002 salaries, the difference would go from \$1905 to \$9470. Ira Allen asked Chief Harmison what the benefit to them would be. Harmison said it basically separates police officers and firemen from other employees, mostly due to the fact they retire after a shorter time. Jim Gates asked if this increase had been figured into the 2004 budget, and the answer was no. Ira Allen said it might mean rather than a raise on the in-hand side, part of it might come in the way of this benefit. Chief Harmison asked for an executive session to discuss personal numbers. Jim Gates made a motion, seconded by Ira Allen, to recess the meeting to discuss matters not related to elected personnel for 10 minutes. Motion carried; meeting recessed at 7:40 PM.

Mayor Young opened the meeting at 7:50 PM. Ira Allen made a motion, seconded by David Gerisch, to adopt Resolution No 60 to authorize the police department transfer affiliation from KPERS to KP&F. Motion carried 4-0. There was no further discussion of funding.

WATER/SEWER REPORT: Marian Massoth reported that the problems with the telemetry system appear to be corrected, and the system should be working. Mayor Young recommended that a special switch be installed on the system that will prevent future problems. Massoth said she would contact the company about the matter, and that she's preparing an operation and maintenance manual that should cover this too. There's also a manual that came with the telemetry system. She also said that some re-wiring needs to be done at the rural water pump. Bob Call said that Anno said they would take care of that on Friday.

Massoth said that they've checked the new waterline, and there's been some settling which Anno said they would fix. She said that the riser about 2 miles west of the wells has been cut off, and needs to be replaced. It appears that someone had cut it off, and replaced the cap. She recommends installing some kind of a marker. Bob Call said they should make sure all of them have markers.

Massoth said that she's working on the plans for the wastewater improvement plans.

Mayor Young asked if King's Engineering or Massoth have been involved with developing a comprehensive plan. Massoth said King's doesn't do that type of planning. She said that she would check into some other firms.

Ira Allen reported that the city of Topeka has "adopted" Overbrook as a project. Mark Green, with the Water Pollution Control Division was here, and is on the January 28th agenda to discuss what this means.

NEW BUILDING: Mayor Young brought up considering issuing a temporary moratorium on any new construction in the city until we learn about the grant results and make the necessary sewer improvements. The mayor said that while he wouldn't like to do this, he is concerned about adding more services at the present time. There was discussion about how this would be enforced. Ira Allen stated that he's not in favor of penalizing anyone moving into the community because the previous councils didn't correct these problems. Jim Gates said that his concern is that this would discourage growth, so it would be better to get the problems fixed. Allen then said that after we make the improvements to get the city in compliance, the city should come up with a plan to take care of and encourage future growth. The mayor said that we'll need a plan, but also need to have the right system in place. Chief Harmison said that as a citizen, he thinks that decisions should wait until after Mark Green from Topeka comes to a council meeting.

While on the subject of plans, the mayor asked the council for permission to replace members on the Planning Commission who cannot or will not be willing to put in the time and effort to help develop a comprehensive plan. Ira Allen asked if the mayor has visited with the existing members. Mayor Young said he had not, but they haven't contacted him either. Allen recommended that the mayor visit with the members, and afterwards if they're not willing to give the time the council would consider replacing them. The clerk mentioned that she has a problem with the members responding to her letters and phone calls whenever hearings have been requested. This is a problem since there are legal requirements for the time between the publication date and the hearing date. The mayor said that he would talk to the commission. Ira Allen said that they need to have replacements in mind.

The mayor commended Ira Allen on his outline to form a comprehensive plan for the city. He also noted that Lyndon had a Project Manager who was separate from the council and Planning Commission. There was discussion about who might be qualified to serve as a Project Manager. Ira Allen said that if we have to hire someone to do mailings and correspondence to get everything done, that person could be the Project Manager. They would need to be an organized person who could keep everything going in the right direction. This person could also take minutes of the Planning Commission meetings, etc. There was discussion about all the people and groups that were involved in developing Lyndon's comprehensive plan. Contact people for local clubs and organizations were discussed.

The most effective ways to get people to attend town-hall type meetings. Ira Allen suggested scheduling a town meeting, and putting the notice in the local papers explaining the reason, and then plan a pot-luck and work-session after that. Hopefully, the people who attend the first meeting would tell others in their clubs, churches, and organizations that would help attendance at following meetings. The mayor asked to be put on the agenda for the next PRIDE meeting.

MISC: Ira Allen asked if we have the necessary information about No-Fund Warrants. The mayor said we know the procedure, but not all the details. He is hopeful that we will be able to make it through to the end of the year without having to issue any.

Allen also asked about the bids for sealing the cracks in the streets. Jim Gates reported that he had received a bid from C.P.M. The price of a pallet of material is \$4200 (instead of \$3000 quoted at the demo), and he thinks it will take

2-2.5 pallets. There was discussion about having the funds available to do this before the end of the year. The council agreed by consensus to table the matter until after the first of 2004.

MISC: Max Friesen came back to thank the council again as he had opened the binoculars given to him along with the plaque.

LAW REPORT: Chief Harmison reviewed his written report for the council. He also told the council that the county attorney's office had paid for the expenses of their last training seminar. There were 16 citations issued in October. Ira Allen asked if most of the citations written for speeds over 20 m.p.h. were written on Maple. Harmison said they were issued in the school zones. Harmison said that court fines have totaled \$16,829 so far this year.

Harmison reported that he has submitted the application for the 2004 grant in which he requested 8 radios, a foot-print lifter, and a new radar unit. The 8 radios were approved.

He told the council that there will be a toy-run consisting of anywhere from 15-100 motorcycles in town this coming Saturday. He's made some plans for their parking.

Harmison asked the council to start thinking about a new ordinance for the city lake. He would like to have definite hours set rather than the present times based on sunrise and sunset as these times change from day to day.

Harmison also recommended that the mayor and council have ID cards in the event they would need access back into town during a disaster where outside agencies might be involved. He told the council that he had planted trees donated by PRIDE at the city lake, and the fairgrounds.

MAINTENANCE REPORT: Bob Call reported that there's been 4 waterline breaks, the pools winterized, the 50,000 water tower has been inspected and will be repainted later, the sewer line just west of Shirley's Cafe collapsed and will need to be replaced soon, Ed Butterfield will help put up the Christmas lights, a new fire hydrant has been ordered, the wells have been winterized and the heat turned on, the "buffalo" has been placed by the pool, and he's planning to get some training from the City of Topeka on the sewer pumping stations. Call said that he had to have some brake repairs done on the dump truck. He also said that the new meter has been installed at the watershed office. Ira Allen mentioned that Mark Green, with the City of Topeka, had some good ideas about improving things around the lagoons.

Rich Hamit asked if the fire hydrant by city hall being used during the fire at 407 Walnut had caused any of the water breaks. Call said no, but it was about an hour and a half before he got the call to start the water. Harmison said that he had been told that they didn't have anyone to dispatch.

Jim Gates said that he's been hearing good comments about the work Call is doing.

TREASURER'S REPORT: Patty Hylton reviewed the bank reconciliation, fund reports, and receipts journal with the council. Hylton said that while there are no problems with violating budget limits, some of the funds now show a negative balance which hopefully can be balanced at the end of the year. The clerk reported that the first 2004 tax levy won't come until around the 20th of January. The mayor said that to avoid low year-end funds in the future, he would like to start on the 2005 budget right after the first of 2004, and the 2006 budget right after that.

CLERK'S REPORT: Cheryl Brown asked how the council wanted to schedule the second meetings in November and December to avoid conflict with holidays. The change would need to be done by ordinance. Jim Gates moved that the council meet just one time in November. Rich Hamit seconded; motion carried 3-1, with Allen voting against. Rich Hamit made a motion, seconded by David Gerisch, to have the second December meeting on the 29th. Motion carried 4-0.

COUNCILMEMBER COMMENTS: Jim Gates wanted to thank Mayor Young for speaking at a recent Rotary meeting.

Ira Allen said that when you have things that need to be done, you need to set a time to start and a time to finish or you'll never get them accomplished, even if you have to extend the time limits. He thought is that we need to get the comprehensive plan started which the mayor did tonight and we can set a finishing time of November, 2004. Allen also stated that he would like to start working on a new personnel manual sometime in December to be done in June, 2004. He also said he'd like to start a 5-yr budget in January, 2004 and have it done by June, 2004. Allen said he realizes that this is a lot of planning and work, but it needs to be done. David Gerisch is going to be attending a KLM seminar on personnel matters, so should have some good information from that.

Rich Hamit asked if the chimney has been repaired. Brown said they haven't done it yet. Ira Allen said that he thinks Martin's will get to it next week. Hamit asked about the long-distance bill on the water tower telemetry phone. The clerk said that they just learned how it was done, and she hasn't talked to Sprint yet. Chief Harmison wanted to know the details of the matter as there may be criminal charges as a result.

Ira Allen said that the council should use the comments and energy from all the citizens who come to the meetings to share information or to ask for something or just to state their opinions on matters.

MAYOR'S REPORT: Mayor Young said that any disagreements between the members of the governing body should be only around the council table, and not go beyond this room. The mayor said that everyone should feel free to state their opinions during the meetings without hard feelings afterwards.

MISC: Chief Harmison said that the tornado sirens need new batteries right after the first of the year. The council agreed by consensus.

There being no further business before the council, Jim Gates made a motion to adjourn. David Gerisch seconded; meeting adjourned at 9:53 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:

2-10-03

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

DECEMBER 29, 2003

MEMBERS PRESENT: Ira Allen, Bruce Smith, David Gerisch, Rich Hamit (arrived Late), Mayor Jack Young. Jim Gates absent.

OTHERS PRESENT: Ed Harmison, Everette Dannar, Cheryl Brown

Mayor Young called the meeting to order at 7:05 PM. Roll call was taken by the clerk; there was a quorum present.

MINUTES / WARRANTS: Bruce Smith made a motion, seconded by David Gerisch, to approve the minutes of the December 10, 2003 meeting as written. Motion carried 3-0. The clerk presented a bill from WrenchBenders for work done on Hank Lemberger's car in the amount of \$84.66. The bill was for repairs to the fuel line which was broken when Lemberger drove over the water meter lid by First Security Bank. The council decided to postpone payment of the bill until the matter can be discussed with Bob Call at the next meeting.

The clerk presented the council with a quote from Network Computing Solutions (NCS) for comparison pricing between a new computer for Utility Billing and upgrading the one now being used. The new unit was priced at \$1498 and upgrading would cost \$1273. After discussion, Bruce Smith made a motion, seconded by Ira Allen to purchase the new unit. Motion carried 3-0.

The council was also given a proposal from McKee Pools for repairs to the city pool in the amount of \$3599.61. The bid for repainting the pool is \$6500-8000.00. The matter was tabled until later.

Mayor Young said that he had authorized having half a load of rock put at Hwy 56 & Maple where the new fire hydrant was installed recently, with the rest of the load to be used later. Ed Harmison mentioned that he had noticed some new rock by Richard Wright's house on Walnut as well as new rock by the hydrant. The mayor said he would check with Todd Goodyear on where the rock was delivered.

Ira Allen asked if the street by the Overbrook Quilt Connection could be fixed soon. The damage was caused by repairing a water break Christmas week. Mayor Young said he would talk to Bob Call.

LAGOONS: Mayor Young brought up the subject of adding cells to the existing lagoons or building a new system in a different location. Bruce Smith said that either way would be expensive, and that studies would have to be done to determine whether adding another cell west of the existing cells would have adequate grade, and that it would not overload the system. There was discussion about which option would be the most beneficial to the city as far as growth is concerned. Ira Allen said that if the current system was built to handle 1200 residents, and the planned improvements are done that some growth should be accommodated. There was discussion about where new lagoon cells would be located. Bruce Smith suggested the council visit the possible sites in the near future. The mayor recommended that the engineers be asked to provide more definite information about the capacity of the current lagoon before any decisions

are made. Marian Massoth is planning on being at the next meeting, so the matter was tabled until then.

SEWER HOOK-UPS: The council reviewed the letter that had previously been prepared for a bulk mailing explaining why illegal sewer hook-ups need to be identified and what steps must be taken to do this. There was discussion about who would actually do the inspecting. Ira Allen stated that if it wasn't too hard to find an outlet for sump pumps and peripheral drains, the person doing the inspection wouldn't have to be a licensed plumber. Bruce Smith said that he has contacted a couple of cities about how they addressed this problem, but hasn't received all the information yet. He is hoping to have it by the next meeting. The mayor said that the local plumbers should be contacted about licensing requirements.

Ed Harmison brought up the subject of privacy. Michael Coffman, city attorney, has been researching this and should have the information at the next meeting.

Rich Hamit mentioned the possibility of the city contracting a plumber to do the inspecting. David Gerisch suggested contracting a plumber to do the inspecting at a reasonable fee to be paid by the property owner. Mayor Young told the council, after talking to Todd Goodyear on the phone, that Osage County will require plumbers to be licensed starting in 2004.

After more discussion, the council made some changes in the original letter to be approved at the next meeting. This letter is to inform the citizens of the situation, and then a follow-up letter will be sent with more details on what must be done to comply with the regulations, and penalties for those who don't comply.

Mayor Young said that he will be talking to Todd Goodyear later this week to get more details about the inspection process itself before making final decisions as to the actual inspecting. The mayor would like the letters to be mailed at the same time as the February water bills. A time for mailing the follow-up letter will be discussed at the January 14th meeting. There will be more discussion regarding how to go about designating the ones to do the inspecting.

LIST FOR DISCUSSION: Mayor Young asked the council to have a list of items to discuss with Mark Green, City of Topeka, when he comes to the January 28th council meeting.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Ira Allen, to go into executive session for 10 minutes to discuss matters not related to elected personnel. Motion carried; meeting was recessed at 9:02 PM. The meeting was called back into session at 9:12 PM.

COMPREHENSIVE PLAN: Getting started on developing a comprehensive plan was discussed. The mayor said that he would like to set a goal of 2 years for completion. He stated that he understands that there will probably be a fairly sizable amount of money involved, but also feels that this must be done in order to qualify for more grants. It was agreed that what the citizens want is necessary for a good plan. The council agreed by concensus to have a town-hall type meeting as a beginning. Possible dates were discussed. After discussion, the council agreed to have the meeting on Saturday, February 14, 2004 at 9 AM at the Overbrook Library. The clerk said she would check to see if the library is available, and final details can be discussed at the next council meeting. The meeting can be advertised in the papers, Kansas State Bank marquee, the city channel, and also flyers in some of the businesses.

There being no further business before the council, David Gerisch moved to adjourn.
Bruce Smith seconded, and the meeting adjourned at 9:25 PM.

Respectfully submitted,
Cheryl L. Brown, City Clerk

APPROVED: _____