

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 11, 2006

MEMBERS PRESENT: Ira Allen, Rich Hamit, Bruce Smith, Bob Sisson, Mayor Jack Young. Larry Coursen absent.

OTHERS PRESENT: Max Friesen, Mark & Gaylene Jones, Ron & Cindy Zeckser, Kris Stangis, Carol Anno & Donnie Bryant, Kevin Stone, Bob Gloss, Larry Coffman, Lois Harris, Eunice Breithaupt, Pat McKenzie, Beverly Hix, Greg & Maryann Childress, Allan Inman, Mike Dickerson, Ed Harmison, Everette Dannar, Mark Tomlinson, Jim Koger, Patty Hylton, Cheryl Brown.

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

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the December 14, 2005 meeting as written. Rich Hamit seconded; motion carried 4-0.

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

FUTURE DEVELOPMENT: Max Friesen came before the council to refresh the council on future plans of his to develop approximately 24 lots east of the city lake and a road that would provide access from Highway 56 to the southeast part of town. Friesen said that it would probably be at least a year before the development would actually begin, but wanted the council to have this information to use after the engineer, Vic Robbins, has evaluated the capacity of the lagoons. There was discussion about other development in this area and possible methods of handling the sewer utilities for all the development.

WATER USAGE CONCERNS: Mark and Gaylene Jones were present to voice concerns about being double charged for the water when Bob Call installed a new water meter. Call is not present, so the actual date when the meter was changed is not available. Jones said they had felt their water bill was too high for some time compared to the neighbors, and when they had Call look at the meter, Call agreed that the meter needed to be replaced. The council agreed to have Jones come to the next meeting and asked the clerk to print a customer history as far back as possible before making any decisions. Gaylene Jones said they moved to this location in October, 1999.

DRAINAGE PROBLEMS: Kris Stangis, 104 Ash Street, was present to let the council know about her concerns regarding storm water drainage from property east of her house. Stangis had questions for the council as a result of researching easements, etc after discovering how much damage had been done to her house during last summer's rains. Stangis had been told by the county that she needs to get the plat of her development and also Meadowbrook II from the city. She was also upset when she learned that the city doesn't have subdivision regulations, or a comprehensive plan. Stangis asked the council who is responsible since there are no rules or regulations? She has been denied compensation for the current damage done to her house by her insurance company since she doesn't have "flood" insurance. Stangis is even more concerned that the problem will get worse because of the way a new house in Meadowbrook II is being built. Stangis is also upset that this house was started before a building permit was approved. Mayor Young said that the current ordinance addresses the distance between houses and the set back from the street, but nothing about drainage. Vic Robbins, city engineer, said that even without regulations, the city should try to do something to help. After discussion, the council agreed by consensus to inspect the property of Stangis and also the neighboring area to see what, if anything, can be done to channel the run-off away from the houses on Ash Street. Mayor Young said that he and the engineer would check into the matter.

LIQUOR STORE CONCERNS: Kevin Stone, pastor of the Overbrook Bible Church, asked exactly what is on the table regarding packaged liquor sales. Mayor Young said the clerk had been asked to put the matter on the agenda. Pat McKenzie said her understanding is that if the city does nothing about voting in an ordinance to prevent someone from opening an liquor store, they can automatically do this on February 15th. Cheryl Brown,

City Clerk, said that a person has the legal authority at this time to open a liquor store, but the council has until February 15th to rule against it. Ron Zeckser asked if the council plans to pass such an ordinance. Rich Hamit said he plans to make that motion, but doesn't know if it will pass. The clerk said that there are state regulations against a liquor store being located within 200 feet of school or church property even if the city allows one to open. Larry Coffman said that the vote against Sunday beer or liquor stores should show the support against the opening of a liquor store, and they are asking the council to keep the city "dry". Rich Hamit moved to have an ordinance prepared to prohibit the sale of packaged liquor. Bruce Smith seconded the motion; motion carried 4-0. The clerk said that she'll have the ordinance prepared by the city attorney to be considered at the January 25th meeting. Greg Childress, Associate Pastor of Grace Community Church, thanked the council for taking a stand, followed by applause.

WATERLINE PROJECT PAYMENT: Bruce Smith made a motion, seconded by Rich Hamit, to pay D & D Excavating \$14,961.00 with the balance, less 10%, due upon approval of the change order. Motion carried 4-0.

WATER/SEWER PROJECT REPORT: Vic Robbins reported that the final bill from MidAmerican Environmental has been received, and will be paid as soon as Donna Crawford signs it. That will complete the de-sludging part of the wastewater improvements.

Robbins has talked to Michael Coffman about the easements in regards to the next step towards repairing and/or replacing sewer lines and manholes. Coffman will have to notify each property owner where the city does not have sufficient utility easements. David Peimann is working on this project also.

Robbins said he's prepared the official quarterly reports and will mail them as soon as the mayor signs them. Two of the three property owners notified of legal action by the city attorney have complied, but there has been no contact from the third party so this will have to be settled in court. There are two sump pumps that were connected to the city sewer at the time of inspection that need to be re-inspected, and if necessary have legal action taken.

Robbins said that there are two issues regarding adding more services to the existing sewer system. The first is the capacity of the treatment ponds which have gained about 4 million gallons of capacity. Based on the permitted Person Equivalent Loading, 1280, he thinks the system could handle another 150 persons, or 40-50 more houses. The second concern is the collection and transfer system, or the sewer lines themselves. This part of the project hasn't been started at this point. His opinion is that any more houses added on the north side of the city should be independently pumped into a main line, and not through the existing lift stations.

Ira Allen asked if anything has been done about the storm water draining onto Bob Gloss's property. The mayor said that he hasn't talked to Bob Call about this lately. He also said that the problem has gotten worse since the school parking lot was built. Mayor Young said that Call was checking into some kind of box drain, but doesn't know any more details at this time.

Robbins said that he still thinks we should be testing the lagoons monthly even though the state just requires quarterly reporting. The council agreed to have Robbins contact the lab.

UNFINISHED BUSINESS: The recreation commission and Barnett property drainage matters were tabled. Mark Tomlinson submitted a bid for installing electricity at the city lake. The matter was tabled until all three bids can be reviewed. The mayor hasn't checked with Westar to see if this can be done.

Mark Tomlinson said he's been writing warnings for animals at large, and the mayor can get them from Chief Harmison. Mayor Young said he would visit with Dr. Tucker about notifying us when an animal is adopted by someone from Overbrook. Beverly Hix asked if the ordinance requiring licenses for all cats and dogs over 6 months old is being enforced. Tomlinson said that everyone who had a 2005 license is being notified by letter, and is being given a 30-day grace period. The mayor said his personal opinion is that there are people who have animals that have never had licenses so they won't be getting a letter. Chief Harmison said that there were \$227 worth of licenses sold in 2003, and last year it amounted to \$454 so there's been improvement. The mayor said that if people know of unlicensed animals they should report them.

2006 DESIGNATIONS: Bruce Smith moved to name Kansas State Bank and First Security Bank as official depositories. Rich Hamit seconded, motion carried 4-0.

Ira Allen moved to designate the Osage County Herald as official city newspaper. Rich Hamit seconded; motion carried 4-0.

Rich Hamit moved to add Bob Sisson as a check signer in addition to the mayor, clerk, treasurer, Ira Allen and Bruce Smith. Bruce Smith seconded; motion carried 4-0.

EMPLOYEE SALARY REVIEW: After a brief discussion, this was tabled until after employee evaluations have been conducted. Ira Allen suggested having the mayor and Bruce Smith do the evaluations in the next 2

weeks and make recommendations at the January 25th meeting. Everette Dannar asked if the employee would get a cost of living raise in addition to any merit raise as a result of the evaluations. The mayor said that would have to be decided by the council as the city doesn't have a pay scale. Chief Harmison stated that if the employees don't get at least a cost of living raise, they're going backwards.

DUMP TRUCK BIDS: There weren't any bids submitted prior to the meeting. After discussion, Jim Koger was asked to check into putting the truck on EBAY if no bids are received before the next meeting.

LAW REPORT: Chief Ed Harmison reviewed his report to the council. He also said that he and Officer Dannar have gotten their training to use the tasers. He also reviewed the cases for 2005. He also restated that the animal license letters will be sent this coming week. Ira Allen said that he's noticed a lot of people making illegal u-turns in front of the post office the past couple of weeks. Mayor Young said that it's a problem in front of the grocery store, too. Chief Harmison said he'd watch it more closely, but to expect some irrate people who might threaten to shop somewhere else. The mayor said to use discretion, but he is concerned about possible accidents.

TREASURER'S REPORT: Patty Hylton reviewed the December financial reports. She pointed out the new line which indicates the \$25,000 CD recently purchased. She has a request for payment ready to send to KDHE, but will have Donna Crawford check it over tomorrow. Hylton said that we may need to consider amending the 2006 budget so the law department can spend the approximately \$9,000 cash balance from 2005. She'll have more definite figures at the February meeting. She reviewed all the cash balance summaries for all departments.

Hylton was pleased to report that all the funds have grown this past year. Rich Hamit gave a lot of the credit to Patty Hylton for her work. She was concerned about the decrease in the city sales tax revenue over the past few years, and there was discussion as to why that might be. Ira Allen questioned if the new destination based tax laws were affecting this. Mayor Young said that the information provided by Hylton has been very valuable.

MISCELLANEOUS: Mayor Young asked Mike Dickerson, Osage County Herald, if he had spoken to Carol Anno about what was in the paper a couple of weeks ago. She was concerned that people would have the impression that the "overpricing" being discussed would reflect on the way D&D Excavating was doing business. The mayor asked if something could be written to explain that it had to do with the final cost of materials compared to the original estimate.

CLERK'S REPORT: Cheryl Brown commended Jim Koger's work on the website and encouraged everyone to check it out. She would also like Koger to be included in the salary review process even though he's only been with us since the first of December.

EXECUTIVE SESSION: Bob Sisson moved to go into executive session for 5 minutes to discuss personnel matters. Rich Hamit seconded; meeting was recessed. The meeting was called back to order at 9:30 PM at which time no action was taken.

COUNCILMEMBER COMMENTS: Bob Sisson said that he's known Larry Coursen for a long time, but he's concerned about all the meetings he's missed. The council agreed that the mayor should visit with Coursen to see if there's a problem. The mayor asked the clerk to check into possible action in the event a council member doesn't attend the meetings. The clerk said she would, and reminded the council that discussing other elected members cannot be done in a closed meeting. The council assured her that hadn't been done.

Ira Allen presented some information on a skid loader for Bob Call to look at. Allen asked why nothing had been done about the house being built in Meadowbrook II without a building permit. The clerk read the portion of the zoning ordinance stating the penalty for violating the zoning ordinance. Each day that construction is on going without an approved building permit is considered a violation, and subject to penalty. The city has an ordinance requiring that the permit be displayed on site as well. Ira Allen said he had noticed the dirt work, but didn't think about the building permit. Dannar also stated that construction should be stopped until an approved permit is displayed. There was discussion about determining how many days the contractor was out of compliance. The consensus of the council was to proceed with issuing a citation for not complying with the zoning ordinance. Chief Harmison said he would proceed.

Ira Allen said he had no problem with drafting an ordinance to keep the city "dry", but he's concerned about the revenue the city would lose if someone opens one just outside the city limits. Bruce Smith said he's supporting the ordinance because he thinks the community has strong feelings against it. Allen said that

selling liquor by the drink seems to be more of a danger than selling packaged liquor. The mayor said that those who support a liquor store have the same option regarding petitions, and voting as those who were against the Sunday sales.

Rich Hamit said that he's had some calls about lifeguard jobs and he told them to call the mayor since he's no longer the liaison for the pool. All applications can be obtained from City Hall. The mayor said that they need to contact City Hall if they have questions about jobs, etc.

Hamit also said there's an exhibit at Washburn University on small towns and Overbrook is one of the featured towns.

There being no further business before the council, Rich Hamit moved to adjourn. Bruce Smith seconded; motion carried and the meeting was adjourned at 9:50 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: January 25th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JANUARY 25, 2006

MEMBERS PRESENT: Ira Allen, Rich Hamit, Bob Sisson, Bruce Smith, Mayor Jack Young.
Larry Coursen absent.

OTHERS PRESENT: Larry Woodson, Kris Stangis, Beverly Hix, EulaLee Fuller, Pat McKenzie,
Kevin Stone, Lois Harris, Larry & Jean Coffman, Carol Fischer, Max Friesen,
JoAnn O'Brien, Bob & Doris Gloss, Dan Reser, Mike Dickerson, Vic Robbins,
Bob Call, Cheryl Brown, Jim Koger.

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

MINUTES/ WARRANTS: Ira Allen moved to approve the minutes of the January 11th meeting as written.
Bruce Smith seconded; motion carried 4-0.

Ira Allen moved to pay all warrants presented. Rich Hamit seconded; motion carried 4-0.

WATER BILLING ISSUE: Mayor Young announced that Mark and Gaylene Jones were unable to attend the meeting, but asked the council to review the usage information before the next meeting. Bob Call said that he had replaced the meter because Jones had noticed water in the meter pit. Call pumped out the water, and discovered that the meter was leaking out of the bottom. Jones was concerned that this indicated a leak on his side of the meter. Bruce Smith stated that when water leaks out of the bottom of a meter, it doesn't register on the meter. Call agreed.

DRAINAGE PROBLEM: Kris Stangis, 104 Ash, was present to bring more information to the council about the easements affecting her property. She showed maps showing drainage and utility easements for her property and also property in the Meadowbrook II subdivision. She's concerned that utility easements will be used for storm water drainage from new construction. Max Friesen, developer of Meadowbrook II, said that he had visited with Kramer Engineering and learned the plans had been drawn according to state laws at that time, and drainage easements were not required when the subdivision was started. Stangis said that she understands that the city ordinance does require builders to anticipate the 100-year rainfall. She said that the existing ditch filled with water so quickly that they were pumping water out of her window wells. Stangis is concerned that the current construction is going to make the problem worse since she didn't have this problem before the Watkins house was built. Friesen suggested the ditch be made deeper. The mayor said Vic Robbins suggested the raising the berm on the west side of the ditch, making it wider and a little deeper. This would be on Stangis' property. Stangis asked why this would have to be done on her property. Mayor Young said it would most likely end up going towards Meadowbrook property. Stangis pointed out that the utility poles are on her property and they should be east of her property. There was discussion about ways to divert the water away from Stangis' house as well as the adjoining houses. Robbins had told the mayor that since the property slopes towards the houses in question, there would always be natural drainage towards them. Stangis then asked who would pay for the ditch work. Mayor Young

said that he couldn't answer that until there's more discussion. Bruce Smith said that more needs to be known about the development of Stangis' property, possibly from Bob Shepard who originally owned the property. Stangis said they are willing to do some things to help the problem, but is concerned about the new construction east of her house. Smith said the council needs to have the city attorney advise them on what the city's responsibility is before making any decisions. The mayor said that all the property owners involved will need to agree to however the problem is addressed. Stangis said she was told by the city attorney that this matter is between her and Max Friesen. The mayor said that may be the case since the property is privately owned and the city has no easements. And that all the owners involved would have to be in agreement with whatever the city might do. He said he personally thinks the city should do whatever they can but more time is needed before any decisions are made.

ORDINANCE NO 289: Rich Hamit made a motion, seconded by Bob Sisson, to adopt Ordinance No. 289 which would prohibit the sale of packaged liquor within the city limits of Overbrook. Motion carried 3-1, with Ira Allen voting no. The ordinance will be effective after publication, which should be February 2nd. Several citizens expressed their appreciation for the council's action.

CONNECTING LINK: After discussion, Rich Hamit moved not to accept the connecting links agreement with Osage County. Bruce Smith seconded; motion carried 4-0. This means that the county will be responsible for maintaining Maple Street rather than paying the city a portion of the maintenance cost.

DUMP TRUCK BIDS: Mayor Young opened two bids for the 1982 International truck. The first was from Kellie McCain for \$125; second bid was from Jared Sisson for \$500. Rich Hamit moved to accept the \$500 bid from Jared Sisson; Bruce Smith seconded. Motion carried 5-0.

METER READINGS: Dan Reser asked when his water meter was going to be read. He thinks it's been estimated the past 5 months because there's leaves on top of it. Bob Call said that could be due to how windy it's been the past few days, and that he personally read it this month. Mayor Young said he would check into it, and that it may have been estimated in December.

UNFINISHED BUSINESS: The mayor tabled discussion about a recreation commission, drainage concerns of Mac Barnett's building site in Meadowbrook II.

Mayor Young said he's talked to Westar and learned that we can install our own poles and be allowed to connect to them, but it would have to be on their line with a transformer. If the only use is the aerator and a security light at the city lake, it shouldn't be a problem. The mayor is concerned about future lighting along the Trail's which would require more voltage. The transformer would be further in on the property if Westar installs the equipment. It would also be their property to maintain. The bids for installation are as follows:

K & K Electric	\$1060	---for 1 pole & light but does not include cost of transformer
Mark Tomlinson	\$5158	-- 3 poles, transformer and labor
Westar	\$6207	-- 3 poles, transformer, and light

Bruce Smith moved to accept the bid from Westar. Bob Sisson seconded; motion carried 4-0.

The mayor said that Dr. Tucker will cooperate and notify us when someone from Overbrook adopts an animal from Carbondale Pet Clinic. They have already agreed to ask for proof of a city license before releasing animals to the owner.

Ira Allen asked who's responsible for checking to see if building permits are posted, and report activity that indicates new construction in regards to a building permit. Consensus was that the police department should check for posted building permits, and anyone noticing new construction should check to see if a building permit has been issued. Vic Robbins said that after all the inspections for illegal hook-up's with sump pumps, that someone needs to make sure more aren't being connected to the sewer system. There was discussion about who should do this. The council agreed by consensus to have the city attorney make any necessary changes in the current ordinance to authorize someone to inspect the drains before they're covered with dirt. Discussion was held about how much time this would require. The clerk said she would have Michael Coffman review the ordinance and recommend any changes if necessary. Bruce Smith said he would talk to Dean Beckman about being the inspector. Rich Hamit said he would review the current building permit form for changes.

WATER/SEWER REPORT: Vic Robbins has prepared the change order for the water line installation. He also has submitted a letter stating that since he wasn't able to inspect the concrete work done by D&D Excavating, he didn't want to be responsible for the work. He isn't saying that anything is wrong with the work, just that he wasn't able to personally inspect it as it was being done.

Robbins said that the signed change order can be sent to KDHE, and that he will ask his wife to take it to KDHE this week.

Robbins said that he hasn't heard anymore about the 3 properties that may still be out of compliance with illegal hook-up's to the sewer system. Bob Call said Bryant is supposed to get his fixed this weekend, and Rick Calderwood didn't see the need for this as there is no water turned on at the building in question. Robbins said that the sump pump in the basement might still be pumping even without water service being on. Call said he'd talk to Calderwood again. Robbins said he hadn't heard anything about the Lemberger court case.

Regarding the drainage issues on Ash Street, he would recommend enlarging the existing diversion ditch. The problem that concerns him about doing this is the driveway that's been built on the corner of Ash and E. First Street. There was discussion about diverting the water across First Street. Robbins preferred installing a culvert and eliminating the driveway. He admitted that the new construction in Meadowbrook II probably does increase the run off, especially the houses that are on the downhill slope of their property.

Robbins said that he's working on the sewer rehabilitation project. He has the construction specs mostly done and he's working on the contract documents. He's visited with Michael Coffman about the easements. Robbins has been told by a contractor that a 20' easement isn't enough space--that 40-50' would be better. Robbins and Coffman discussed the feasibility of getting a temporary construction easement from everyone in town. The mayor suggested that specific footage be stated in any letters sent to property owners. It was agreed that Robbins, Coffman, Peimann and the mayor meet to discuss the procedure further. There was more discussion about how the job should be bid. Robbins reminded the council that the revenues from the recent increased sewer rates should be going into a separate fund to be used for these expenses. The treasurer will be asked to report on this at the next meeting.

The mayor said that Gary Wray had informed him that there's been a problem with sewer back up at the Methodist parsonage. There was discussion about the manhole where there's no trough. Robbins suggested running an 8" main run north to their line, and a new service line into the parsonage and install a clean-out put on the north end. This could be done when the rehabilitation work starts.

Kris Stangis asked Robbins if he thinks the new construction east of her property really did increase the flow of water to her property. Robbins said that it probably did, and it definitely changed how it was channeled. The mayor said that the ground is flat where drainage easements in Meadowbrook II are designated. There was more discussion about responsibility for the original development and the city's current obligations. Robbins pointed out that permanent obstructions in easements are prohibited, such as driveways.

DOG LICENSES: Mayor Young said that we've received a request from Billie Gerisch stating that she isn't able to get her dogs until after the January 31st deadline. The mayor asked when the letters stating the deadline were mailed. The clerk said Chief Harmison gave her the letters on January 20th. After discussion, the council agreed that the January 31st deadline should stand unless the person calls in before the 31st, at which time the clerk will forward the information to animal control.

EXECUTIVE SESSION: Bruce Smith moved for an executive session of 10 minutes to discuss matters not related to elected personnel. Ira Allen seconded; motion carried 4-0 at 8:45 pm. The mayor called the meeting back to order at 8:55 pm. Bruce Smith made a motion, seconded by Rich Hamit, to approve a 4% raise for full-time and part-time employees, except Jim Koger. Motion carried 4-0. Bruce Smith moved that Jim Koger be paid \$8.00/hr effective this pay period. Ira Allen seconded; motion carried. The other raises will be retroactive to the first of the year.

MAYOR'S REPORT: Mayor Young said he had called Larry Coursen and left a message about his not coming to council meetings. The clerk said that the city attorney told her there isn't any action that can be taken by the council itself, but would check into what, if anything, could be done. The council agreed that we should check with the League of Municipalities. The mayor said he would call the League and Coursen again.

There being no further business before the council, Rich Hamit moved to adjourn. Bob Sisson seconded and the meeting adjourned at 9:05 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: February 8th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 8, 2006

MEMBERS PRESENT: Ira Allen, Rich Hamit, Bruce Smith, Bob Sisson, Mayor Jack Young.
Larry Coursen absent.

OTHERS PRESENT: Wanda Wilhite, Gary Wray, Chad Dunnaway, Kris Stangis, Vic Robbins,
Max Friesen, Becky Coltrane, Kathy Alcorn, Mary Deschamps, Beverly
Hix, Donna Crawford, Patty Hylton, Bob Call, Ed Harmison, Everette
Dannar, Mark Tomlinson, Cheryl Brown.

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

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the January 25, 2006 meeting as written. Bruce Smith seconded; motion carried 4-0.

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

WATER USAGE FOR JONES RESIDENCE: Even though Mark and Gaylene Jones had removed themselves from the agenda, Mayor Young brought up the situation for discussion. Bruce Smith made the comment that after studying the information regarding water usage at the Mark Jones' residence, and the reason for replacing the meter, he doesn't feel that the city owes the Jones' any refund. Smith made a motion to deny a refund or credit to the Jones' which was seconded by Bob Sisson. Motion carried 4-0. A letter will be sent explaining the council's decision.

METHODIST CHURCH PARSONAGE: Mayor Young said that several people are present tonight to discuss the problem with the manhole to which the Methodist parsonage connects. Matter has built up in the manhole which causes problems with back-up's in the parsonage. Replacing this manhole is part of the sewer system project, but may be awhile before this is done. Gary Wray was present to explain the situation, and to ask the city maintenance department to clean this out once a week or so until it's replaced. Smith asked if something could be done rather than just cleaning it out weekly. Vic Robbins, King Engineering, has suggested bypassing the manhole and tying into the main line. Bruce Smith moved to make a new connection from the parsonage service line to the main sewer line, providing the elevations are suitable. Bob Sisson seconded; motion carried 4-0. Wray asked when this will be done. The mayor said as soon as a contractor is available, and the city will maintain it until that time.

WATER RUN-OFF: Mayor Young said he has not talked to Michael Coffman about the easement issues regarding Kris Stangis' property at 104 Ash. Bruce Smith said he thinks the city should step in and help fix the problem. He also stated that someone needs to go on site and make some definite recommendations, including the engineer. The mayor said that he would prefer not to add any more jobs to Robbins at this time due to his involvement with the sewer project. Bob Sisson thinks that the culvert in the Birtell's driveway on E. 1st Street needs to be either removed or replaced with a bigger one. Sisson said he would talk to Ted Birtell regarding this matter. Kris Stangis said she understands, but hopes the problem is solved before June and heavy rains come again. Stangis also wanted to clarify that she has never asked the city for compensation for damages to her house, and also that the mayor stated the problem is between her and her neighbors as was indicated in the Osage County Herald. The mayor said that the record will state this clearly. Sisson did tell Stangis that because of where her house is located on her property, she needs to do some landscaping to help keep water away from her house. Stangis said that she and her husband are planning to do that.

SURVEY/GRANT: Donna Crawford, Governmental Assistance Services, was present to tell the council that her quote for doing a survey to apply for another grant will have to be increased to \$5650 due to the Dept of Commerce wanting the survey mapped out showing the houses surveyed. She thinks this is being required to prevent only certain areas of cities being surveyed to meet the percentage requirements. This will increase the time necessary to complete the surveying. The council agreed by concensus to have Crawford submit another contract for approval. Crawford isn't sure if the changes will make it harder or easier for Overbrook to qualify for a grant.

ANIMAL LICENSE VIOLATIONS: Chad Dunnaway, 210 9th St Ct, was present to complain about a ticket he received for not having current dog tags. They were in the process of getting the dog's rabies shot updated, and missed the February 1st deadline. Dunnaway asked if everybody who owns a dog got a ticket if they didn't have 2006 tags, or just certain people. Bruce Smith said that was the plan. Mayor Young stated that supposedly the people who got 2005 tags were sent a letter stating that after January 31st, they would be given a citation for unlicensed dogs, unless they notified City Hall that they had an appointment with the vet after the deadline. Chief Ed Harmison said he wrote 38 tickets, and he's finding out that there's dogs and cats he didn't know about, and he'll be dealing with that. Dunnaway said that they only had about a week from the time they received the letter to get their dog to the vet, and was wondering how much the fine was going to be. Mayor Young said that this matter will be discussed more later. Bob Sisson said that he wasn't happy with 38 people getting tickets as the only people who got the letters were the ones who had gotten their dog tags last year, ignoring anyone who didn't get tags in the past year or years. Sisson said that even though he had approved the letters at a past meeting, he recommended throwing out the tickets that have been written and do a city-wide mailing. Becky Coltrane spoke up and said that City Hall hours are not conducive to people who work out of town. Cheryl Brown, City Clerk, stated that several years ago, the office was opened on Saturday mornings for a period of three months, during which time no one came in to get a dog tag. Brown also has learned from contacting a dozen other cities, that no city office opens before 8 AM, or stays open past 5 PM or have Saturday hours. Brown said that if people will call the office, they will be told to either mail or dropbox the rabies information along with the payment, and the tags will be mailed to them. She also pointed out that this information is on the website. Chief Harmison said that he wrote his aunt-by-marriage a ticket for this matter, and wanted people to know that in reference to who received the letters. He also said that he's talked to the city judge and attorney about reducing the amount of the fine in this instance. Harmison also stated that this is the first time in almost 6 years that he was told by the council to issue tickets, not warnings. He also stated that dogs and cats are required to be licensed for safety reasons, not to make money.

Bob Sisson moved to ask Judge Jones to dismiss all the tickets that have been written to this point. Bruce Smith seconded. Kathy Alcorn asked if all animals are required to be licensed, including those that are always kept inside. She was told that the ordinance applies to all animals. Motion carried 3-1, with Hamit voting no.

Sisson then moved that a letter be sent city-wide giving a deadline of April 1st for residents to get 2006 licenses for their dogs and cats, or be subject to paying a fine. Chief Harmison said that the police department won't be sending this letter, and they can't sell animal licenses since they are not to take money for any reason. Sisson said he wasn't asking them to do it. Chief Harmison stated that his department has been doing what they were told to do, and everything that's come from the way it was handled comes from the council. Mayor Young and Sisson accepted that, and said they were wrong and that's why it's being changed. Dunnaway asked if the city licenses could be valid the same length as the rabies vaccination. The clerk said that she can only get tags marked with the current year. Becky Coltrane said that they got their city tags from the vet in the town where she lived previously. Mayor Young said he might visit with Dr. Sanders about this. Bruce Smith seconded the motion for the city-wide letter. Motion carried 4-0. There was discussion about setting a deadline for next year.

WATER/SEWER PROJECT—GRANTS: Donna Crawford and Vic Robbins came before the council to discuss the easements necessary for all the sewer repairs and/or replacements. Crawford said she is concerned about the size of the easements Robbins thinks the city needs to obtain. She stated that the Dept of Commerce is also concerned because all necessary easements were to have been in place before the grant was awarded. The city is also under a time limit, and getting more easements will definitely take time. Crawford said that she recommends that the project be bid with the easements in hand. Vic Robbins said he disagrees with some of what Crawford recommends, partly because the minimum easement he's found is 40', and in a lot of areas the easement is 16-20'. He's just asking for temporary construction easements which he feels is necessary for the contractors to get the work done. He's concerned that getting bids will be hard without ample space for the equipment and dirt piles. Robbins suggested getting temporary easements on one side only, which would reduce the number of total easements required. He also said that the easements would be written stating that

any damages would be repaired. Crawford stated that she's upset with the situation, and not with Robbins personally. Robbins said that there wasn't complete knowledge of where the sewer lines were located when the project started. There was discussion about the best and quickest way to obtain easements. Mayor Young suggested that we have a town meeting explaining what's needed and why. This would be advertised in the papers, the website, and letters to the affected property owners. The mayor said he would check to see when the school would be available, and he's thinking of asking for March 15th. There was discussion about extra costs and time if these easements aren't given by the property owners. Crawford said that it's possible that another extension might be given, if construction has started. It was decided to proceed with a town meeting, and have several notaries present so that the necessary paperwork can be completed at the meeting. All the maps need to be available at the meeting also. Crawford explained everything that will be needed before the meeting. It was also stated that these easements would be good only for this project as they are being written. Robbins said he would work with the city attorney to get easements on just one side of the sewer line where possible. Crawford reminded the council that our deadline for the grant is June 1, 2006. Mayor Young said he would talk to Michael Coffman about addresses of the owners tomorrow.

Robbins said that the change order for the waterline replacement has been received. The clerk said she will hold the final payment until approved by Robbins and the council. Robbins said he hopes the street repairs can be finished soon.

Robbins said he is reviewing the final plans for the sewer project, and hopes to deliver them along with the contract bid documents to KDHE in person on Friday of this week.

Donna Crawford said she's take everyone out for dinner if we're in construction by May 1st. The council agreed by consensus.

ORDINANCE NO 290: The mayor presented an ordinance which would require the building inspector supervise the connection before any underground portions of the building sewer are covered. This would amend Ordinance No 269, which contains the wastewater regulations. Rich Hamit moved to adopt Ordinance No 290; Bruce Smith seconded. Motion carried 4-0. Bruce Smith said that Dean Beckman is interested in acting as the building inspector, but the matter was tabled until Beckman can be present.

DAMAGE/SEWER BACKUP: Ira Allen said Rae Johnson has indicated that she would accept help with removing the damaged carpet and help with the chemicals needed for the cleaning. Allen said he'd been told by Scott Thompson to submit a claim. Mayor Young explained that the back up was caused by someone putting good sized sticks in the manhole on Johnson's property. It was decided that the matter should be tabled until the costs have been determined. Chief Harmison asked if a police report will be needed. Allen said that would be a good idea. Johnson will be told to submit a bid for expenses.

LAW REPORT: Chief Harmison reviewed his written report for the council. They've had 13 criminal cases in January. He also mentioned that there's been graffiti on the water tower and recommends some kind of barrier be placed around the tower. Discussion about the best way to do that followed. Bob Call said he would check with the company that does the tower maintenance.

MAINTENANCE REPORT: Bob Call asked the council to verify that they approve poles be installed at the city lake as they previously said they didn't want poles. The council agreed by consensus to approve the poles. Call also told the council that he's planning to fence off an area around the maintenance shop to store city equipment. Call will be doing some work on the lift station. He's also planning on doing some water repairs on Friday, so some people will have the water shut off for a while. Rich Hamit asked if Call is going to the Kansas Rural Water meetings in March. Call said he is going, but hasn't picked out which sessions he'll attend yet.

CLERK'S REPORT: Cheryl Brown said she received a letter about the city applying for flood insurance. The material was given to Ira Allen to study and make a recommendation to the council.

The city has also received applications for grants from the Osage County Economic Development group. This will be given to someone on the PRIDE committee.

TREASURER'S REPORT: Patty Hylton had left the meeting early due to illness, so her reports were not reviewed by her. The council can look them over, and ask questions at a later time.

MISCELLANEOUS: There was discussion about shopping around for a cheaper source for fish food this year.

The mayor presented information about a seminar regarding health insurance, health savings accounts, and other related matters. It will be in Topeka, and someone should probably attend, or consider buying the material for further study.

The city has received "thank you" notes from the AfterProm Committee, and also Midwest Coating for choosing them to do the roof on the library.

MAYOR'S REPORT: Mayor Young has received material from the League, and we're heading in the right direction, but he will come to a meeting if we have questions. The mayor said his goal is to do quarterly evaluations.

The mayor stated that he has been advised that an elected city official remains in office until he or she:

1. Resigns or dies
2. Accepts another elected position that disqualifies the official from the first position
3. Is ousted as a result of a lawsuit brought by the County Attorney or Attorney General alleging misconduct.
4. Is recalled (40% of the number of electors who voted in the election that put the official in office can petition for an election on the issue of the recall)

One Attorney General's opinion stated that even when the elected official was comatose, his office was not vacant.

Ira Allen said that it's a shame when someone who's been elected doesn't do the job, or even has the courtesy to resign if they no longer want to be on the council. The mayor said he has left several messages for Councilmember Coursen, and has also gone to his house where there was no response. Mayor Young said he'll try again.

Rich Hamit asked about talking to the pool manager, and said she needs to know when the pool can be opened so she can do classes there again. The mayor asked Hamit to get things going regarding the pool.

There being no further business before the council, Bruce Smith moved to adjourn. Ira Allen seconded; motion carried 4-0. Meeting was adjourned at 9:40 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: February 22nd, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

March 8, 2006

MEMBERS PRESENT: Rich Hamit, Bruce Smith, Bob Sisson (7:05), Ira Allen, Mayor Jack Young. Larry Coursen absent.

OTHERS PRESENT: Rae Johnson, Stan Friesen, Tom Morey, Jon Brady, Jason Hielscher, Vic Robbins, Mike Dickerson, Beverly Hix, Ed Harmison, Everette Dannar, Mark Tomlinson, Bob Call, Jim Koger, Patty Hylton, Cheryl Brown.

The council meeting was called to order by Mayor Jack Young at 7 PM. Roll call determined the presence of a quorum.

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the March 8, 2006 meeting as written. Ira Allen seconded; motion carried 3-0.
Bruce Smith made a motion, seconded by Rich Hamit, to pay all warrants presented. Motion carried 3-0.

DAMAGE CLAIM/JOHNSON: Rae Johnson, 907 Maple, came before the council to request compensation from the city for damages to her property as a result of a sewer back-up. The claim had been submitted to the city's insurer previously, and denied on the basis the damage was a result of "vandalism". Johnson is asking that the city reimbursement for the removal of the old carpeting and the cost of the new carpeting, approximately \$750.00. The mayor asked Bob Call, Maintenance Supt, to describe what caused the back-up. Call said there were sticks of different sizes in the manhole located in Johnson's back yard. Bruce Smith said that these sticks were too large to have come through the sewer system, but had to be placed directly into the manhole. The mayor asked Ira Allen if he had personally talked to the insurance company. Allen said the insurer did not find the city to be negligent as the manhole was in a confined area. Mayor Young stated that the council's previous decision to deny the claim was based on the fact that the sticks had to be put into the manhole. Johnson said that she couldn't think of anyone who would do that deliberately. Vic Robbins, city engineer, asked why the insurance company wouldn't pay a claim for vandalism as the "sewer system" could have received some damage from the incident. Rich Hamit asked if Johnson can submit the claim to her insurance company if the city's company denies it again. Allen said that she could do that. After more discussion, the council agreed by consensus to again deny the claim, but have Ira Allen contact the insurance company again for a more detailed explanation of their decision. Johnson said that if the claim is denied again, she may take legal action.

NATIONAL FLOOD INSURANCE: Tom Morey, National Flood Insurance Program Specialist with the Dept of Agriculture was present to discuss the program. Morey explained that the National Flood Insurance Program is a partnership between a community and the Federal Government where the community agrees to regulate development in identified high-risk areas or designated flood plains. In return the Federal Government will make flood insurance available to anybody in that community. Overbrook does not have any identified special flood hazard areas at this time according to FEMA. For Overbrook to participate in the program, the city would need to pass a resolution stating that the city would be willing to work with the federal government in case of a flood, and help deal with individuals who might be affected. In return, the federal government will make flood insurance available to anybody in the city at a reduced rate, which is determined by the risk. Morey said that FEMA is in the middle of updating 100% of the mapping, and within the next couple of years the whole state should be mapped. Mayor Young asked about the cost to the city. Morey said there is no cost to the city for the mapping or to participate in the program.

Jason Hielscher said that he was denied a claim for a very valuable baseball card collection lost due to a basement window being blown out by heavy rain. He had collectible insurance, but was denied because he didn't have flood insurance. At that time he couldn't get flood insurance because of not being in a flood plain. Morey explained that would be covered if the city is in the flood program. Ira Allen asked if there will be a cap on the amount of coverage a person can have. Morey said he would have to check into that, but everyone in Overbrook should be eligible for preferred rate/risk policies.

Morey left a copy of the application and resolution for the council to consider. He also left other material explaining more about the National Flood Insurance Program. He will also check to see if Osage County participates, but that wouldn't affect coverage in Overbrook.

OVERBROOK ATHLETIC ASSN: Jason Hielscher and Jon Brady were present to report that they'd received one bid for Jones Park field maintenance in the amount of \$1250. Brady asked the council what they need from the association regarding reports, etc. Mayor Young said the council just wants an idea of what the cost would be and doesn't see the need to take more bids. There was more discussion about the items needed before the season starts. Brady said that the window in the concession stand needs to be repaired or re=built before new plexiglass is installed. There was discussion about using funds from the Jones Park fund at First Security Bank. Brady asked where the money in this account comes from. Cheryl Brown, City Clerk, said part of it comes through the Community Chest, but isn't sure about any other funding. She said this may be the accumulation of several years donations. Mayor Young said that this is part of the reason why the council would like more communication with those using Jones Park. Brady said that more help and guidance from the city is necessary to keep recreation activities growing in our town. They've been studying how other towns handle this, and are hoping that forming a Recreation Committee will help Overbrook. Ira Allen asked if the Jones Park fund at First Security Bank is a separate account. Brown said that it was, and until Bob VonStein resigned, the city didn't receive bank statements or other information about deposits, etc. The auditor has been examining these documents along with records from the library, so she's not suggesting any wrong-doing – just that the city has had no input in decisions affecting the funds. Mayor Young said that all of these matters will be discussed when he meets with Brady, Hielscher, and someone from the high-school tomorrow night.

There was more discussion about what the city would pay for regarding items for the 2006 season, and how to proceed with the repairs. The first game for the high school is scheduled for March 27th. Mayor Young said that he and Bob Call will look things over in the next day or two. Bob Call said that he could have the water turned on by this time next week, weather permitting. Brady asked Bob Call to get another cover for the lock box over the scoreboard. Call said he'd look around for it, and replace it if necessary. There was discussion about some kind of device to help control the odor in the bathrooms. Call said he would take care of getting new locks for whatever doors they want. Brady asked about getting some kind of toilet paper dispenser that would discourage anyone from taking the whole roll of paper. Call said he would check into it. Mowing the east diamond was discussed as they may be using it for T-ball this year.

PROGRESS PROMOTION: Mike Dickerson reviewed the information from the Osage County Herald regarding a special edition called the Progress Edition whose purpose is to promote the county in the areas of government, communities, arts, entertainment, and business. He left information about the rates for different sized ads. March 31st is the deadline for submitting the ads.

TREASURER'S REPORT: Patty Hylton, City Treasurer reviewed the financial statements for the month of February for the council. All of the fund balances look to be in good shape. She reminded the council that we will need to amend the 2006 budget to allow the police department to spend the balance of 2005 funds. She also gave details on transfers made for each of the reserve funds. Hylton and Brown are still working on exactly how much to transfer to cover the sewer project loan payments. Hylton will be talking to Donna Crawford about exactly how the expenses need to be split for the CDBG reimbursements.

WATER/SEWER PROJECT REPORT: Vic Robbins said that he had made copies of the maps made by Kansas Rural Water Association of the sewer and water systems. He intends to draw lines to indicate exactly where the easements required are located on the property. This won't address buildings, etc that may be in the easements. Hopefully these questions will be addressed at the Town Hall meeting on March 15th. Robbins said that these easements must be obtained since the city is under a directive from the state to make improvements in the sewer system. There was discussion about what is allowed on permanent easements. Robbins said that temporary easements will require the contractor to either restore property, or compensate the owner if it can't be restored. Permanent easements are handled differently. Robbins is in favor of as many people as possible going door-to-door to acquire easements since there are quite a few needed. Bob Sisson asked what happens if not many people attend the town meeting on the 15th. The mayor said that he and the council would be going door-to-door, as well as Donna Crawford's company. Michael Coffman, City Attorney, will be at the meeting to answer the legal definitions of easements. Robbins told the council that there are about 24 sewer lines where some kind of easement is needed. He's hoping to have all the lines on the maps by next week's meeting. Robbins reviewed the time requirements as presented at the last meeting. Robbins said that he would have preferred that a letter had been sent to property owners explaining the need for permanent and temporary easements. Mayor Young said that there probably isn't time to do that now. Robbins said that he would consider taking bids if the majority of easements have been obtained, with a few hold-out's, but there couldn't be very many.

DRAINAGE: Bruce Smith said that Doug Cloud, owner of the property south of E. First St and Ash has no objections to the city putting a drain tube under the road that would empty on his property as long as the opening is left in such a way that they can maintain it easily. Smith said that he's not convinced that this will eliminate the problem on Kris Stangis' property. Smith feels that re-doing the drainage area on the back of that property will be more beneficial. The council agreed by consensus to have Vic Robbins do some elevation figures before any final decisions are made.

BUILDING INSPECTOR: Bruce Smith has visited with Dean Beckman regarding acting as the city's building inspector. Beckman needs to do some visiting with his supervisor before making a definite commitment. At the present time he just works part-time, but may go full-time which might conflict with the inspecting utility connections when the contractors are ready.

ATHLETIC COMMISSION: Mayor Young has arranged a meeting with members of the Overbrook Athletic Association for Thursday, March 9th at 6:30.

PROJECT BOARD: A new project board has been installed on the wall for the purpose of listing projects as a reminder of what needs to be done. The council decided that Mayor Young should be responsible for listing the projects, along with a time line for each project. Suggestions for listing were sewer project, comprehensive plan, planning and zoning regulations, recreation commission, water line project.

MISCELLANEOUS: Ira Allen suggested that when things to do come up at council meetings, a list be made and given to the employee responsible for the jobs. He said that when Bob Call or Patty Hylton aren't at the meetings and things come up for them to do, someone needs to make sure they're aware of the requests in writing.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. Chief Harmison told the council that he and Everette Dannar have taken a re-certification class for the tasers. Harmison said that there were 38 citations for dogs and cats that were never filed with the court.

MAINTENANCE REPORT: Bob Call said he will be meeting with someone from Westar about electricity at the city lake. He's open to suggestions about where the poles should be set.

Well #2 is running and the AquaMag is back online.

Call said that the east water tower is being sandblasted as preparation for painting. Bruce Smith had some concerns about painting this time of year. The clerk said we have a maintenance contract with the company, so they'll do it again at no extra charge if it isn't satisfactory.

Call said he had met with Brandi Kuermaier who will be managing the concession stand this year. Several items like the screen door, plexiglass window, attic fan were addressed. Call said he didn't know for sure when he'd get the water turned on as it would depend on the weather. He said that he should be able to fill in the concrete block that Hielscher had mentioned earlier.

Call said that he's going to install a new water meter on George Maichel's property where they previously had service.

Mayor Young said that PRIDE has been discussing purchasing or whatever funding they can find for new playground equipment and wanted the athletic association to be aware of the possibility.

Hielscher asked if the city could provide an American flag for Jones Park. The clerk said that she could order one if they let her know the height of the pole to be used.

Bob Sisson brought up hiring someone to help Call for the summer. Jon Brady suggested using this person to help with the ball diamond preparation. The council will consider the matter.

CLERK'S REPORT: Cheryl Brown gave the council information about quotes from Blue Cross Blue Shield for employee health insurance. The contract is due for renewal on May 1, 2006. The matter was tabled until the next meeting. Ed Harmison said that his premiums will decrease next year after his daughter graduates from college.

Brown told the council that Jim Koger will be speaking at the PRIDE meeting on March 18th about the city's website.

The council agreed by consensus to send Mayor Young to a League meeting regarding labor issues, job descriptions, and pay trends on March 31st in Lenexa.

The council also agreed by consensus to approve the plan recommended by Jim Koger to renew our agreement with Domain Direct for hosting the website.

COUNCILMEMBER COMMENTS: Rich Hamit said he was disappointed that we've not heard anything from Galaxy Cablevision. The clerk said that there's probably not going to be any channels added or we would have heard by now. Hamit also said that Joni Hudson will be the pool manager again this year, but the matter of her salary was tabled.

MAYOR'S REPORT: Mayor Young said he and Ira Allen attended a meeting at the high school with other governing bodies from other towns and the county commissioners to discuss development of resources. The mayor asked council approval for parades to be held whenever the district school's have won championships, etc. The council agreed by concensus, with approval from Chief Harmison, to participate in such parades. The mayor said he would contact Terry Schmidt regarding the decision.

There being no further business before the council, Bruce Smith moved to adjourn at 9:30 PM. Bob Sisson seconded; motion carried.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: March 22nd, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 22, 2006

MEMBERS PRESENT: Ira Allen, Bob Sisson, Rich Hamit, Bruce Smith, Mayor Jack Young. Larry Coursen absent.

OTHERS PRESENT: Ann Moore, Jason Hielscher, Courtnee & Scott Hanson, Kris Stangis, Vic Robbins, Mike Dickerson, Ed Harmison, Jim Koger, Everette Dannar, Cheryl Brown.

The regular council meeting was called to order by Mayor Young at 7:00 PM. There was a quorum present.

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the February 8, 2006 meeting as written. Bruce Smith seconded; motion carried 4-0.

Ira Allen moved to pay all warrants presented; Bruce Smith seconded. Motion carried 4-0.

OVERBROOK ATHLETIC ASSOCIATION: Jason Hielscher, Ann Moore, and Scott & Courtnee Hanson came before the council representing the Overbrook Athletic Assn. Hielscher said that they are here to discuss the maintenance of the ball fields and the concession stand. Hielscher asked if the council wants to appropriate money and have them take care of it, or the council hire someone to take care of the maintenance. Mayor Young asked how it's been done in the past. Hielscher said that last year the council appropriated money and the association hired someone. The money covered the person to work it, and a new chalker, but there wasn't enough money to cover the cost of the chalk. Hielscher said that it would probably take around \$3,000 to cover everything that they think is needed. The money made from the concession stand covers its expenses and the umpires. Hielscher is concerned that they'll have to pay umpires more this year. He also brought up access to the lights. The council said that access to the lights was only an issue after ball season was over as they hadn't been told that there were soccer games being played on a regular basis. Hielscher said that the concession stand needs to be painted, and a new urinal is needed in the men's restroom. He also mentioned having the locks changed so that you don't need 5 different keys. He said that the weeds have been creeping into the infield areas, and would like to do something about that. The pitcher's mound on the north diamond needs to be rebuilt. Hamit and Sisson both said that the high school should take care of that. Hielscher also asked if some of the stuff around the city shop could be moved, both to look better and to give more parking space. Two of the used refrigerators have quit working, and they need more than one. Hielscher also asked about getting a combination announcer's stand/storage shed. Hielscher also said that Carbondale had been required to install new sinks last year by the state health department, and wanted the council to know of the possibility of that happening to us, too.

The mayor asked when the ball season will be over. Hielscher said it should be over by August 1st. Mayor Young said that he's been involved with the Jones' Fund building new diamonds at Lyndon, and suggested putting together a plan to apply for Jones's Fund money to build new diamonds in Overbrook. He's not sure if that would include a storage building/announcer's stand. There was discussion about improvements that could be made to the dugouts.

Bruce Smith asked what is meant by field maintenance. He was told that this includes chalking, raking and routine game prep. City maintenance has been spraying for weeds and the regular mowing. Hielscher said that they take bids for the maintenance, so they won't know the total cost until sometime this next month.

Hielscher said he would like enough money this year to paint the concession stand, replace the plexiglass screens, install some kind of air fresheners for each bathroom, and get a new urinal for the men's bathroom.

The council said that the city would either paint the concession stand, or furnish the paint if someone volunteers to do the painting. Mayor Young said that the council had already approved changing the locks on the doors to have them keyed the same, but it hasn't been done yet. There was discussion about how many keys would be needed. Hielscher said he would like each coach to have keys to the shed, lights and the bathrooms. He wanted the concession stand key to be different from the other keys. The mayor asked that the keys be returned at the end of the season. Hielscher said that they had paid an electrician to work on the scoreboard last year. The council said that the city would hire an electrician, providing they are told when there are problems. Bob Sisson said he would check with Walt Martin about the availability of a good used refrigerator. Mike Dickerson, reporter for the Osage County Herald, said he has a refrigerator he'd donate if someone wants to come get it. Ann Moore said she has a pickup, and they'd come get it. Dickerson was thanked for his generosity.

Mayor Young said that he'd like to wait until research has been done about the Jones' Fund before the council makes a decision on an announcer's stand/ storage shed. Any decision about what's needed for maintenance was tabled until the association gets some bids. The council agreed that Bob Call would spray the weeds. Hielscher asked if Call could also put a layer of ag lime down. There was discussion about how this would be applied. Bob Sisson said that Carbondale had someone use a power tiller on their fields that helped for awhile. Hielscher asked when the city would start maintaining the ball fields.

He was told that the mowing would start when it warms up and the grass starts growing. They try not to have the water turned on too early in case of a late freeze. Hielscher asked to be notified if the water isn't turned on by the time the high school season starts.

Mayor Young said that he would contact someone from the athletic association to help with applying for Jones' Fund money. Sisson said that they should consider hosting tournaments. Courtnee Hanson said that they don't have enough help to put on tournaments. They have had lots of trouble finding volunteers the past few years. There was discussion about the fees being charged for kids to play ball. Hielscher said they were \$45/child, but the parent could get \$10 back if they helped in the concession stand. The mayor suggested that they charge \$100/child and refund \$55 IF the parent helps with concessions and tournaments. He said that hopefully the parents would "get off the couch and get involved with their kids." Rich Hamit said that they'd either do that, or just not sign their kids up for ball. Hielscher said that people don't seem to volunteer like they used to. He's planning on contacting Santa Fe Trail to see if any of the students are needing places to volunteer. Forming a recreation commission was again discussed. The mayor said he would be contacting Hielscher soon about a meeting. Hopefully, they will know more about the maintenance bid by the March 8th meeting.

PROCLAMATION: Ira Allen made a motion, seconded by Bob Sisson, to designate April, 2006 as FAIR HOUSING MONTH in the City of Overbrook. Motion carried 4-0.

RUN-OFF/DRAINAGE: Kris Stangis, 104 Ash was present to ask if any decisions have been made about solutions to drainage issues affecting her property. Bob Sisson said that he has visited with the Birtell's who live at the corner of Ash and E. First Street. Sisson doesn't think that their culvert is the problem. He thinks that the city needs to put a culvert across E. First Street to take the water away from Ash Street and also from the east end of First Street. Sisson thinks that there's ample area to handle the extra water on the south side of E. First, but since this property isn't in the city limits, someone will need to contact the owner. Bruce Smith said he would talk to that property owner, possibly Doug Cloud, before the next meeting. Stangis also expressed concern about the drainage ditch on her property eroding. Bruce Smith said that if the area is widened, it should keep the volume more evenly distributed.

DAMAGE CLAIM/JOHNSON: Mayor Young presented some estimates that Rae Johnson has received to replace and/or clean household items damaged by the recent sewer back up in her basement. Ira Allen said that the city's insurance has denied her claim since it was the result of vandalism. Rich Hamit asked if Johnson's insurance would pay for the damages, even if it is vandalism. Allen said they probably would if she turns it in. Johnson told Allen that the total expenses would be about \$1,000.00. Bruce Smith asked why the city was even considering this matter if the vandalism was done on her property within a fenced backyard. Smith then said that he had been informed by Bob Call that the sewer had backed up as a result of good sized sticks being put in the manhole located in Johnson's back yard, which is fenced. Smith then moved to deny any claims from Johnson. Bob Sisson seconded the motion. Ira Allen said that he could see both sides of the situation. Bob Sisson wondered why the city's insurance company denied the claim since the manhole as part of the sewer system belongs to the city although it's located on private property. Mayor Young called for a vote on the motion as stated. Motion carried 4-0 to deny the claim. Ira Allen was asked to follow up with Employers Mutual regarding the matter.

WATER/SEWER PROJECT: Vic Robbins reported that he hasn't heard anything new about when the street repairs would be done where the new waterline was installed. Robbins also asked if Bob Call has checked with Donnie Bryant and Rick Calderwood about their sump pump hook-ups. Call was not present to answer, so this was tabled.

Robbins has completed the plans and specs for the sewer rehabilitation project, in addition to the contract documents, except for some final dates. KDHE requires a contract of that magnitude to be on bid notice for at least 30 days. Then the bids have to be reviewed, and the contractor will need at least 15 days to get his paperwork completed. Then they will need some time to get the materials ordered and delivered. Robbins is hoping to take bids sometime in March. Mayor Young said that there will be a town hall meeting on March 15th at the school to get temporary construction easements signed. Robbins said that there's a possibility of letting bids before all the easements are obtained. Donna Crawford is planning on going to individuals homes to try and get the easements before the town meeting. Michael Coffman has been sending her the actual documents requiring property owners signatures.

The mayor said he would check with Bob Call regarding the sump pumps and street repairs.

Robbins was then asked his opinion of installing a culvert across the road to divert water away from Kris Stangis property as well as neighboring property. Robbins said he thought that would be a good idea as it would allow the Birtell's to keep their driveway. There was discussion about Robbins checking elevations, etc to get the project started. Robbins also said that the new construction on Trail Drive needs to be inspected for drainage. The mayor said that everything seems to be in order. Stangis said she is still concerned that new construction will add to the amount of run off. Robbins said that there's nothing that requires a developer to include a surface drainage plan in their building application. Mayor Young said that's one thing that will be addressed in future subdivision regulations. Stangis asked if all the planned things will be done before spring rains. She was told that once the town meeting is over on March 15th, everyone will have more time to get the new culvert installed.

FLOOD INSURANCE: Ira Allen reported that the city has a year from February 6, 2006 to participate in the National Flood Insurance program. Allen has asked Rhonda Montgomery to come to the March 8th meeting to discuss what the city would have to do to participate. He also said that being in the program will help the town with future grants. An individual can buy flood insurance if the city is in the program.

COUNCILMEMBER COMMENTS: Bruce Smith said that Dean Beckman has expressed interest in acting as the city's building inspector. He will ask Beckman to come to the March 8th meeting to discuss his availability and the job requirements.

Ira Allen suggested that the city get a "project board" to list all the business before the council in order to keep better track of what's being done or not done. He mentioned projects such as the sewer rehab project new grant applications, comprehensive plan, recreation commission, more involvement with the Planning Commission. Allen said that the council should be more involved and supportive, and one way to do this is to provide them with a key to City Hall. There was discussion about the size and location of project board would be needed. Cheryl Brown said she would check in her supply catalogues to see what's available. Jim Koger offered to email reminders to the council. Ira Allen suggested a board with lines and putting it where it's very visible.

Rich Hamit asked why Collette Cersovsky was on the agenda since she didn't come to the meeting. Brown explained that she was upset about not being able to get animal tags during city hall hours, and wanted to talk about that. Brown did tell her that this can be done by mail if necessary.

Hamit also reminded the council that they had authorized the pool staff to paint the bathhouse floors last fall, and they are planning to do the painting this spring before the pool opens.

MAYOR'S REPORT: The mayor said that they, as the governing body, need to remember to get the things done they've discussed at the meetings. He then said that Santa Fe Trail is hosting a meeting by the school board and they would like some governing body members to come. The meeting is described as a fact-finding and discussion type meeting. Smith, Allen and the mayor plan to attend.

MISCELLANEOUS: Chief Harmison told the council that Mark Tomlinson's father-in-law, Franklin Downs, has died and wondered about the city sending flowers. Brown suggested donating to a memorial as the flower shop would most likely be closed for several days. The council agreed by consensus to donate \$25 to a memorial chosen by the family.

There being no further business before the council, Bruce Smith moved to adjourn. Rich Hamit seconded; motion carried. Meeting adjourned at 8:50 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: March 8th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 22, 2006

MEMBERS PRESENT: Rich Hamit, Bob Sisson, Ira Allen, Bruce Smith, Mayor Jack Young.
Larry Coursen absent.

OTHERS PRESENT: David Alcorn, Mike Dickerson, Jason Hielscher, Jon Brady, Jim Koger,
Chief Ed Harmison, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 PM. A quorum was present.

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the March 8th meeting as written. Ira Allen seconded; motion carried 4-0.
There were no warrants presented for payment.

ATHLETIC ASSOCIATION: Jason Hielscher was present to discuss bids for work on the concession stand and other matters related to Jones Park. He also had questions about the procedure to recall a member of the governing body.

NATIONAL FLOOD INSURANCE PROGRAM: Following a discussion of information provided by Tom Morey at the previous meeting, Ira Allen moved that the city participate in the National Flood Insurance Program by adopting Resolution No. 70 which states the requirements and benefits of such a program. Rich Hamit seconded and the motion carried 4-0.

BLUE CROSS BLUE SHIELD: After discussing other options, Ira Allen made a motion to extend the contract with Blue Cross Blue Shield to provide health insurance for full-time employees as needed. Rich Hamit seconded; motion carried 4-0.

SEASONAL HELP: Requirements and abilities for a maintenance assistant were discussed. The council agreed by consensus to approve hiring someone for up to 30 hours/week at a salary of between \$7 and \$8/hr, based on the individual's experience. Ads will be placed in both local papers and other details will be discussed after applications have been received.

POOL MANAGER: Rich Hamit moved that the pool manager's salary be \$9.75/hr for the 2006 season. Joni Hudson will be returning for the second year as manager. Ira Allen seconded; motion carried 4-0.

DAMAGE CLAIM/RAE JOHNSON: Ira Allen reported that he's had no contact from Employers Mutual regarding the matter.

COUNCILMEMBER COMMENTS: Bruce Smith said that Dean Beckman is interested in acting as the Building Inspector, but needs to talk with his supervisor about hours, etc before making a commitment to the city.

Rich Hamit presented requests by Joni Hudson regarding the pool. These include when the pool can be filled, classes for lifeguards, marking the end of Zero entry slope, painting a mural on the bathhouse, and replacing or repairing the hot water heater. These requests will be given to Bob Call, and he can talk to Hudson about any problems. The council agreed by consensus to allow the SFT student council to paint a mural on the wall inside the fence.

MUTUAL AID AGREEMENT: Chief Ed Harmison presented a Mutual Aid Agreement as prepared by the Burlingame police chief. This agreement would allow law enforcement officers from one town to assist with emergencies in the other towns, prior to the actual emergency. All personnel would remain an employee of the person's own city while acting under the agreement. Bruce Smith moved to approve the agreement. Bob Sisson seconded; motion carried 4-0.

MAYOR'S REPORT: Mayor Young said that he and some others had met to discuss forming a Recreation Commission but no decisions had been made about the number of members, lengths of terms, or responsibilities.

There being no further business before the council, Bob Sisson made a motion to adjourn. Rich Hamit seconded; meeting was adjourned at 7:30 PM.

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED: April 12th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 12, 2006

MEMBERS PRESENT: Larry Coursen, Bob Sisson, Rich Hamit, Ira Allen, Bruce Smith, Mayor Jack Young.

OTHERS PRESENT: Joe & Kenny Greene, Donna Crawford, Ken Krause, Jason Hielscher, Becky Coltrane, Jim Gates, Don Schultz, Peggy Waldman, Roberta Daniels, Jon Brady, Vic Robbins, Mike Dickerson, Scott Averill, Bob Call, Patty Hylton, Ed Harmison, Jim Koger, Cheryl Brown.

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

MINUTES / WARRANTS: Rich Hamit moved to approve the minutes of the March 22, 2006 meeting as written. Bruce Smith seconded; motion carried 5-0.

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

SOLID WASTE CONTRACT: Joe and Kenny Greene, Osage Waste Disposal, were present to discuss the renewal of their contract with the city for the removal of solid waste. The current contract will expire on June 1, 2006. Joe Greene explained that the new contract will call for a 5% increase due to the price of fuel. This will increase the cost of household waste by 50 cents/month. Bruce Smith moved to approve the contract renewal with the 5% increase. Larry Coursen seconded; motion carried 5-0.

2007 LIBRARY BUDGET: Peggy Waldman, Overbrook librarian, came before the council to thank the council for the new roof on the library. She said that there's been a problem with water coming in under the back door, but Bob Call has done some dirt work in the alley and hopefully that will eliminate the problem. Bruce Smith moved to appoint Becky Coltrane to the library board for a 4-year term. Rich Hamit seconded; motion carried 5-0. Waldman said that Esther Geary has resigned from the board, but she doesn't have anyone to take her place at this time.

Waldman reviewed the 2007 budget request for the library. She talked about existing grants and what will be required to get more grants, starting next year. Included in the requests are increased salaries in order to expand library hours, and also increased costs for internet access through NetExpress. Connection through NetExpress would allow access to schools and colleges statewide. The 2006 budget was \$37,899.00 and what they're requesting for 2007 is \$53,781.00 or an increase of \$15,882.00. Waldman didn't have a breakdown of exactly how much of this increase would need to come through the city's tax revenue at this time. The council said that they would be working on the 2007 budget beginning at the next meeting.

P.R.I.D.E.: Ken Krause was present to discuss plans for upgrading Jones Park and Overbrook City Lake. He contacted the Kansas Forest Service in Manhattan and Kim Bomberger of the Community Forestry Program has visited these properties and has sent a recommendation for potential plans in regards to tree planting or removal in some cases. Ken Krause asked why the lake isn't named Friesen Lake? He was told that the lake was named that originally, but due to people being confused about who actually owns the lake, it was renamed Overbrook City Lake with the support of Max Friesen. Friesen donated the land, but has never "owned" the lake. Krause asked if the city has a problem with naming certain parts of the park after those who invest in the project. Mayor Young said that he couldn't answer the question. Krause asked if there's a plan to continue the sidewalks. He was told that the original grant money has been spent, and there's been no application made for additional funds. He was told

that Roger Harmon was very instrumental in getting the original grant monies and might be interested in helping with more requests. Krause asked if he can tell people that different parts of the project might be named after them. The mayor and Bruce Smith said they personally have no problem with naming parts of the total area after people, but the park as a whole would remain Jones Park. Jason Hielscher said that the name of Jones Park may be part of the original funding requirements. Mayor Young said we would have to do some checking on that.

SEWER PROJECT: Vic Robbins and Donna Crawford were present to discuss easements. Donna Crawford reported on the easement documents that have been signed, and also those still needing to be signed. Crawford said that she has sent a second letter to those who have not responded to the first mailing. Vic Robbins said that Michael Coffman has about 13 individuals that he's working with due to legal issues, such as deaths of one of the property owners, etc. Crawford said that she's advertised for the bids to be opened on May 15th. She's confident that all the documents will be signed by the time actual work begins in approximately 60 days. Crawford requested that the council agree to meet at the end of the month, and if necessary, each person take some of the documents to be signed. She and her employees will continue to work on them until that time.

Vic Robbins agreed that the council may have to help contact property owners to avoid holding up the contractor and having to pay them damages. Crawford said that this can be discussed at the April 26th meeting. Jon Brady said that Michael Coffman was supposed to discuss writing his easement to state that permanent structures would be excluded. Coffman has not contacted the city regarding this matter at this time. Jim Gates stated that he's willing to sign the easement, but he's concerned about losing some of his trees. Robbins said that one tree is right over the sewer line, but the specs call for engineer approval to remove it, and the contractor is responsible for replacing trees with 2 seed saplings of the same species to be located at least 20' away from the sewer. Other compensation would be the city's responsibility.

Robbins has made all the revisions in the bid documents and contracts recommended by KDHE and Michael Coffman and re-submitted to KDHE. The bid date has been published in the Capital-Journal and minority mail-out's have been sent. Robbins will be sending the notice to contracting clearing houses. It will take about 15 days to verify contract bid documents, etc.

Robbins reported that he's received a letter from KDHE regarding a certificate of construction completion on the waterline project, which includes the new line from the wells, the tower sensor system and the new waterlines in town. He also received a letter asking for a signed form stating that the project was completed as stated. Robbins thinks there's still work to be done on the rural waterline, and the asphalt work needs to be completed in town. Cheryl Brown said that Donnie Bryant called her and said that the company he originally was going to use has not returned his calls, so will be contacting other companies to finish the streetwork. The original loan money was used for the actual waterline, but the street paving will come from the Special Highway fund. Robbins asked Bob Call about the sensor system. Call said that it works, but just keeps calling every few minutes regardless of how soon he answers. Robbins said he will contact the company to see if this can be adjusted. Robbins said that he will have to write a letter stating the plan for the corrective action to be taken. The council agreed to have Robbins send the letter. Bruce Smith said that he would talk to D&D Excavating about completing the project.

Robbins repeated what Donna Crawford had said about the council helping get easements signed after the next meeting, if necessary. Mayor Young volunteered the council's help.

FIREWORKS SALES: Bruce Smith moved to approve the request to operate a fireworks stand made by Eric Garrett, Eudora, on the property owned by Dahl & Shaffer on Hwy 56. Garrett is working with the Boy Scouts in this venture. Larry Coursen seconded; motion carried 5-0. Garrett's letter stated the hours, etc that the stand would be operated.

RESOLUTION NO 71: Ira Allen made a motion, seconded by Bob Sisson, to adopt Resolution No 71 which would authorize Cheryl Brown, Patty Hylton and Jim Koger to have access to the city's safety deposit lock box. Motion carried 5-0.

DONATION: Bruce Smith moved to donate \$125 to the Renaissance Committee at Santa Fe Trail High for their year-end awards. Rich Hamit seconded; motion carried 5-0.

UNFINISHED BUSINESS: The drainage problems at the Stangis property on Ash Street, and on 7th Street by the school were tabled until the engineer and attorney have time to make recommendations. As stated earlier, the waterline project is partially completed, and the contractor will be contacted regarding the street paving.

Bruce Smith said that Dean Beckman is working full-time, and wouldn't be available except in late afternoons. This probably wouldn't be satisfactory for most of the builders. Bruce Smith said he would visit with Duane Stout regarding the job.

Bob Call said several applications have been received for a part-time worker, but he doesn't have anyone of them to recommend at this time.

The Mutual Aid Agreement for the police department was tabled until Chief Harmison returns to the meeting.

Mike Dickerson asked the council if they had discussed the promotional edition for the Herald. After discussion, Rich Hamit moved to pay for a full-page ad. Bruce Smith seconded; motion carried 5-0. Someone from the Herald will be in touch with the mayor and clerk for information.

FREEZER FOR CONCESSION STAND: Jason Hielscher asked if anyone has checked with Walt Martin about a freezer for the concession stand. The mayor said that he didn't think anyone had checked as far as he knows. Jon Brady asked when there will be more action regarding forming a recreation commission. The mayor said probably in a couple of weeks, and before the 2007 budget is prepared. Hielscher asked when will they receive the money for ballfield maintenance approved at the last meeting. The clerk said that they need to submit an invoice. Hielscher said they've been pricing drags, and the one they feel would be the best buy is around \$300. Bruce Smith made a motion, seconded by Rich Hamit, to authorize buying a drag for around \$300. Motion carried 5-0.

MAINTENANCE REPORT: Bob Call told the council that the east water tower has been painted, and a safety guard has been installed on the ladder. Call put a stop sign by the tower to keep construction people from driving across the field and coming out by Steve King's house. King has suggested adding some more fence along the south side and putting a gate where people can have access. The council agreed that this would be a good idea.

Four Seasons will be replacing the sand in the filters at the pool. Call said he has been doing the maintenance on the manhole by the Methodist parsonage every week.

Ira Allen made a motion, seconded by Bruce Smith, to approve the bid from Peterson Tree Service to remove trees from the service pole north of the maintenance building to the Jones Park entrance for \$600.00. Motion carried 5-0.

LAW REPORT: Chief Ed Harmison returned to the meeting and reviewed his written report. Danner and Harmison received 2 hours of training in Topeka this past month.

TREASURER'S REPORT: Patty Hylton reviewed the financial reports for the council. Hylton pointed out that the ending cash for March was \$298,025.14. Hylton told the council that we're transferring 25% of the sewer fund to the sewer project fund to be used for loan payments. Hylton recommended purchasing more certificates of deposit rather than leave everything in the checking account. Bob Sisson made a motion, seconded by Rich Hamit, to buy a 6-month cd for \$25,000 and a 12-month cd for \$25,000 at First Security Bank. Motion carried 5-0. All the funds are well within their budget limits. Hylton is concerned about the increasing cost of health insurance. Harmison said that his coverage will decrease after this next year. Bob Sisson said that the city will only be paying for full-time employee coverage from this point on, and the employee will be responsible for additional family coverage.

CLERK'S REPORT: Cheryl Brown reported that Jim Long will be here May 16, 2006 to do the 2005 audit, so any questions or requests for the 2007 budget can be presented to him at that time before he works on preparing the new budget.

Phone service should be activated at the pool and Jones Park by the end of the week. Brown said that picking up trash at the city lake might be too much for the scouts or 4-H kids since the smaller containers can be very heavy. Call has been emptying them up to now. Ira Allen said this could be included in the part-time maintenance jobs. The mayor asked that they be emptied into the dumpster at least once a week.

REAPPOINTMENTS: Bruce Smith moved to re-appoint John Jewell and Jerry Allen to the Overbrook Housing Authority. Rich Hamit seconded; motion carried 5-0.

COUNCILMEMBER COMMENTS: Bob Sisson made a motion to discontinue the scheduled second meeting of the council. Smith seconded. Allen said that the council needs to meet the second time to work on the budget and other matters. Mayor Young agreed, but wanted to know who should be planning the second meeting. Allen mentioned all the things listed on the project board that could be the subject of the second meeting. The mayor asked again who should be responsible for setting the agenda. Smith said that it could be decided at the first meeting. Sisson mentioned that if it's to be a working meeting, the agenda should be kept to those matters. All agreed. The motion failed with a vote of 2-3, with Allen, Smith and Hamit voting no. The mayor asked for the agenda at this time. Items included will be the library budget, and the budget in general. The clerk reminded them that Vic Robbins and Donna Crawford will be attending the next meeting due to easement concerns. The mayor told those present that other matters may not be discussed at great length at a second meeting. The clerk asked that people call and ask to specifically be put on the agenda for the first meeting.

Ira Allen brought up doing some remodeling in City Hall to better utilize the space. One suggestion would be to decrease the size of the entry way. Allen said that he thinks it would be worth some expense to do this. No definite amount of money was discussed. Smith mentioned replacing the chairs with ones that are adjustable. Rich Hamit was asked to do some comparison shopping for new chairs. Ira Allen said he has some catalogues.

COMMENTS: Becky Coltrane thanked the council for seeing that the trash was picked up around the city lake, and also stated that she's very glad to be living in a safe community.

Don Schultz introduced himself as a fairly new resident. Schultz has recently been appointed to the county economic development commission, and said they've hired a new director. The mayor said he met him earlier today. Schultz encouraged the council to relay their plans and concerns to the commission through him. Mayor Young said that Bert Mosier, the new director, had heard that the mayor of Overbrook was against development. The mayor wanted it noted that he is not against development.

There being no further business before the council, Bruce Smith moved to adjourn. Ira Allen seconded; motion carried 5-0 at 9:10 PM.

Submitted By,

Cheryl L. Brown
City Clerk

APPROVED: April 26th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 10, 2006

MEMBERS PRESENT: Rich Hamit, Ira Allen, Bob Sisson, Bruce Smith, Larry Coursen, Mayor Jack Young.

OTHERS PRESENT: David Osborn, Jon Wilhite, Beth Pankratz, Michael Coffman, Don Schultz, Pat Martin, Donna Crawford, Ken Krause, Marcia Elliott, Jim Gates, Vic Robbins, Jason Hielscher, Jon Brady, Roger Davis, Anne Hassler, Jim Koger, Patty Hylton, Ed Harmison, Bob Call, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 PM and roll was called by the clerk.

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the April 26, 2006 meeting as written. Larry Coursen seconded; motion carried 5-0.

Bob Sisson made a motion, seconded by Ira Allen, to pay all the warrants presented. Motion carried 5-0.

DEBIT/CREDIT CARD PAYMENTS: David Osborn, CardPayment Solutions, Emporia, Kansas was present to discuss the city using their card-payment system for services provided by the city. This company would put a link on the city's home page, using the city's choice of disclaimer messages. Osborn explained that this can be done with real-time authorization so that customers know if the transaction was authorized, and that payment convenience fees can be added if the city chooses. The city would be notified immediately when someone has paid Online, the system will generate a confirmation number for the customer, the page can be printed by the customer, and notes can be included when making a payment. CardPayment Solutions also offers a program to allow check-by-phone payments. There would be a \$250 set up fee, along with a 2.5% fee to VISA which could be passed along to the customer if the city chooses to do so. Currently, Douglas Co Rural Water #3 has just signed up, Council Grove Telephone, Geary Co Hospital, Lyon/Coffey Electric in Emporia, and several others. The company works out of Lenexa and is bonded. The city wouldn't have to buy additional equipment as we have internet access. The city would have to make a 2-year commitment to accept the credit card payments, but not with the online check side. Cheryl Brown said she has had several inquiries from customers regarding this matter. The mayor thanked Osborn for the presentation, and said the council would definitely consider the proposal.

PRIDE: Jon Wilhite, president of PRIDE, was accompanied by several members and told the council they were present to discuss improvements at the city park and lake. Wilhite said that Ken Krause has set the plans in motion by contacting the Kansas Forestry Commission and Kansas Wildlife and Parks. Several means of funding the project have been considered, including the Jones Trust. Don Schultz, member of PRIDE, told the council about his moving to Overbrook and his impressions of the community, all of which are favorable. He commented on why PRIDE has become involved with developing the park and city lake. An ad hoc committee has been formed and they would like to have a vote of support from the council. Schultz gave several reasons why a nice park is important, including attracting young families and also the economic impact on the local businesses. The next step for PRIDE is to create an official project development committee, and then present the details of the project, including funding to the council. Bruce Smith made a motion, seconded by Ira Allen, that PRIDE continue

their project plans and bring them to the council. Motion carried 5-0. Wilhite apologized for not mentioning Ira Allen's involvement with PRIDE, and invited all to attend their meetings on the third Saturday of each month. Ken Krause told the council not to be overwhelmed by the scope of the whole project, but to think of it as several segments. He also mentioned the future maintenance needs to be considered. Jason Hielscher said that he would hate to see PRIDE pursue Jones Fund grants for \$15,000 for their project, and the Athletic Association be denied for a possible \$120,000 for new ball fields. Mayor Young said that would probably be two different entities, but the council would weigh all the factors when applying for any grants, etc. Jon Brady stated that he hopes that improvements on the ball fields can be done in conjunction with improvements in the park as a whole. Ira Allen asked that further discussion wait until the committee comes back with plans.

EASEMENTS: Jim Gates came before the council to ask for the city's help in saving one of his large trees that's on a sewer line scheduled to be replaced. He presented pictures of the tree, and asked if that section of line be replaced by "boring" rather than "open-trenched". Vic Robbins, King & Associates Engineering, said that boring could be done, although contractors are not being asked to bid the project that way. A contractor may be willing to do it that way after being awarded the bid. Moving the tree to a different location on Gates' property was dismissed as being too costly with no guarantee that the tree would survive. Robbins said he could fax an addendum to the contract to those who have purchased bid packets, but with such a short time before bid opening, not all the contractors may be able to adjust their bids. The mayor stated that saving the tree would leave it on top of the new sewer line, which could lead to future problems with roots. Mayor Young asked Gates if he would be willing to share part of the extra expense of boring. The council agreed to have Robbins fax the addendum to the contractors. Gates said that he would be willing to pay up to \$500 to save his tree. A final figure won't be done until the bids are opened. Jon Brady said his block would be another area that would be ideal to bore. Robbins agreed, but stated it would be due to the location of Brady's garage. Brady asked if other people would have the option of partially paying for alternative methods of replacing sewer lines. He's just asking in general. Ira Allen said that if Brady's building is damaged, it can be replaced but Gates' tree is a different case. Allen also said that he's for helping Gates if possible, but not if it slows down the project and complicates things too much. The contract will determine exactly who is responsible for damages, etc. Donna Crawford, Governmental Assistance Services, said that Gates wanted this agreement to be included in his easement. After discussion, it was decided to leave the wording as is until a cost can be determined for the boring. Michael Coffman suggested someone making sure that Gates understands the \$500 he's willing to pay is based on the boring costing \$1000, but the city is not obligated to pay more than an extra \$500 to save his tree.

Crawford then reported to the council on how many easements are still to be signed and how she and Coffman are proceeding on those. A few of them involve trusts and other legal issues. Vic Robbins asked if the council could help contact some of the ones that Crawford has tried to reach numerous times. The mayor said that they would, and several documents were left with the mayor and various council members. Crawford said that she thinks the Overbrook property owners have been really great about signing the easements.

WATER/SEWER REPORT: Vic Robbins asked for direction as to how to word the addendum regarding the tree on Gates' property. Smith suggested a definite length of pipe that would include the tree. It was agreed to ask the bid be from one manhole to the next. Robbins said that he's sent out 25 sets of plans, but some are pipe supply companies, not necessarily contractors. He's estimating that we may get around 8 bids. Cheryl Brown said several people have asked how and when they will be notified about when the work will start in their area. Robbins said that contractors use door hangers or knocking on doors to let people know they're starting the work, usually a week in advance. Brown said people want to know if they will still have sewer service. Robbins said that the contractor is required to maintain sewer service, except when the actual connections are made. This should be less than a day. Robbins said that several contractors have indicated that they weren't going to bid due to the small work areas. He reminded the council that bids will be opened on Monday, May 15th at 2 PM. and encouraged them to attend if possible.

Ira Allen asked why the waterline street repair can't be done in the areas where there's no water. Robbins explained that there are several reasons for the delays, but hopefully the weather will cooperate and it will get done.

POOL: Rich Hamit presented bids for the repair or replacement of the pool cleaner. Aqua Products is bidding \$1108 to repair the old one, or \$2535 for a new one. The new one would have a remote sensing control and the company would provide the training. After discussion, Bruce Smith moved to purchase a new unit for \$2535 and use the old one as trade-in. Rich Hamit seconded; motion carried 5-0.

Hamit mentioned this same company also sells chlorine, and has sold it to the city in the past. Hamit said he will do some more checking prices before ordering from Aqua Products. It was agreed to use Schmidt Vending Machines again for drinks and snacks. Joni Hudson will be hiring lifeguards after the training session has been completed. The pool is scheduled to open May 26th with free swimming.

RE-APPOINTMENT OF CITY OFFICERS: The clerk presented a list of City Officers to be re-appointed (which is available for public inspection). Rich Hamit moved to re-appoint all those on the list. Bruce Smith seconded; motion carried 5-0.

LIBRARY BOARD: Bruce Smith made a motion, seconded by Ira Allen, to appoint Beth Sisson to the library board to replace Esther Geary. Motion carried 4-0, with Bob Sisson abstaining.

RECREATION COMMISSION: The city attorney has provided information regarding the creation of a recreation commission. Kansas law stipulates that 5% of the qualified voters must petition the council to put the matter on a ballot, but the statute does not appear to authorize the council to create a commission without an election, or to put the issue on a ballot without the petition. If the city votes to have a recreation commission, it can be funded with bonds and up to one (1) mil of tax levy. There are definite guidelines as to how the commission would be formed and the powers it would have. There was discussion regarding the procedure for the petitioning. The actual numbers would have to come from the County Clerk's office. Jason Hielscher asked how much 1 mill actually levied this year. The clerk said 1 mill is \$5,299.00 for the current year's budget, but won't know about the 2007 budget until the county clerk has done the final computations. Hielscher said that his understanding is a Recreation Commission would include Jones Park and the pool, which would need more than \$5,299 to operate for a whole season. The mayor said he can't see the council supporting raising the levy to get the one mill, and the other choice would be to take the mill from other departments. There was discussion about the cost of a special election. Bruce Smith asked if the main purpose of a rec commission would be to do the organizers rather than the check-writer's. Hielscher said his thought was to take some of the work away from the council. Mayor Young said that his thinking is that the commission would consolidate all the different boards or associations to cover all activities. Ira Allen said his idea was that the commission would determine the needs, present them to the council, and then oversee the routine activities. The mayor asked Patty Hylton, City Treasurer, what would be different if all the rec activities were lumped together rather than just the pool. The city now pays the utility bills for all the facilities, as well as major repairs. Hielscher says that they break even during the time the high school uses the ball fields. The clerk said that in the beginning, the reason to form a commission was to have better communication between all the groups who use the park and pool. Hielscher asked if things could be left as is, with the city trying to help with the funding, and approaching the high school for help. He had been told that there was an agreement with the high school and the city several years ago, but the clerk said she wasn't aware of any written or formal agreement, other than verbal permission. Brady said he's concerned about what's going to be done with the facility as a whole in view of PRIDE's plans to make improvements. The mayor suggested the OAA go to the PRIDE meetings and Hielscher said he did, but was unable to attend weekday meetings due to his job. The clerk reminded the council that the city has an agreement with Kansas Wildlife & Parks that things be done in a certain manner which includes approval for removal or addition of structures or improvements. It was agreed by consensus, to leave the duties of the Overbrook Athletic Association as is, and try to do something else in the future.

2007 BUDGET PREP: Ira Allen would like to hear a report from the library. Mayor Young said he and Larry Coursen attended the library board meeting. They asked that their budget be "cut to the bone" and delay any additions as much as possible. They will be presenting an amended budget proposal at the next meeting.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. He told the council that someone had tried unsuccessfully to steal anhydrous ammonia from the Co-op. Harmison told the council that only two citations had been written the day of the City-Wide garage sale. The mayor said he'd had complaints about the police sitting south of the Co-op fertilizer plant, and asked Chief Harmison to check with his officers. Ira Allen said he had received comments about tickets being written that day, and that it would be a discouragement for out-of-towner's to come here. Chief Harmison said he worked that day, and wrote only one ticket, and the county wrote one for seat belt violation. The mayor asked if parallel parking is allowed on Maple between Santa Fe Trail and Market Streets. Harmison said "never".

MAINTENANCE REPORT: Bob Call said he has a request from Mike Fawl for a fire hydrant by his property on Hwy 56. Call said he wasn't sure where we're at with this property, and wonders if Fawl shouldn't have an engineer. The

mayor said that Call can talk to Fawl to see what he wants, but we will need more information before a building permit is approved. Bruce Smith said that we need to know exactly how many services he'll need. Ira Allen said that since Vic Robbins is working on water/sewer that Robbins should be the one to talk to Fawl. Smith said that Bob Call can talk to him first. There was discussion about what easements the city has in that area. The council agreed that Michael Coffman should be consulted about the city's obligations to provide water and sewer to property owners. Bob Call said he would talk to Fawl and report to the council.

Call has checked into problems with a culvert at 7th and Locust and discovered it's full of roots coming from a tree. Digging the roots out would probably kill the tree. The mayor said he would inform the person who had asked him about the matter.

Call said he purchased a power washer with a 15 gallon tank so it's portable. This will be very helpful when cleaning the pool every year. He said that the fence around the pool has been damaged and he's asked for bids to reinforce the fence.

Call asked if the retirement benefit being paid to him and the clerk could be done twice a year instead of just once. This is the difference between what the city pays into their KPERS and the police KPF. The mayor said they would discuss this at the next meeting.

Call will be on vacation the first week of June when his wife gets back from China. He will be turning on the pumps at the pool tonight and hopefully everything will work. The mayor said he had complaints from Steve Simmons about how bad the smell is when the pool is drained prior to getting it ready for the season. The mayor asked if that can be done some other way to eliminate the problem next year.

Smith asked if Call has had a chance to check out the rural waterline project to see what needs to be done. Call said he hasn't. He was also asked if he's gotten any bids on the grate for the drainage problem on Gloss's property. The mayor said it would be good to get something done when the sewer rehab is being done in that area.

TREASURER'S REPORT: Patty Hylton reviewed the financial reports for the council. She is going to wait until we receive the June tax levy disbursement from the county before purchasing the cd's approved last month. Hylton said that we've received a check from Kansas Wildlife & Parks for \$2325. This is in agreement with our not selling city licenses for the city lake. She will be submitting paperwork for reimbursements for the waterline and sewer projects next week. Hylton said that all departments are under budget, but said the Water/Sewer fund seems to be running slightly over budget due to some large expenses with debt payment and repairs. She'll be working with Jim Long next week on 2007 budget prep, but doesn't see any need for increasing the mill levy to meet current needs. The mayor asked Bob Call and Ed Harmison to let the council know if they foresee any special needs for next year. Hylton asked if the council is wanting to increase the library budget, and said there's not a lot of ways to do that other than increasing the mill levy. Mayor Young said that will depend on what kind of revised proposal is presented at the next meeting. Ira Allen said that he'd like to put more effort in upgrading the streets. An additional sales tax was discussed as one possibility. The clerk said that we have about \$34,000 in the Special Highway fund now, but we don't know what the asphaltting will cost for the waterline project. There was discussion about asphaltting compared to chip and seal. Hylton said that the city could get another \$19,000 for Special Highway by the end of the year. Ira Allen suggested that the council and Bob Call ride around and see what street should be worked on and discuss it at the next meeting.

CLERK'S REPORT: Cheryl Brown presented the letter of agreement with Kansas Wildlife & Parks in reference to Jones Park. Mayor Jack Young signed the agreement.

MISCELLANEOUS: Chief Harmison stated that he's hoping that sewer lines will be better marked when the rehabilitation project is started than it was 50 years ago.

COMMUNITY BUILDING: Bruce Smith said he'd like to have Michael Coffman research the city's being able to use an existing building, such as the American Legion building, as a community center. Details such as leasing, purchasing, and maintenance need to be studied. Mayor Young asked Smith to do some follow up on the possibility.

ENGINEERING FEES: Bob Sisson asked how the engineer is being paid and was told Robbins is paid hourly, and the rate depends on what he's doing. This rate is determined by the contract with the city, and somewhat by the contract approved by KDHE for each project. Sisson said that he was upset by the engineer's observing the asphaltting on Market for the entire day. Bruce Smith said usually the engineer checks the project at the beginning and then again when it's done. The clerk said it depends on how each contract is worded. Ira Allen said he watched for awhile, and it seemed that the prep work wasn't be done like it should before the asphalt was laid. The clerk said that Robbins is paid \$40/hr as an engineering technician and \$70/hr for engineering. Sisson said he would talk to Vic Robbins about this later.

CHAIRS FOR COUNCIL TABLE: Rich Hamit said that new chairs would probably be around \$120/chair in order to get a good quality chair. Coursen said that we should get something that will last. Smith suggested authorizing Hamit to purchase chairs up to \$150/ chair. Hamit said he'd like to do some more checking. Hamit said the chair he has at work cost \$600 when new. He'll bring more information to the next meeting, and discuss it at the first meeting in June.

AGENDA: Items for the next agenda include: Library budget, chairs, water/sewer projects, card payment plan, retirement payment figures (if available). The mayor asked Bob Call to attend the next meeting to discuss the utilities for the Fawl properties.

BUILDING INSPECTOR: Bruce Smith said that Duane Stout is not interested in doing this at this time. Jason Hielscher inquired about what qualifications this person would need. The mayor said the city won't be doing electrical inspections.

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: May 24th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 26, 2006

MEMBERS PRESENT: Rich Hamit, Larry Coursen, Ira Allen, Bob Sisson, Mayor Jack Young. Bruce Smith absent.

OTHERS PRESENT: Jon Brady, Peggy Waldman, Becky Coltrane, Vic Robbins, Ann Hassler (Osage County Herald), Jim Koger, Cheryl Brown.

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

MINUTES/ WARRANTS: Rich Hamit moved to approve the minutes of the April 12, 2006 meeting as written. Bob Sisson seconded; motion carried 4-0.

Bob Sisson made a motion, seconded by Ira Allen, to pay the warrants. Motion carried 4-0.

INSTRUCTIONS: Mayor Young asked that questions and/or comments from those present would be held until the person with the floor has finished their presentation.

LIBRARY BUDGET: Peggy Waldman was present to give the council more information about the proposed 2007 library budget. These details included increasing the hours the library is open, putting the card catalogue online, and also the time she spends doing the accounting, processing books, memorials, thank you's, etc. Some of these expenses will be funded by a grant, but she needs to secure funding in case they don't get the grant. Waldman was asked by the mayor to recommend areas to be decreased, if necessary. Waldman also said that the bathroom floor may need to be replaced, and the floor in the backroom needs painted. Waldman was asked to get some bids for these improvements and bring them to the council. The council thanked her for coming and said they would take these requests into consideration when preparing the 2007 budget.

BID FROM WESTAR: Mayor Young presented a bid from Westar to provide electricity at the city lake. The council had previously approved a bid from Westar, but a new bid was sent after someone from Westar had met with Bob Call about this matter. The new bid is almost \$2,000 more than the bid given in September, 2005. The mayor pointed out that the latest bid is for a larger transformer, which may be necessary for future plans around the lake. The matter was tabled until Bob Call reports on his last visit with Pat Gomez, Westar Energy.

WATER/SEWER REPORT: Mayor Young informed the council that Donna Crawford, Governmental Assistance Services, will be unable to attend tonight's meeting, but has reported that she's obtained most of the 29 easements necessary for the wastewater project, and is confident of having them all signed before the bids are opened. Vic Robbins, King Engineering, was present and encouraged the council to help get the easements if necessary. Michael Coffman is working on some that need the legal descriptions corrected.

Robbins has received the official notice from KDHE that the plans were approved and the bid notice has been published. They need a project activity schedule which Robbins has prepared. This schedule is available for

viewing at City Hall and will be put on the website. Bids are set to be opened on May 15th at 2 PM. Robbins said that King's have sent out 15 or 16 sets of plans, so is hopeful that will result in favorable bids for the city.

Robbins then said that there has been some activity in the street-repair phase of the waterline project. He helped with measuring the sub-grade elevation, and hopefully this can be finished as soon as the weather permits. Robbins has talked to the company that sold us the tower water sensor system. He was told that the response time can be adjusted, and the company is going to contact Bob Call.

Robbins said he hasn't had time to check on the rural waterline area regarding the re-seeding and doesn't know if Bob Call has been out there either. Mayor Young said that D&D Excavating had problems with a gate being locked, and the city doesn't have a key either. It was decided that someone should talk to the property owner about getting a key.

Mayor Young said that Patrick Neil, Sr is concerned about temporary fence for his dogs while the sewer work is being done on his property. The contractor will be responsible for replacing permanent fence, but temporary fencing would be up to the city. Ira Allen moved to put up temporary fencing for Pat Neil, Sr. Rich Hamit seconded; motion carried 4-0. The mayor then said that Chuck and Linda Musick have concerns about the ditch between the east lift station and Jack's Café parking lot. They would like a commitment from the city to make improvements after the rehabilitation has been done. The mayor suggested putting some rock in the ditch and keeping the weeds sprayed. Robbins said part of the problem is the way dirt gets built up and blocks the ditch.

EASEMENT CONCERN: Jon Brady said that he's agreed with Michael Coffman to re-write the description of the permanent easement but leave the temporary easement worded as is. He hasn't received the revised document yet. Mayor Young said he would call Coffman tomorrow and check on the status of Brady's easement. Brady said that Lee Flowers' easement would have to be re-written also.

AD SAMPLE FOR HERALD: The council reviewed the sample page for an upcoming edition of the Osage County Herald. After discussion, the council agreed that there should be more pictures of Overbrook in general and not specific businesses. Blaine McCartney had told Cheryl Brown that he has several pictures on hand, and he can take more if necessary.

SIGNATURE CARD: The council agreed by consensus that there should be two signatures on checks written on the Jones Fund account at First Security Bank. Bob Sisson moved that the mayor and city clerk be authorized to sign checks at this time. Larry Coursen seconded; motion carried 4-0. Up to this time, Bob VonStein has been the only one to sign checks.

2007 BUDGET ITEMS: There was discussion about the revenue needed to fund the library's requests. This would be about \$16,000 more than the 2006 budget, but not all would come from the city. Bob Sisson said that he was concerned about some of the funds appearing to be basically the same. The clerk suggested that someone attend the next library board meeting. The mayor and Larry Coursen agreed to go to the meeting.

Mayor Young asked if anyone has any thoughts about major increases for any of the other departments. Sisson said that none of the other departments have requested any major increases yet. Larry Coursen said that he thinks we have serious issues with the condition of the streets. The mayor said that he would like to start a plan to asphalt a certain number of blocks each year rather than chip and seal half the town each year. There was discussion about how many streets would be affected by the sewer project.

Brown said that Jim Long usually brings a draft of the budget in July when he gives the audit report. Ira Allen said that any increases should be in the general fund so that it can be transferred to where it's needed. There was discussion about how to increase the general fund without increasing the mill levy. Brown said that Patty Hylton may have more reports for them at the next meeting regarding this matter.

RECREATION COMMISSION: Mayor Young brought up forming a recreation district with the school district. Michael Coffman has told the clerk that he doesn't think the city needs a partnership with the school district. There was discussion about the possibility of someone living outside the Overbrook community being on the Overbrook Recreation Commission if the whole school district is included. Jon Brady said that only the kids who go to school in Overbrook play on the Overbrook teams through junior high school. This brought up having someone who lives outside the city limits on the commission. The library passed a charter ordinance several years ago to address this issue. The mayor feels that a recreation commission should be funded in some way besides entry fees in order to run the programs. Decisions need to be made about the number of members and what requirements should be met regarding where they live. Brady and the council agreed that the board should have at least 5 members, and

possibly stagger the first terms to avoid having all new members at the end of each term. Brown said that Michael Coffman has been asked to provide more information about state requirements.

Jon Brady said that the cost of the drag will be more than the amount approved at the previous meeting, but the Athletic Association would pay the difference. Brown said that the total cost with shipping will be about \$484. Ira Allen made a motion, seconded by Bob Sisson, to pay the whole bill from the Jones Fund account. Motion carried 4-0.

COUNCILMEMBER COMMENTS: Rich Hamit said that Joni Hudson wanted the pool filled by May 15th which will be shortly after the next meeting. Brown said that Bob Call has been working on getting the pool ready, and should have it filled by the 15th.

MAYOR'S REPORT: Mayor Young asked if there were a lot of people in town for the city-wide garage sale. Several thought the numbers were down from past years.

There being no further business before the council, Rich Hamit moved to adjourn. Larry Coursen seconded; meeting was adjourned at 9:10 PM.

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED: May 10th, 2006.

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

MAY 17, 2006

MEMBERS PRESENT: Ira Allen, Bob Sisson, Larry Coursen, Mayor Jack Young.

OTHERS PRESENT: Carol Anno, Mike Fawl, Vic Robbins, Cheryl Brown, Jim Koger, Bob Call

Mayor Young called the special meeting to order at 7:00 PM. A quorum was present. Mayor Young stated that the purpose of this special meeting is for the following reasons:

1. Discuss waterline project billing with Carol Anno
2. Discuss the bids for the sewer rehabilitation project with Vic Robbins
3. Discuss utility services for new business with Mike Fawl

WATERLINE BILLING: Carol Anno presented the final bill for D&D Excavating for the waterline replacement project. The bill for \$20,048.86 included \$18,250.00 for the asphalt on Maple and Market Streets. Bob Sisson moved to pay the bill as presented. Larry Coursen seconded; motion carried 3-0. Carol Anno stated that this has been one of the most frustrating jobs they've ever done. Part of the reason was due to them, part was due to weather and part was due to the city/project manager. Anno was also upset about some of the remarks in one of the local papers referring to them, and reported as quotes from Vic Robbins. She said that the article was different from what D&D had been told by Robbins in person. Anno was disappointed that the reporter was not present. Anno suggested that someone from the council work more closely with the project manager and engineer on the sewer rehabilitation project. The mayor said he would make sure the minutes reflected Anno's comments. Vic Robbins said that the reporter admitted that both things he quoted Vic Robbins as saying were wrong. Anno said that this was never reflected in any of the following papers to her knowledge. Anno said that they were stopped several times by Robbins after they were ready to start the project in February, 2005. Robbins said this was partly due to KDHE's not approving some of the different phases. Anno said they would pick up the check sometime Thursday afternoon.

SEWER REHAB BIDS: There was a brief discussion about easements still needing to be signed. Vic Robbins said there were two bids received.

Emerson Construction, Inc. Topeka, Ks. for \$970,035.00

Joshua Excavating, LLC Grandview, Mo for \$585,959.00

Robbins said the low bid is about 10% higher than he had hoped for. He has gone through all the figures in the bid, and everything adds up correctly. Robbins has reviewed the bidder's qualifications and the bid bond which appear to be in order. This bid does not include any boring. Joshua Excavating would require an additional \$335,000.00 to bore and replace the line on Jim Gates' property to save the tree discussed at the previous meeting. Robbins said that this amount might be negotiable with the contractor, but the council agreed that even half the amount would not be feasible. The mayor polled the council regarding some kind of effort to save Gates' tree. The council agreed by consensus that they

had pursued an addendum to save the tree, which they have done. The bid from Emerson Construction, Inc to bore the same length of line was about \$51,000.00. Robbins recommends telling Gates that the city will do whatever they can to save the tree, but make no guarantees.

Robbins said all the references listed by Joshua Excavating were very good to excellent. Robbins said he didn't find any problems with the bid documents. The one concern he has is the starting date given by Joshua Excavating which is August 15, 2006. Robbins has discussed this with Donna Crawford and Joshua Hawkins, contractor. Crawford suggests that it should work if the city awards the contract, issues the notice to proceed, and Hawkins orders the material. Hawkins is concerned that the days allowed in the contract will be too short. Crawford said that a change order could be submitted after the pre-construction meeting has been held. The contract allows for 200 calendar days, but Hawkins projects completing it in about half the time. Weather could be a factor, but there are allowances for that. Robbins said that the city will probably have to ask for an additional loan regardless of which bid is accepted, but doesn't have the exact amount until Patty Hylton can present the latest balances.

Hawkins will subcontract the manhole rehab and the re-seeding, but will do the rest of the project himself. Ira Allen asked if the manhole part of the project could be started before August. Robbins said he will check with Joshua Hawkins regarding this matter.

Larry Coursen made a motion, seconded by Bob Sisson, to award the contract for the sanitary sewer rehabilitation project to Joshua Excavating, Inc. with the condition that a change order can be written to allow the starting date of August 15, 2006. Motion carried 3-0. Robbins will send the notice to proceed to Joshua Excavating.

Robbins said that he's talked to a resident regarding concerns about how the project will affect her trees. Robbins has learned that the line being replaced is not located where the tree is, but is having Michael Coffman check into the original easement.

UTILITY ISSUES/F.A.R. DEVELOPMENT: Mayor Young said that he's aware of a dispute over the property line between FAR and the city. He has not had a chance to review the legal descriptions of either deed. The survey done by the city puts the line about 16' west of the road going to the city lake. Mike Fawl said that what FAR bought from Max Friesen is about 20' east of that, and is stated in the legal description prepared by Peimann Title & Abstracts. Larry Coursen asked if the survey done by the city last year was wrong. The mayor said it's possible if the wrong legal description was used. This will have to be checked. The mayor assumes the surveyor used the legal description from the county register of deeds, but can't be positive at this time. Fawl said they bought the extra 20' to have access to the road. This was done about 3 years ago. The mayor said that he will have to check with the company that did the survey. Bob Sisson asked exactly what the problem will be regarding the road. Mayor Young said that at one point, Fawl said he'd give the city an easement if the city would blacktop it. Fawl then stated that he would probably blacktop it.

The next issue is a lift station that's been discussed at previous meetings. Fawl said that he has not talked with Friesen regarding this matter. Ira Allen said that the city ordinance states the developer is responsible for buying the lift station. Mayor Young said that he's told Friesen that the city would be willing to pay for engineering for the sizing of the lift station considering the city will be responsible for the maintenance, with the developer paying for the lift station. This would depend on a vote by the council. Sisson said that other developers have been responsible for the sewer and water, with the city bringing the services to the property line. The mayor said that Friesen wants to develop property to the east of the lake, and the mayor told him that he and Fawl should share the cost of a lift station to accomplish this. Ira Allen said he would be in favor of having an engineer study to determine the correct size of lift station. Vic Robbins said that there's more to be done that just determine the size of lift station. He mentioned having a complete plan for sewer service for either this one facility or a more comprehensive plan to develop this whole area. Robbins doesn't think the city should pay for any of it as the developer should have the engineering done, and the city could have someone review the plans to protect the interest of the city. Robbins said that it's not clear as to what the city's responsibility is where a service line is not readily accessible.

Mike Fawl said that he was at a council meeting about 3 years ago discussing this matter, so it's nothing new. He said that they did some checking on state statutes when they bought the property, and it states that the city has to supply sewer to the property because of it's being annexed in 1974. Fawl said he's not concerned with Friesen's development at this time. He doesn't want to pay for more of a lift station than what's needed for his property. Fawl would like to share the cost of a lift station 50-50 with the city rather than getting lawyers involved.

Fawl said that ordinances are fine, but was the city's ordinance published before or after the property became part of the city? Ira Allen prefers to discuss this with the full council before making any decision. Sisson said that ordinance or no ordinance, anyone else who developed an addition in Overbrook has paid for the sewer and water lines with the city bringing the service lines to their property, but have never paid for a lift station.

The mayor said that the city attorney recommends not issuing a building permit until all these details have been agreed upon by all parties. Sisson said that he's agreeable to waiting until the next meeting in a week. The matter was tabled until May 24th. Fawl did make the comment that his attorney had told him that the city had entered into a contract with him when they accepted the fees for the building permit application and the new utility services. The clerk stated that this is part of the ordinance which regulates building permits, and that the money received can be refunded should it be necessary. Fawl wanted the council to understand that he's willing to pay for half the total cost of the whole system to supply the sewer, not just half the lift station. Robbins said that the cost may be about the same for the city to provide the force main, and Fawl to pay for the lift station.

Ira Allen moved to adjourn at 8:25 PM. Bob Sisson seconded the motion; carried 3-0.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: May 24th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 24, 2006

MEMBERS PRESENT: Larry Coursen, Rich Hamit, Ira Allen, Bruce Smith, Bob Sisson, Mayor Jack Young.

OTHERS PRESENT: Peggy Waldman, Scott Averill, Jim Gates, Mike & Roxane Fawl, Frank & Sherry Rhodes, Carolyn Meerian, Vic Robbins, Marian Massoth, Jon Wilhite, Becky Coltrane, Rex Fleming, Charlie & Brooke Davis, Beverly Hix, Jon Brady, Jim Gates, Kathy Alcorn, Max Friesen, Bob Call, Ed Harmison, Jim Koger, Anne Hassler, Cheryl Brown.

The meeting was called to order at 7 PM by Mayor Young. Roll was taken to determine the presence of a quorum.

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the May 10, 2006 regular meeting as written. Larry Coursen seconded; motion carried 5-0. Ira Allen made a motion, seconded by Larry Coursen, to approve the minutes of the May 17, 2006 special meeting. Motion carried 5-0. There were no warrants to be approved.

LIBRARY BUDGET: Peggy Waldman, Librarian, brought a revised 2007 budget proposal for the library. Mayor Young said that he appreciated her work on this, and that the matter would be discussed more fully at the next meeting. Scott Averill said that due to wanting to serve the community, he hopes the council will approve the budget.

F.A.R. PROPERTY DEVELOPMENT: Mayor Young asked what the plans are for developing their property. Mike Fawl said they are planning to develop this area providing everything is feasible depending on the economy and other factors. The mayor replied that part of the basis for his asking is in regards to sizing of lift stations, etc to handle all the possibilities now rather than have to add to it at a later date. Fawl said that future plans could include a restaurant, strip mall with several businesses, and possibly a health club. Fawl did emphasize that these additional businesses could be up to 25 years away. At this time, the plan is for a gas station with a restaurant with a basement meeting room. This would also serve as a storm shelter. There was discussion about the property lines and the survey done by the city last year. Fawl presented his legal descriptions, and thinks that maybe the city survey was done using incomplete legal descriptions. Rich Hamit suggested that Vic Robbins look at the legal descriptions to see if there is an over-lap of property. Robbins arrived at this time, and was given the documents. The mayor asked that other business be conducted while Robbins is looking at the documents.

CARD PAYMENTS: Mayor Young suggested that the city wait until some surrounding businesses use the program offered by Card Payment Solutions before making any decisions. Concensus to wait.

COUNCIL CHAIRS: Rich Hamit said that lower-end quality chairs run around \$130, with better ones around \$270. Bruce Smith moved to purchase 7 new chairs for approximately \$270 each. Bob Sisson seconded; motion carried 5-0. The council agreed that the dark blue would be the best color choice. Hamit said he would place the order through Thompson Crawley in Topeka.

RETIREMENT PAYMENT: Larry Coursen made a motion, seconded by Bob Sisson, to pay Bob Call and Cheryl Brown the difference between their KPERS and the police department's KPF retirement in semi-annual payments rather than one payment at the end of the year. Motion carried 5-0.

F.A.R. PROPERTY: Vic Robbins said he can't determine if there's an overlap in the legal descriptions for the F.A.R. property and the city's property by reading the documents. Ira Allen asked if the property should be surveyed again with the cost being split. Robbins recommends more evaluations of the deeds before having another survey done. Fawl said that they would be giving the city an easement on the property should it belong to F.A.R. anyway. The 20' in question would give them access to the city lake road. There was discussion about the stakes used for the city's survey. In response to sharing the cost of another survey, Fawl said that they would just give the city the 20' after they get done with this whole process. Their main reason for wanting the 20' was to have access to the lake road to use as another entry on to the highway.

Mayor Young asked how the council wants to proceed with the actual development of the F.A.R. property regarding sewer and water service. Vic Robbins said that any extension of a public water or sewer system has to have engineered plans submitted to and approved by KDHE. These plans need to include a determination of the demands for a 20-year period, and the engineer for the project has to evaluate the city's systems and make a statement as to whether or not they can support the development with KDHE making the final approval. The mayor asks who initiates this process. Robbins said that it's been his experience that the developer hires an engineer to draw up the plans and specs, then the city applies to KDHE with those plans and specs for the extension, with the extension becoming part of the city systems. Ira Allen said that the city ordinance requires the developer to have the engineering done. Regardless of who hires the engineer, KDHE will have to approve the extension. Bruce Smith said that this needs to be done on a long-term basis to consider future development in this same area. Robbins agreed, but said that the city shouldn't tie one developer's plans to future possibilities. The council agreed by consensus that the engineering should be done by F.A.R.. Robbins agreed that the city should be involved with the plans since the system will eventually belong to the city. Fawl said that one possibility would be for the city to vacate or de-annex the property and they could proceed as private rural property. Ira Allen was not in favor of having this property be outside the city limits. Council agreed by consensus. Fawl said that the city ordinance allows a septic system within the city limits. Bruce Smith said that Article 3, Section 4 gives the option of a septic system provided there is a minimum of 3 acres and they would have 90 days to connect to a sewer system when available. Smith says that it doesn't state that the city has to approve such a request. Jon Brady and Marian Massoth, employees of KDHE, stated that KDHE would probably have Osage County handle the matter. Rich Hamit made a motion that the city allow F.A.R. to install a septic system if KDHE and Osage County approves it, with the understanding that the property be connected to the city sewer system when available. Motion died for lack of a second. Smith said that he would want more information about what affect a commercial septic system would have. Larry Coursen moved that the septic system be disallowed, and that F.A.R. provide the necessary engineering to develop the plans and specs. Bob Sisson seconded the motion; motion carried 4-1 with Hamit voting against. Robbins stated that KDHE would probably never allow commercial waste to go into a septic system. Fawl said that the city has probably just killed the project because he isn't going to spend \$300,000 for a lift station. Bob Sisson said that the city's lift stations cost between \$27,000 and \$33,000 several years ago. Frank Rhodes asked if the city would take over the maintenance and was told yes, it would become part of the city's system. The mayor said that F.A.R. still has to come up with plans to satisfy KDHE before the city can approve anything. The mayor said that the city has not said "no" to running sewer and water lines to their property. Fawl said he doesn't expect the city to pay for any sewer lines on their property other than setting the lift station back to where it's hooked up to the sewer line. There was discussion about the size of water line F.A.R. would like to have. Max Friesen asked that the city consider his future subdivision when studying the utilities. Rex Fleming stated he was concerned about the city not having a long-range plan, and things seem to be done piece-meal. Sisson said that's pretty much how the whole town has been built. Mayor Young said that while he may agree with Fleming, right now the issue is plans from F.A.R. to be approved by KDHE. Jon Brady stated that he agrees that Fawl and Friesen need to come up with plans, but the city should also do some planning about development in this area. The mayor asked the capacity in which Brady is speaking and was told by Brady "as a private citizen" with no

vested interest in the project being discussed. He did say that he works for KDHE. Frank Rhodes said he's concerned about spending a sizable amount of money for all these plans, only to be told by KDHE that the city's systems can't handle their development. Smith asked Robbin's opinion. Robbins said that their engineer should be able to do a preliminary assessment to give F.A.R. guidance. He thinks that the city's wastewater lagoons and sewers can handle the development. Jon Wilhite, president of PRIDE, hopes that this project can be worked out for the benefit of the community.

SEWER REHABILITATION: Vic Robbins said that he has talked to Josh Hawkins, Joshua Excavating, regarding the start date for the project. Hawkins will contact his subcontractor about starting work on the manholes as soon as everything has been approved by KDHE. The work on the sewer lines will probably not start until August. Robbins said he's visited with Rod Geisler about borrowing additional money from KDHE to complete the rehab project. The city has to complete another financial capability worksheet, but there's no requirement to hold another hearing. Michael Coffman said that the bid bond submitted by Joshua Excavating seems to be in order. Robbins has been working on the paperwork necessary that accompanies the bidding, etc. Robbins said that there may be some problems with the site certification KDHE requires due to not having all the easements. Marian Massoth will talk to Geisler about this as soon as possible. Robbins said that we also have to get a permit due to more than 1 acre of land being disturbed. This requires that a stormwater pollution plan be submitted. This wasn't included in the contract, so the city will probably be responsible for the plan. Robbins said that the city could try to ask the contractor to develop the plan. Robbins said he can fill out the application, but would prefer the contractor develop the actual plan for KDHE.

Robbins said that he's staked out the easements for Richard Wright's property. Mayor Young said that Wright has requested the city pay for his attorney fees to review the documents. Wright is requesting payment of \$675. After some discussion, Bruce Smith moved to offer Wright half of \$675 upon presentation of the bill. Bob Sisson seconded the motion; motion carried 3-2 with Coursen and Allen voting against paying even half.

Robbins said that he's not been able to meet with Pat Neil, Sr or the Dales, or Sharon Gunter about their easements. The city doesn't have a permanent easement on Gunter's property which needs to be addressed later.

Bob Sisson asked Robbins if the manhole on Wright's property is the end of the line. Robbins said that the service ends at the manhole on Wright's property.

Mayor Young said that they need to address the tree on Jim Gate's easement. The bid to bore that block of line was \$330,000 as opposed to trenching for \$20,000. The losing bid to bore it was almost \$50,000. Robbins said that even boring a small section would cost a lot more. Gates had agreed to pay up to \$500 towards boring the line to save a large tree. Gates asked if the city is sure that the sewer line is in the easement. Robbins said he's reasonably sure that it is. Gates asked for proof that the tree is on the easement. Robbins said it would require a legal survey. The contract states that trees removed outside the permanent easement will be replaced with 2 smaller trees, and the ones inside the permanent easement are subject to an agreement between the city and the land owner. Gates asked about the berm and shrubs. Robbins said that the contract requires that yards are replaced to the original condition. The lines will be videoed before the work starts. Gates asked if the manholes can be relocated to avoid replacing the line on his property. Robbins said that the tree might still be in jeopardy, and the extra cost would be about \$10,000.

Bob Sisson moved that the city deny payment to Richard Wright for his attorney fees regarding the easement. Larry Coursen seconded. Motion carried 5-0.

2007 BUDGET: Rich Hamit moved to table discussion of the 2007 budget; Bruce Smith seconded; Motion carried 5-0.

COUNCILMEMBER COMMENTS: Ira Allen said Mitchell's would like to have some saturock put at the end of their driveway on Maple. The mayor said he'll talk to Bob Call about this. Allen also wanted to know when the electrical box will be hooked up since Westar has installed the poles at the city lake.

Rich Hamit said that the pool is up and running. Joni Hudson has hired the guards for the season. A new phone and answering machine had to be purchased as well as having the cash register re-keyed due to the phone and key to the cash register being missing.

MAYOR'S REPORT: Mayor Young said Galen Kennedy has complained about people driving through his field to use the tree dump site by the lagoons. Solutions other than closing the dumpsite were discussed. The council agreed to have Bob Call get some prices to fence off a certain area for the tree dump to prevent driving on Kennedy's property.

PROPERTY OWNER: Jon Wilhite would like the city to consider grading the alley behind his property on Elm Street to improve the drainage. Allen asked if this area will be dug up for the sewer rehab. The mayor wasn't sure, but Wilhite was willing to wait until the mayor checks into it.

ATHLETIC ASSOCIATION: Jon Brady asked if the clerk has heard anything about the drag. Brady talked to the company today and they couldn't find any information related to the order. Brown said she'll check into it tomorrow. Brady also presented a 2007 budget proposal for the Overbrook Athletic Association for the council to consider. The mayor said he and someone from Midland Fencing will be meeting to get some figures that can be used for grant applications, etc. The mayor asked that Brady bring some revenue figures to a future meeting to compare with the budget expenses he brought tonight. Brady said he would.

There being no further business before the council, Rich Hamit moved to adjourn. Larry Coursen seconded; meeting was adjourned at 9:30 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: June 14th, 2006

CITY OF OVERBROOK

MINUTES

SPECIAL MEETING

JUNE 21, 2006

MEMBERS PRESENT: Rich Hamit, Ira Allen, Bob Sisson, Larry Coursen, Bruce Smith, Mayor Jack Young.

OTHERS PRESENT: Pat Martin, Ken Krause, Don Shultz, Beth Pankratz, Jon Brady, Vic Robbins, Marian Massoth, Jim Koger, Cheryl Brown.

Bruce Smith, Council President, called the meeting to order at 7:00 PM. The reasons for calling the special meeting were stated as the following:

- a. Presentation by the committee working on developing a city park at the city lake
- b. Act upon an ordinance to authorize amending the loan agreement with KDHE for the Wastewater System project.

CITY PARK IMPROVEMENTS: Ken Krause, Don Shultz, Beth Pankratz, Jon Brady, and Pat Martin were present to present more details concerning the plans and schedule for developing the area around the city lake. A list of "Considerations and Elements" was presented which addressed numerous projects and a tentative time schedule as well as a rough drawing of what the committee would like to achieve.

The main purpose of the presentation was to ask the city's help in prioritizing the elements based on funding, materials, labor and the upkeep over a 3-year period.

These items are available for public viewing at City Hall during regular business hours, and also can be seen on the city's website--www.overbrookks.com.

There was discussion about timelines for obtaining various grants, including additional funds to complete the Trail's project.

LOAN AGREEMENT AMENDMENT: Vic Robbins reviewed the documentation sent by KDHE to authorize the city to amend the original loan agreement to provide the necessary funds to complete the Wastewater Improvement Project. It has been determined that an additional \$340,000 will be needed to finish the project. After discussion, Bruce Smith moved to adopt Ordinance No 292 which will authorize the loan amendment. Larry Coursen seconded; motion carried 5-0.

The previously stated purposes of the special meeting being completed, Bruce Smith moved to adjourn the meeting. Larry Coursen seconded; motion carried. The meeting was adjourned at 8:45 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: June 28th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JUNE 14, 2006

MEMBERS PRESENT: Ira Allen, Larry Coursen, Bob Sisson, Bruce Smith. Mayor Jack Young and Rich Hamit absent.

OTHERS PRESENT: Pat Martin, Chad Luce, Ken Krause, Don Shultz, Beth Pankratz, Kris Stangis, Jason Hielscher, Becky Coltrane, Anne Hassler, Duane Stout, Vic Robbins, David & Kathy Alcorn, Jim Gates, Mike & Roxane Fawl, Frank & Sherry Rhodes, Charlie Davis, Jim Koger, Patty Hylton, Bob Call, Ed Harmison, Cheryl Brown.

The meeting was called to order at 7 PM by Council President Bruce Smith in the absence of Mayor Young. Roll was taken.

MINUTES / WARRANTS: Bob Sisson moved to approve the minutes of the May 24, 2006 meeting as written. Ira Allen seconded; motion carried 4-0.

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

FIREWORKS SALES: Pat Martin was present to ask approval for their family fireworks stand at the Boy Scouts building on the fairgrounds. It would be open June 27th through July 4th from 10 AM until 10 PM. Bob Sisson moved to approve the fireworks sales with a second by Larry Coursen. Motion carried 4-0.

WESTAR FRANCHISE: Chad Luce, Westar Energy, was present to discuss the renewal of the city's franchise agreement which is due this year. Luce reviewed each section of the agreement which is in ordinance form. At the current time, the city receives a 3% fee, based on Westar sales within the city limits. After discussion, Ira Allen made a motion, seconded by Bob Sisson, to approve Ordinance No 291 which will extend the city's franchise agreement with Westar Energy for 20 years with the city receiving a 3% franchise fee. Motion carried 4-0. Luce thanked the council and told the clerk he would take care of having the ordinance published. Luce said he would schedule a meeting time to get the mayor's signature as he would take care of publication.

DRAINAGE/ASH STREET: Kris Stangis was present to ask if and when anything is going to be done about the drainage problem on her property. Bruce Smith stated that the city's engineer, Vic Robbins, should have more free time soon as the sewer project is close to getting started. Robbins said he should have time in the next couple of weeks to look at it. Smith said that the council also needs to have the city attorney advise as to what kind of authority the city needs to make any changes in the current drainage area. Stangis asked if she could meet with Robbins.

OVERBROOK CITY PARK: Ken Krause introduced Don Shultz to give the report. Shultz informed the council that the current project is to develop the area around the city lake at this time. He gave a report about the work session by volunteers this past Saturday which included 100 hours of labor by 32 volunteers and the equipment to haul and level dirt around the existing walkway. Several dead trees were dropped and burned, but there are still a few trees left to remove. Several of the younger trees were cared for by removing the grass around them. Shultz asked the council to consider calling a special meeting to lay out the plans for the phases of the project. The council agreed to meet with the group Wednesday, June 21st at 7 PM for this purpose.

Vic Robbins said that the council may be able to act on the loan agreement ordinance from KDHE if available at that same meeting.

WATER/SEWER REPORT: Vic Robbins said that the sensor system installed on the water tower has to be re-programmed and functioning by July 1st and hopes that Bob Call has contacted Pedrotti's about this matter.

Robbins said he's been told by Donna Crawford that she's obtained easements from Richard Wright, Chuck and Linda Musick, and Ken Huston. Robbins said Crawford indicated that Gates may be willing to sign the easement with the changes that have been made in the language. Robbins has met with Ken and Sheila Dale who want an absolute date of completion in the easement. Crawford has never been able to contact Donnie Bryant, and still

needs to contact Sharon Gunter. She will also try to contact Pat Neil, Sr. Michael Coffman is still working on the ones for the Dales, Gates and George Maichel, Sr.

Robbins told the council that KDHE won't approve awarding the contract until the city has submitted the financial statements that provide the ability to repay the loan. Robbins and Patty Hylton have put together these documents, and Habib Ghali, KDHE, thinks that this information will be sufficient. The loan will be for an additional \$340,000 at the same interest rate.

The contractor with the low bid, Josh Hawkins of Joshua Excavating, has contacted Robbins about the delay. He has been turning down other jobs and wants to make sure he will be doing the Overbrook project. Robbins has learned that the manhole subcontractor will be Meyer Specialty, which is the company that did the sewer inspections and cleaning. Hawkins has indicated Meyer could be ready to start within 2 weeks after getting the approval.

Ira Allen asked Robbins to let him know when he goes to check out the situation on Kris Stangis' property.

F.A.R. PROPERTY: Frank Rhodes presented the council with a site plan indicating some information regarding water and sewer lines. Even though the plan shows several businesses, Rhodes said that the convenience store/gas station is the only one they're planning to build at this time. Sisson asked what size lift station Rhodes and Fawl think will be necessary to accommodate the business. Rhodes said that Kramer Engineering is working on this, but has not returned phone calls. Bruce Smith said he's been told that Kramer is out of the office the rest of this week. Sisson asked about the need to run a 6" water line to the property. Smith said that he'd been told by Mike Fawl that this is an insurance requirement for a fire hydrant. There was discussion about ways to achieve this. Smith said that requirements for the flow rate would be the deciding factor. Robbins said KDHE will have to sign off on this matter, also. Smith said that 90-95% of the town is supplied by a 4" line. There was more discussion regarding water pressure in relation to the size of the water service line. Jason Hielscher asked who would be responsible for the cost to run waterline back to the east tower if necessary. Smith said that normally the developer would be, but this may be different because of the way the system is built, and we may not know until a set of plans has been submitted and KDHE has signed off on the plans. He did say that there is a fire hydrant located at the mobile home court just west of Grace Community Church. Fawl said the plan is for 3 islands for gas and 2 islands for diesel. Sisson asked if they have the plans for all the storage tanks. Fawl said the company supplying the tanks have all the plans. Robbins said that this needs to be submitted along with the material from Kramer Engineering.

Robbins said that he's reviewed all the documents from the city's survey and legal descriptions from F.A.R. Properties. He's visited with Taylor Design Group, who did the survey for the city, and they are convinced that their findings are accurate. This indicates that F.A.R. Properties does not include any of the road to the city lake, Lakeshore Lane. From what Robbins has seen, there is no easement recorded that shows the city owns the road either, and the city needs to talk to Max Friesen about an easement. Kris Stangis asked if it's already been decided that the business will go in. Smith said that the building permit has not been approved and the next question is how much detail is needed before it can be acted upon. Smith said that there's no idea of the cost involved to provide the utilities without detailed plans from the engineer. Ira Allen said that the council needs the engineer's plans. Smith said that it could be 30 days before the plans are done, and asked if it's necessary to have the plans before they go ahead with the building standpoint. Kathy Alcorn asked if environmental impacts have been considered due to gasoline tanks and hoses being involved. She was told that the state will have regulations for the gas pumps and storage tanks. Alcorn mentioned an incident in Lawrence where a gas leak caused an explosion. Rhodes said that they are installing 24/7 leak protection. Kris Stangis asked if the city now has a planning and zoning commission intact that's working on issuing the permits. She asked because of answers given to her regarding the drainage problems on her property as a result of new construction. There was discussion about ordinance requirements for new construction that do not include code regulations. Hielscher asked if the city is at risk approving a building permit without knowing exactly what's being built. Smith said the city building permit only addresses where the building is located on the property, and not necessarily the type of business. There was discussion about issuing a building permit for the actual building without the city making any concessions regarding the utilities. Coursen said that his understanding is that no permit would be issued until all the engineering plans have been submitted. Stangis brought up city ordinances requiring comprehensive plans before building permits are issued. Ira Allen said that the city attorney should be consulted before a "partial" building permit is issued. Smith then told Rhodes and Fawl that the consensus is that plans from the engineer need to be presented before any further action is taken. Robbins suggested having the final plans reviewed by the city attorney to be on the safe side.

ALLEY DRAINAGE: Jon Wilhite was present to check on starting dates for the sewer rehab in the alley behind his Elm Street property. The council is hopeful that the project will be started around the first of July.

MISC: The matter of problems at the tree dump site by the lagoons was tabled due to Mayor Young's absence. Jon Brady wasn't present so the revenues from the Overbrook Ball Association was tabled.

COUNCIL MEMBER COMMENTS: Ira Allen would like the 2007 budget to include hiring a second full-time maintenance person. Bob Call has talked to one of the previous applicants but hasn't received an answer at this time.

MISC: Jason Hielscher asked that the council consider a mill or so in the budget for the Overbrook Athletic Association. Ira Allen said that was part of the reason for wanting to see the revenue figures as well as the expenses for the Ball Association. There was discussion about time requirements for budget prep, hearings, etc.

MISC: Chief Harmison asked if the council would approve hiring Peterson's Tree service to trim trees again this year. It's been running between \$300 and \$400 the past few years. Bob Sisson moved to have Peterson trim trees this year. Ira Allen seconded; motion carried 4-0.

Harmison also said that he had talked to Bob Ellis who owns the property south of the swimming pool, and Ellis is willing to pay for half of constructing a new sidewalk on his property if the city pays for the other half. Harmison had asked the council to consider this to keep the kids from walking in the street. David Alcorn asked what would happen if he asked for the same thing in front of his building in the next block south of City Hall. After discussion, the council agreed to consult with the city attorney since the sidewalks are the responsibility of the property owners. Kathy Alcorn asked what can be done about a sidewalk that's sticking up out of the ground due to tree roots. She was told that the property owner would be liable for either maintaining or removing the sidewalks.

TREASURER'S REPORT: Patty Hylton said that other than water/sewer running slightly over the budget, everything looks good.

CLERK'S REPORT: Cheryl Brown reported that the new council chairs should be here before the next meeting. Rich was able to get a better price than first reported, so we're getting 8 chairs for less than 7. She asked what should be done with the old chairs. The council agreed to sell them for \$10 each, and donate the ones that don't sell to the library. Brown reminded the council that they really need to hire someone to do building inspections because of recent issues. There was discussion about qualifications of that position.

EXEC SESSION: Ira Allen moved to go into an executive session for 5 minutes with Chief Harmison to discuss matters unrelated to elected personnel. Bob Sisson seconded; meeting was recessed from 8:30 until 8:35 pm. Smith called the meeting back into session; no action was taken as a result of the closed session.

There being no further business before the council, Bob Sisson made a motion, seconded by Ira Allen, to adjourn. Motion carried; meeting was adjourned at 8:37 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: June 28th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JUNE 28, 2006

MEMBERS PRESENT: Ira Allen, Bob Sisson, Bruce Smith, Rich Hamit (7:07), Mayor Jack Young. Larry Coursen absent.

OTHERS PRESENT: Jason Hielscher, Carolyn Meerian, Jon Brady, David & Kathy Alcorn, Mike Dickerson, Jim Koger, Ed Harmison, Cheryl Brown.

The meeting was called to order at 7 PM by Mayor Young at which time roll was taken by the clerk.

MINUTES: Bob Sisson moved to approve the minutes of the June 14, 2006 meeting as written. Ira Allen seconded; motion carried 3-0. Bob Sisson made a motion, seconded by Ira Allen, to approve the minutes of the June 21, 2006 special meeting as written. Motion carried 3-0.

WARRANTS: Ira Allen moved to pay the warrants presented. Bob Sisson seconded; motion carried 3-0.

BUSH COMPLAINT: Carolyn Meerian was present to ask the council what can be done about a bush growing out of the culvert in the first driveway north of the stop sign at 9th and Maple. The bush obstructs vision of traffic coming from the north. The council agreed by consensus to have Bob Call remove the bush, with the property owner's permission.

DRAINAGE ISSUES: Discussion of the drainage problems on Kris Stangis' property was tabled since Stangis was not present and Vic Robbins has not submitted any recommendations to resolve the problem.

F.A.R. PERMIT: This was tabled as no new information has been received regarding their building plans.

TREE DUMP SITE: Several ideas were discussed about how to keep vehicles away from the field adjoining the tree dump site by the lagoons. Bob Sisson said that he would talk to Gailand Kennedy about installing fence of some kind to block the traffic without interfering with his farming operation.

SIDEWALK ON ELLIS PROPERTY: Chief Ed Harmison had asked the council to install a sidewalk on the property just south of the pool to keep the kids from walking in the street. The property owner, Bob Ellis, had agreed to pay for half with the city paying the other half. After stating that the city doesn't repair or replace sidewalks on private property, Bruce Smith made a motion NOT to pay for any sidewalk on the Ellis property. Bob Sisson seconded; motion carried 4-0.

SCHOOL SPORTS POSTER: Mayor Young has been contacted by Cloyd McCurdy, WIN Publishing, about the city being on a poster for the Santa Fe Trail High School Fall/Winter sports poster. These are 2x3' color posters which will be placed in area businesses. This poster has been authorized by Dave Watkins, Athletic Director at SFT High School. After discussion, Rich Hamit moved to place a 2 ½" x 4" ad on the poster for \$149.95. Bob Sisson seconded; motion carried 4-0.

2007 BUDGET PREP: Rich Hamit asked if the special meeting with Jim Long of Bogner & Long is still scheduled for Thursday, July 20th at 7 PM. Long is supposed to send a draft of the 2007 budget before July 20th for the council's review. Several items to be considered were discussed. These include the following:

1. Additional revenue for the library, approximately \$7,000
2. Second full-time maintenance employee
3. Funds needed for the City Park project

Ira Allen commented that the mill levy would probably need to be raised to do everything they want to do. Mayor Young said that they need to decide exactly what it is they want to do, and then see what funds would be required.

The council agreed that a second maintenance worker is needed. Bruce Smith suggested adding animal control back to the maintenance department with the police department as back-up. Smith said he's never been convinced that "patrolling" the town was the best way to do animal control, but favors setting traps. Any new full-time personnel would only be entitled to employee-only health insurance, and would be responsible for any additional family coverage through payroll deduction. Sisson said that the salary should be high enough to encourage someone to stay. Jason Hielscher asked if contracting out some of the maintenance work would be

better than hiring more people. Mayor Young said that it was more a matter of needing the additional hours, and also most of the work requires two people for safety purposes not to mention having someone as a back-up to Bob Call. Ed Harmison said that the city could use a skidloader, and that should be included in the budget over the next 2 or 3 years.

There was discussion about improvements to the maintenance building. Smith commented that with some re-arranging more equipment could be kept inside. Adding an office, water, and sewer service were discussed. Replacing the gravel floor was also added to the list of improvements needed. The possibility of moving the maintenance building to property by the lagoons was discussed. Ed Harmison said that the fire department had discussed building in another location, and selling the existing structure. The meeting was recessed for 20 minutes while several council members went next door with Chief Harmison to check out the measurements of the fire department.

After the meeting was called to order, Bruce Smith said the fire department has around 4,000 plus square feet of floor space. Allen said that the existing police department could be used as a council/court room which would allow the city office to use the whole room. Ira Allen said he would contact the president of the rural fire district board to see if they have any interest in selling the building.

Chief Harmison said that his health insurance premium will be decreasing in December, 2006 when his youngest daughter is no longer covered. However, the cost of gasoline has increased and both patrol cars will be needing new tires soon. He also needs to replace the vests, and he would like to have more part-time help. He isn't going to ask for more money, but would like to keep the tax levy the same.

There was discussion about additional equipment that would be needed if a second full-time person is added in maintenance. There are no plans to add another vehicle at this time.

OVERBROOK ATHLETIC ASSOCIATION: Jon Brady presented a report showing some of the expenses the city currently has for the athletic programs, along with expenses the association pays. The only revenue the association has is from the fees to participate. Ira Allen asked what the income from the concession stand is used for. Brady said that it basically is used to pay the concession stand manager and the umpires. The current fee is \$45 with a \$10 refund if a parent helps in the concession stand during the season. This sign-up fee also pays for the shirts. There was discussion about ways to pay for shirts or uniforms other than the sign-up fees, such as sponsors. There is also a \$40/team league fee. This year that was around \$600. Jason Hielscher said that there are probably 30 players on "scholarship" this year. These are kids who wouldn't be able to play if they had to pay the fees.

Bob Sisson asked if sponsoring week-end tournaments has been considered to raise money. Brady said this was tried twice last year, and only 3 to 5 teams were interested in playing. Sisson said he's been to games in some other towns where they charge admission. Allen said he wouldn't want Overbrook to be one of those towns.

Mayor Young said that while he's glad that all the kids get to play, the parents of those who don't pay the fee should be required to help either in the concession stand or field maintenance or umpiring. Allen asked if the parents of the "scholarship" kids have been approached about helping. Brady said that getting parents to help in the concession stand is very difficult under any circumstances. Mayor Young said that the fee should double, with the entire amount refunded IF the parent is willing to work in the concession stand. He said that at some point, parents need to participate in their kid's activities. Allen said that this would penalize the kids. The mayor said the parents would be penalizing the kids. Sisson said that when his kids played, all the parents were expected to help a few times during the season. David Alcorn said that he doesn't have a lot of money, but he might be willing to sponsor a child. Mayor Young said that would be something to consider as other people might be willing to do the same. Mike Dickerson, Osage County Herald, said that finding volunteers are getting hard to find in lots of activities, including sports car events. Bob Sisson said he would be against raising the tax levy on Overbrook citizens to pay for sports activities when a lot of the kids live outside the city limits. Cheryl Brown, City Clerk, said that this is the case for the library and the swimming pool also. They're partially supported by a tax levy, but used by the surrounding community. Ira Allen said that as a business owner, he might have been more favorable to buying team shirts rather than pay for a sign to hang at the ball park. Brown said that people might not be able to sponsor a whole team, but could contribute to a fund for that purpose. Brady said he had contacted the youth groups of all the area churches about running the concession stand without success.

Brady said that he wants to make sure that maintenance of the park as a whole is considered in future budgets. The mayor said that these things will definitely be included in the budget.

Brady said that someone from Westar Energy will be here tomorrow at 4 Pm to discuss a variety of issues regarding Jones Park.

TOURNAMENTS: Jason Hielscher said they've been approached about hosting a charity tournament, and would like permission to allow alcohol on the premises, but not the sale of alcohol. Bruce Smith said that he doesn't think the city can take an official stand on the matter, other than this is illegal on public property. If the teams decide to do this, it would be at their own risk.

CLERK'S REPORT: Cheryl Brown said she's been contacted a few times about reserving the gazebo at the park. She talked to Marcia Elliott, Rotary president, about the matter as it was donated by Rotary. Elliott will be discussing this at their next meeting. Brown said that the city can take care of the reservations if Rotary doesn't want to do it.

Brown mentioned a mix-up with the Osage County Herald and a photo shoot of the pool personnel. The owner of the Herald said that other arrangements have been made for a photo, but it may not be in the same issue as other towns.

Brown said that this is the last chance to buy the old council chairs, and she has an interested party if there are no other buyers.

Brown said that due to her taking vacation, and one of Jim Koger's daughters having some surgery, City Hall may have to be closed on Wednesday, July 5th. The council agreed by consensus to close the office.

COUNCILMEMBER COMMENTS: Bruce Smith said he has talked to Kramer Engineering about the F.A.R. property, but the conversation was very general.

Ira Allen said that he would like to have better communication about problems at the swimming pool. This is in regards to equipment problems, especially where safety is a factor, to prevent accidents.

Rich Hamit said that new lids have been ordered for the skimmers at the pool. Hamit also would like to have Bob Call check Jason Hielscher's water meter since his usage seems to be high. The mayor said that Call will check it and replace it if necessary. Hielscher also said that there is a "speed bump" in the street by his house. Call will check this out, too. It may be one that will be torn up during the sewer project.

MAYOR'S REPORT: The mayor told the council about a Stormwater seminar coming up. The clerk said that the manual may be available.

EXECUTIVE SESSION: Rich Hamit moved to have an executive session for 5 minutes to discuss matters not related to elected members. Bruce Smith seconded; meeting recessed at 8:55 PM. Mayor Young called the meeting back to order at 8:00 PM. No action was taken.

MISCELLANEOUS: Mayor Young said that he was told this past Sunday night that there were dead fish at the city lake. He contacted Leonard Jirek Monday morning, and the problem is the aerator, and new parts have been ordered.

There being no further business before the council, Bruce Smith moved to adjourn. Bob Sisson seconded; meeting adjourned at 9:05 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: July 12th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 12, 2006

MEMBERS PRESENT: Larry Coursen, Bob Sisson, Rich Hamit, Ira Allen, Bruce Smith, Mayor Jack Young.

OTHERS PRESENT: Ken Krause, Joni Hudson, Steve & Charlene Gibbs, Roger Harmon, Charles Hamner, Mike Dickerson, Jason Hielscher, Jon Brady, David & Kathy Alcorn, Patty Hylton, Ed Harmison, Cheryl Brown.

The meeting was called to order at 7 PM. Roll call was taken to determine the presence of a quorum.

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the June 28, 2006 meeting as written. Larry Coursen seconded; motion carried 5-0.

Ira Allen made a motion, seconded by Bob Sisson, to pay all warrants presented. Motion carried 5-0.

CITY PARK ACCOUNTS: Larry Woodson, representing PRIDE, asked if the city would be willing to open an account for the purpose of handling the funds for the City Park project. This would allow donations to be tax-exempt. Derrick Dahl has indicated that Kansas State Bank would be willing to be the depository, such as it was when the tennis courts were being funded. Woodson also recommended that a certain percentage of funds be kept in reserve for future maintenance of any additions to the city park. The council agreed by consensus to authorize a joint account for the city park project, and will determine the amount to be set aside for maintenance at a later time.

POOL PERSONNEL: Rich Hamit made a motion, seconded by Bruce Smith, to go into executive session for 10 minutes at 7:10 PM with Steve and Charlene Gibbs and Joni Hudson present. Motion carried; meeting was recessed. Mayor Young called the meeting back to order at 7:22 PM.

Bob Sisson told Joni Hudson that he's had some complaints from a few people who have mentioned that some of the lifeguards not paying enough attention to the kids in the pool, and wanted her to be aware of the situation.

TRAILS PROJECT: Roger Harmon, representing PRIDE, came before the council to explain that he's helping with a grant application for the second phase of the Trails project. The application is due August 1st. He gave a brief review of Phase I, showing that the actual cost to the city was around \$900 out of the city's share of \$17,000 of the total \$54,000 project. The grant is an 80/20 percentage grant, with in-kind labor counting towards the city's cost. The city would have to be the official sponsor, with PRIDE helping. The estimated cost of Phase II is \$133,000, with the city being responsible for \$26,000 which Harmon thinks will actually be around \$2,000 using volunteer labor and equipment as before. The grant is through the National Trail's Act which uses taxes from off-road fuels. Harmon said that the original plan is for three phases. Phase I and II will be around 1 mile of trail. Bruce Smith asked about the problems with installing a bathroom that requires sewer service. Harmon said that the restroom being considered uses a foundation that's a giant holding tank which would require servicing only once or twice a year. One advantage of this type of facility is that it can be used year-round. Bruce Smith moved to pursue Phase II. Bob Sisson seconded the motion; motion carried 5-0.

STANGIS PROPERTY DRAINAGE: Vic Robbins has surveyed the surface run-off ditch from the street to the end, about 420 feet. He also met with Mack Dibble, a neighbor, and was told that this ditch was put there when the property was first developed. After discussion, the council asked Robbins to write a proposal regarding what he

thinks should be done to alleviate the problem. Mayor Young said that some kind of authorization will have to be obtained to access private property belonging to Stangis, in addition to that of the neighbors.

Robbins said that the problem with the water tower sensor is in the process of being fixed. Someone from the Pedrotti company has discovered that the pressure sensor wasn't water-proof and was submerged under water for some reason. It will have to be replaced, but Robbins doesn't know if there will be an additional cost to the city. Robbins has explained all this to KDHE as part of his report.

Robbins explained that a couple of test results from the lagoons were out of compliance due to the desludging process. The latest test is in compliance, but all the results will show on the next quarterly report.

The pre-construction conference for the sewer rehab project was held this past Monday and all the contracts have been signed and delivered or mailed. The starting time for the project is officially July 17, 2006, and the contractor, Joshua Excavating should start moving equipment in the week of the 24th. The contractor has said they will start on the lines by the school. Robbins told the council that the properties for which the temporary construction easements have not been obtained may require the city to take legal action to petition the court to condemn the property. Hopefully, this will not be necessary as it will be costly, both in money and time.

There was a brief discussion about the FAR Properties situation. Robbins and the council agreed that as much information about their future plans as possible be considered before making definite decisions about lift stations, etc. David Alcorn asked if any decisions have been made about the water draining into the library have been made. The mayor said that will wait until the sewer project is done.

LIMB DUMP SITE: Bob Sisson said he'd talked to Gailand Kennedy about the matter, and things seem to be okay for now, but he will let us know if there are more problems.

FIRE DEPT BUILDING: Ira Allen has talked to Morey Bennett, and Bennett said that while they had considered selling the building several years ago, nothing has been mentioned lately.

2007 BUDGET PREP: Cheryl Brown said she had included copies of the past several budgets for the special meeting on July 20th.

PETITION TO START LEGAL PROCEEDINGS: Michael Coffman, City Attorney, has asked the council to grant the authority to file a petition in court, and to take any other necessary legal action, to condemn any easements required for the contracted sewer project. Bruce Smith moved to give Coffman the authority as requested. Larry Coursen seconded; motion carried 5-0.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. Harmison reported that something has come up on his patrolcar. It has 37,700 miles registered, so it's out of warranty by a couple of thousand miles and the catalytic converters are going out. It will cost about \$1500 to replace them. He's planning to drive it as is until closer to the end of the year.

Harmison also said that Judge Jones and Michael Coffman have requested that the Criminal Code, or Ordinance No 91. The council agreed by consensus to have Michael Coffman review the ordinance and recommend any changes necessary.

TREASURER'S REPORT: Patty Hylton reported on the city's financial balances. She reported that the current cash balance is up about \$100,000 from the same time in 2005. This includes the checking account, cd, and the loan and grant proceeds. Hylton said that the General fund is under budget by 8%, Water/Sewer is under budget by 3%, and the Law fund is at approximately 55% budget level half way through the year. She pointed out that these are small margins, and said we'd still have to watch the expenses.

CLERK'S REPORT: Cheryl Brown said that Marcia Elliott, president of Rotary, would prefer that the city be responsible for the shelter reservations. Brown will have to check into some kind of sign.

The city has been granted a 6-month extension for the grant. Brown also presented a proposal from the Osage County Herald for signature pages for SFT for the coming school year. The city can be on 10 pages during the year for \$100. Bob Sisson moved to do this, and Bruce Smith seconded. Motion carried 5-0.

Westar Energy has contracted Wright's Tree Service to do some tree-trimming in August. They will be leaving packets on doors explaining all of this.

Brown asked the council if the city could do something other than send flowers to Jim and Hope Koger as congratulations for their new baby girl, Quincy Ann. She suggested either a gift certificate or savings bond as suggested by Ira Allen. Larry Coursen made a motion, seconded by Bruce Smith, to purchase a \$50 savings bond. Motion carried 5-0.

MISCELLANEOUS: Chief Harmison said that after checking tree limbs around town, he would like to postpone having them trimmed until later in the year. Council agreed by consensus.

Jason Hielscher told the council that they will be using Jones Park for soccer again this year. Brown said that Hielscher needs to let Bob Call know when they'll be done so he can get the bathrooms winterized.

Jon Brady said that the right field lights are working, and wondered what the problem was. Brady said they had some concern about the fuse box as the breakers seem to get hot. The mayor said that we'd check that out with Bob Call.

There being no further business before the council, Larry Coursen moved to adjourn. Bruce Smith seconded; meeting was adjourned at 8:20 PM.

Respectfully submitted,

Cheryl Brown,
City Clerk

APPROVED: July 26th, 2006.

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JULY 26, 2006

MEMBERS PRESENT: Bob Sisson, Larry Coursen, Rich Hamit, Bruce Smith, Mayor Jack Young. Ira Allen absent.

OTHERS PRESENT: Ken Krause, Beth & John Pankratz, Mike Dickerson, David Alcorn, Jim Koger, Ed Harmison, Bob Call, Cheryl Brown.

The meeting was called to order at 7 PM by Mayor Young and roll was taken.

MINUTES/ WARRANTS: Bob Sisson moved to approve the minutes of the July 12, 2006 meeting as written. Bruce Smith seconded; motion carried 4-0.

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

CITY PARK DEVELOPMENT: Ken Krause presented the council with a proposal for a recreational vehicle park to be included with other features in the city park at the city lake. The proposal includes four gravel stalls, with water and electricity, about 30' wide and 60' long. The electricity would come from the service recently installed for the city lake. They propose bringing water from the animal wash area of the fairgrounds. The plan suggested cutting into and using the existing toilet facilities for a dumping station. The extended water service could then be used to clean the existing restroom.

Suggestions also included limits for occupation and how the payments would be made. Usage would be on a first-come, first-serve basis to start, and the city would be responsible for collecting the fees. The proposal suggested \$15/day, which could amount to \$10,800 annual income at a 50% occupancy rate. Krause asked that the council consider cutting into the wooded area to provide a U-drive at the 150' width that would be 15' wide and 60' deep.

The council agreed that having the RV parking area would be a good idea, and encouraged Krause and the committee proceed with funding.

SEWER PROJECT: Mayor Young said that he's seen some equipment belonging to Joshua Excavating, which means they should be getting started soon. Bob Call said that pipe has been delivered also. Cheryl Brown said that we still don't have signed easements from Donnie Bryant or Ken and Sheila Dale. Mayor Young read a note left by Ira Allen regarding the Dale easement which states that they would be paid an amount to be approved by the council to replace rose bushes removed during the sewer project. After discussion, the council agreed that this matter should be between the contractor and the property owner.

The clerk said that Donna Crawford would like the council to pick a Friday night to meet her for dinner in Lawrence as her treat. It was decided to wait until Ira Allen is present.

MISC: F.A.R. property development and the possible purchase of the rural fire department building were tabled as there was no new information provided.

Mayor Young hasn't talked to Michael Coffman about the necessary legal steps to access private property in order to address the drainage problem on Kris Stangis' property. He will do this as soon as he returns from vacation.

The clerk said that the notice of the 2007 budget hearing has been published, and it will be held August 9, 2006 at 7:30 PM.

CLERK'S REPORT: Carolyn Meerian wanted the council to know she appreciated their action regarding having the bush removed at the corner of Maple and 9th Street.

Brown also said the resolution to petition to condemn was not published this past week to allow more time to hire a land surveyor, which is part of the process. Mayor Young asked who is dealing with the Bryant and Dale easements, and was told that no one has talked to them since Ira Allen did.

Brown asked for ideas for signs to reserve the Jones Park shelter house. Several things were suggested, and Brown said she would check with the sign company in Ottawa.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to go into executive session to discuss matters not related to elected personnel. Motion carried. Mayor Young called the meeting back to order. Bob Sisson made a motion, seconded by Bruce Smith, to hire Jim Koger full-time, splitting his hours between Maintenance and City Hall. Motion carried 4-0. The city will pay for Koger's health insurance, but he would be responsible for additional coverage for his spouse and/or children.

Larry Coursen moved to increase Koger's salary to \$9.50/hour starting July 27, 2006. Bruce Smith seconded; motion carried 4-0.

2001 PATROLCAR: Mayor Young said that Chief Harmison had mentioned that the catalytic converter on his patrolcar was out, and that it would cost around \$1500 to have it fixed as it is out of warranty. The mayor said that he would like the council to approve having it fixed. Chief Harmison said he had said he was willing to wait until the end of the year since the mechanic told him to just drive it as long as it was running fine. Bob Sisson moved to have the car fixed, with Bruce Smith seconding. Motion carried 4-0. Harmison was told to use his judgment as to when to schedule the repair.

ANIMAL CONTROL: Larry Coursen made a motion, seconded by Bob Sisson, to terminate the position of animal control officer since these duties will be part of Jim Koger's Maintenance job. Motion carried 4-0. The clerk will write a letter to Mark Tomlinson informing him that his services will no longer be needed effective August 9, 2006.

MISC: Bob Call stated he has noticed large blow-up items being used at the pool, and is concerned that this could be dangerous as they stick up above the pool. Rich Hamit said the pool will stay open weekends after school starts and close Labor Day weekend.

Cheryl Brown thanked Kathy Alcorn for the cookies and stated these are a sample of what she's taking to the fair.

Mayor Young said he will be on vacation from July 28th-August 7th.

There being no further business before the council, Bruce Smith moved to adjourn. Bob Sisson seconded; meeting adjourned at 7:46 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: August 9th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

AUGUST 9, 2006

MEMBERS PRESENT: Larry Coursen, Bob Sisson, Rich Hamit, Ira Allen, Bruce Smith, Mayor Jack Young.

OTHERS PRESENT: Tom Athon, Carol Baughman, Mark Tomlinson, Joyce Aldrich, Don Shultz, Bob & Morine Ireland, Jon Brady, Jason Hielscher, Beverly Hix, Dennis Graves, Vic Robbins, Becky Coltrane, Mike Dickerson, Jim Koger, Bob Call, Ed Harmison, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 PM. The mayor explained that the meeting would be stopped at 7:30 PM to convene the 2007 budget hearing.

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the July 26, 2006 council meeting as written. Ira Allen explained that the note he had left for the previous meeting would only be included in the easement document if the Dale's want something in writing regarding their hybrid rose bushes. Larry Coursen seconded; motion carried 5-0.

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

ANIMAL CONTROL: Mark Tomlinson came before the council to his being dismissed as the animal control officer. These duties are now included in Jim Koger's job as maintenance assistant. Tomlinson stated that he would have liked to have been present at the last council meeting before the council voted to do away with his job, and that he had been with the city for three years. He was also upset that he wasn't told in person, but was sent a "stupid letter" that was signed by the City Clerk rather than the mayor that he had been fired. Mayor Young said that Tomlinson hadn't been fired, but the position had been abolished. Tomlinson then questioned the job being done by part-time maintenance personnel. Mayor Young said that they were trying to do the job with people who are available during the daytime. The mayor said that abolishing Tomlinson's job was not based on his performance, but a more efficient use of city funds. Tomlinson stated that he thought he had done a "well job". Beverly Hix stated that she appreciated the job Tomlinson had done and asked who she should call for animal calls in the future. She was told to call Jim Koger, or city hall.

WATER/SEWER REPORT: Vic Robbins reported that the water level sensor is still in Pedrotti's shop, but it has to be fixed or repaired before he can send in his final report.

Robbins asked if any progress has been made on the legal means to access private property to fix the drainage problem on the Stangis property.

Robbins said the the contractor got off to a rocky start with the sewer rehabilitation project, but things are going better since they brought in some more equipment. The line going west from the school to the lift station is installed, but there's still clean-up work and street re-surfacing to be done. They're not planning to do any re-surfacing until October. The contractor had to bring in a mini-excavator to do the work around Jon Brady's garage, and the city will pay the rental fee. Ira Allen said he thought Joshua Excavating indicated they had the right equipment for that area. Robbins said that this was discussed about the Dale's property, but not the Brady's.

Robbins asked about progress with the easements from Ken & Sheila Dale and Donnie Bryant. Ira Allen said he's been out of town for 2 weeks. Mayor Young said Sheila Dale has called him twice. The second time she called and was unhappy that he hadn't called her back. Mayor Young was also out of town at that time. Young has left a message for her, but hasn't received a call from her. Allen said he was willing to contact the Dale's again. Jennifer Bryant has signed the easement, but Donnie has not yet

signed, but has been contacted several times. Mayor Young said he would go by his house after the meeting.

Robbins said that there is a problem where the sewer line goes straight south of the grade school. There are power poles that have to be protected or moved. Westar is not sure where they could be moved and stay within the easement. The contractor suggested installing a new manhole which would allow the poles to stay where they are. However, this would be about 8' west of the alley. Robbins said that the city will need to get additional easements on property owned by Jon Wilhite and Richard Douglass. There may be a future request for compensation. If the work is done towards the east, there is an old barn on city property that would have to be removed. It would have to be determined whether or not the barn was built before the city was platted. The council agreed by consensus for Robbins to check into the removal of the barn before installing a new manhole and moving the project to the west and give the mayor the authority to make the decision on the easement issues. Robbins said that this needs to be done as soon as possible. There will be changes in the bus loading areas regardless of which option is followed.

2007 BUDGET HEARING: Mayor Young called the 2007 budget hearing to order at 7:30 PM. He then asked for comments from the public.

Tom Athon had questions about water rates and also wanted to ask questions about the water quality in his neighborhood. Athon said that he didn't mind paying taxes if he can have good water in return. He said that his water smells terrible and has ruined clothes doing laundry. The mayor asked if these problems have been reported. Helen Sloan said she had made several calls. Cheryl Brown said that Mrs. Sloan has also brought in water and filters to show the color, and Bob Call has flushed hydrants in response. Athon said that he only knows of the hydrant being flushed one time in the last 5 years. The mayor said that the biggest increase he sees in the budget is loan payments for the work being done on water and sewer lines. These loans are also repaid in part by revenue from the sale of water and sewer services. The clerk explained that the water/sewer fund itself is not funded by levied taxes, but that the general, law, bond, library, and street maintenance funds are directly funded by levied taxes. Athon asked about the possibility of installing some kind of water treatment plant. He was told that would be extremely expensive.

Athon asked why the streets are no longer being taken care of by the chip and seal method. Mayor Young said that the city has done less of this for the past few years in order to do more asphaltting in certain areas. The clerk explained that money for the Special Highway fund comes from the state and the amount varies from year to year. The mayor said that asphaltting is more expensive, but the long-range plan is to put a 2" overlay on all the streets. There will be less coverage per year, but with longer-lasting results. Mayor Young also stated that the results of the chip & seal were not very satisfactory in recent years. Athon was told to call maintenance if his street needs attention.

Athon then asked if the city had surplus funds last year in view of the fact the city has purchased a \$25,000 cd. The mayor said that is true, and he hopes to have more cd's by the end of this year. Mayor Young said that this was partly due to more revenue and partly due to reduced spending. The mayor said that \$25,000 is not a lot to have on hand for emergencies. Athon then asked how much the taxes can be raised without there being a vote. The clerk said that an ordinance must be adopted in order to raise the amount of tax revenue levied from the previous year, and the council will act on this matter after the budget is adopted. The mill levy will be more in 2007 due to the increased assessed valuation of Overbrook property. Athon asked what the value of a mill will be for 2007. She said a mill will be worth \$5,575 in 2007. Athon said that the people who have new houses in this town will be paying more taxes, especially if the school bond passes. Don Shultz pointed out that due to increased assessed valuation and an increase in the mills, people would actually be paying a double increase. Ed Harmison then stated that the total amount of the tax increase would be approximately \$11,000, which will be divided among all property owners, based on the assessed valuation of their property. Jon Brady then asked what the city's plan is for the increased revenue. Mayor Young said there are plans, and the main plan is to catch up on the maintenance of the water and sewer system. He said that there is no definite engineered plans to improve the water at this time, but is hopeful there will be in the near future. Helen Sloan said that she not only has poor water, but very little pressure at her house. Mayor Young asked Bob Call if he's aware of this. Call said that he ran a pressure test at her house, and discovered that her filter was plugged which would explain the lack of pressure. Mayor Young said that

Call will check it again. Athon asked if there's anything that can be done about the problem with iron in the water. Jon Brady said that he thinks that there's always been problems with the water on the east side of town, based on the testing he's done in his job. He said that one of the wells is very high in iron. Bruce Smith said that we are adding a substance to the water which is supposed to help bind the iron. Morine Ireland said that they're building a new house and are installing 3 filters. The mayor again said that the city will check into it. Jason Hielscher asked if the street improvements will include scraping some of the old layers off before re-surfacing. He was told that would be more expensive, which would further limit the area to be re-surfaced. Brady asked if there are plans to improve the drainage on main street (Maple). The mayor said that there are no plans at this time.

Ira Allen made a motion, seconded by Bob Sisson, to adopt Ordinance No. 293, authorizing the city to increase the amount of tax levy for 2007. Motion carried 5-0.

Bruce Smith moved to pass the 2007 budget as prepared and discussed. Ira Allen seconded; the motion carried 5-0. The hearing was closed at 8:10 PM.

MISCELLANEOUS: Cheryl Brown said that she has a phone number that people can call Wright's Tree Service if they want some of the wood chips.

POOL CLOSING: Mayor Young said that he's received calls about refunds for pool parties and one that was double-booked. Rich Hamit said he would check into the matter. Cheryl Brown said that Joni Hudson has given her the pool passes. The total refund will amount to about \$403. Hielscher asked about refunds for private lessons. Brown said that she has no list of those who have paid for private lessons. Ira Allen moved to refund the pass money as stated by Joni Hudson. Bruce Smith seconded; motion passed 5-0.

DINNER WITH DONNA CRAWFORD: Mayor Young suggested Friday, August 18th to have the celebration dinner with Donna Crawford. The clerk said she would notify Crawford.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. He also told the council that he found out that the catalytic converter on his patrol car is covered by warranty after all, and will schedule a date for it to be fixed soon.

MAINTENANCE REPORT: Bob Call said that they've fixed 2 water breaks at 7th and Maple. The west water tower is scheduled to be inspected on August 14th. He's ordered some Saturock for street patching. He's not sure what to do with the water quality at this point. Mayor Young said that he authorized Call to purchase a camcorder in order to record property before the sewer work is done. Call said he's ordered about 20 culverts to replace those in the street and alleys dug up during the sewer rehab work.

Call said that he's concerned about determining the property lines when he's checking out building permits. Larry Coursen asked if the city should require a boundary survey be done before approving the permits. Larry Coursen moved to require a boundary survey as part of the application for a building permit. Bob Sisson seconded the motion. Following discussion, the motion failed 0-5. The council agreed by consensus to have Michael Coffman review the ordinance to see if this additional requirement can be included.

Call asked if the contractor can leave the rock and dirt removed during the sewer rehab project at the lagoons. The council agreed by consensus to allow this until a more suitable place can be found.

Bob Sisson asked Call if Tomlinson has returned the city's traps and other equipment. Call said he hasn't, and Sisson said he would talk to Tomlinson.

CLERK'S REPORT: Cheryl Brown asked if Jim Koger can be reimbursed for the office call and prescription necessary after he got into some poison ivy while mowing. Rich Hamit moved to reimburse Koger for these items. Larry Coursen seconded; motion carried 5-0.

COUNCIL MEMBER COMMENTS: Ira Allen said that while he knew why the council voted to abolish Mark Tomlinson's job, he agreed that since the clerk doesn't do the appointing or do away with any position, the letter should have been signed by the mayor. Brown said that she did not do away with any

position, but signed the letter "For the Governing Body" as she does on many occasions, including notifying people not hired for positions. Bob Sisson said that Tomlinson's job was part-time and started out to be temporary. He wasn't fired, the job duties were included with another employee's job.

Allen then said he thinks that since reading an article in the Osage County Herald regarding the FAR properties, the city should consider refunding the fees for the new utility services. The clerk said that these fees will be refunded should the application be denied, but it has been neither approved or denied. The matter was tabled until a later meeting.

P.R.I.D.E.: Rich Hamit moved to adopt Resolution NO 80 that declares the city to be an official entrant in the PRIDE program for 2006. Bruce Smith seconded; motion carried 5-0.

MISC: Morine Ireland said she had found the meeting to be very interesting and was glad she had come. The mayor said that he would like to see more people come to more meetings.

There being no further business before the council, Bob Sisson moved to adjourn. Rich Hamit seconded; meeting was adjourned at 8:45 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: August 23rd, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

AUGUST 23, 2006

MEMBERS PRESENT: Larry Coursen, Rich Hamit, Bob Sisson, Ira Allen, Mayor Jack Young, Bruce Smith absent.

OTHERS PRESENT: Vic Robbins, Bruce Rinkes, Mike Dickerson, Charles Hamner, Beverly Hix, Bob Call, Ed Harmison, Cheryl Brown.

The meeting was called to order by Councilmember Ira Allen as Mayor Young was arriving late, and Council President Smith was absent. Roll was called by Clerk Brown to determine the presence of a quorum.

MINUTES / WARRANTS: Larry Coursen moved to approve the minutes of the August 9, 2006 meeting as written. Rich Hamit seconded; motion carried 4-0.

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

Mayor Young arrived at this time.

CITIZEN CONCERN: Jason Hielscher was present to complain that he had not been notified that the sewer rehabilitation would involve his property. His back yard has been torn up, a retaining wall has been removed, and he thinks there may be an issue regarding the city's easement. Mayor Young said he has been told by Vic Robbins, city engineer, that this was all within the easement and that the area would be re-seeded. Hielscher asked that the retaining wall be replaced also, and possible erosion be eliminated also. The mayor said that he would check into these matters and get back to Hielscher.

STANGIS PROPERTY: Michael Coffman, City Attorney, has sent a letter stating the following: If the flooding of Stangis' property is caused by negligent construction or development practices on adjoining land, the the Stangises should seek restitution and correction from the contractor or developer who made the mistakes. Bob Sisson said that enlarging the drainage ditch on the Stangis property could result in more run-off on First Street which would affect city property. Coffman advised that if the current drainage pattern causes a risk of damage to the public roadway, then the extent to which the city pays to correct the drainage problem to protect the road is therefore left to the sound discretion of the city council. He recommends documenting the work with a short letter to each of the property owners stating the dates that the work will be performed and who is responsible for what. Larry Coursen moved to do nothing at this time. There was no second; motion died. There was more discussion. Larry Coursen made a motion, seconded by Bob Sisson, to stay out of the matter. The vote was 2-2 with Allen and Hamit voting against the motion. At that point, Mayor Young voted in favor of the motion to do nothing. The mayor said a letter will be sent to Kris Stangis informing her of the decision.

WATER/ SEWER REPORT: Vic Robbins reminded the council that the city had received an extension to upgrade the lagoons, and he thinks the time is about up so would like to request another extension. This upgrade would include rip rap and improving the piping between the cells. The council agreed by consensus to have Robbins ask for another extension.

Robbins said that the current sewer rehab work is going well. Eight lines have been completed, or about 20% done, and they're running ahead of schedule. Robbins is concerned about the clean-up part, and has discussed this with Josh Hawkins. From now on, they plan to do some clean-up work at

the end of each week. Ira Allen asked why the manholes haven't been repaired or replaced. Robbins explained that Meyer Specialties is doing only the actual replacement or relining, but that Joshua Excavating is going to do the prep work after they've replaced the service lines. Robbins said there's been a change order to be submitted to KDHE regarding some extra work. Robbins also reported on some things they've discovered that will cost about \$1,000 extra to cover.

Mayor Young said that Jason Hielscher has questions about his property. Hielscher said that he believes that the old well previously mentioned by Robbins is on his property. Robbins said he thinks the well is on the city easement. Robbins told Hielscher that the sewer line couldn't be dug without the retaining wall falling in. Robbins said that Mrs. Hielscher told them that it wasn't a problem, but to not damage the sandbox. Robbins said he thinks it was part of an old foundation, and not a retaining wall. Hielscher also had concerns about erosion due to removing the wall. Robbins said he didn't think there would be any erosion. Hielscher had questions about the exact location of the easement. Mayor Young asked how this can be resolved. Robbins said it would have to be surveyed. Hielscher again stated that he was mostly upset about not being notified in advance. Robbins said that this is the case in several areas where additional easements were not necessary. Robbins said that all the property will be cleaned up and left according to contract requirements.

Hielscher asked about the damage caused by the sewer rehab crew going through his yard to get to the back of the property. Robbins said that all the damage would be repaired. Rich Hamit questioned the number of vehicles in a yard last week. Robbins said that they had the owner's permission in that case.

The mayor asked if Joshua Excavating is supposed to be putting up door hangers to notify people. Robbins said that the contract doesn't specify door hangers, but they are supposed to be contacting the property owners in advance. Robbins also said that the school wouldn't be without sewer service when those lines are being replaced, but the regular bus loading area will have to be changed for a short time.

BOUNDARY SURVEY: Vic Robbins said that he mentioned this to Michael Coffman, who thinks this might be a good idea. It was decided that Mayor Young should visit with Coffman to decide exactly what should determine the need for a boundary survey as part of a building permit.

SIDEWALKS: The sidewalks that had been the subject of a letter from Shandy Vollrath on Brad Henderson's property have been replaced. The clerk provided the council with sections of the state statute that regulates sidewalk maintenance and ownership. The city has the authority to regulate sidewalks, but Overbrook considers them to be the property owners responsibility.

PRIVATE ANIMAL TRAPS: The mayor asked the council's opinion on the handling of citizen-owned live animal traps. The council agreed by consensus that only city-owned traps are to be maintained by city employees. Mayor Young said he would pass this information along.

TRASH AT TREE/LIMB SITE: Mayor Young said that there is currently a deck at the tree/limb dump site, and he would like the police department to investigate. Unacceptable trash being left there was discussed again. The council agreed by consensus to have Bob Call make a recommendation about having the site open just certain times of the week/month rather than close it permanently.

SAFETY VESTS FOR SCHOOL: Rich Hamit said that the Sixth grade class covers the crosswalks and they need new vests, raincoats, and signs. The PTO has purchased new signs. The cost for 4 new vests and raincoats will be about \$117.80. Bob Sisson moved to purchase the vests and raincoats. Rich Hamit seconded; motion carried 4-0. The clerk will order them as soon as possible.

BROOKSIDE ADDITION: Vic Robbins asked for permission to review the extensive set of plans for the Brookside Manor addition. The council agreed by consensus.

COUNCILMEMBER COMMENTS: Larry Coursen said we need to get a pick-up of some kind for the maintenance department. Bob Sisson has been letting them use his, but doesn't want to sell it. After

discussion, Larry Coursen moved to authorize the purchase of a truck for up to \$5,000. Bob Sisson seconded; motion carried 4-0.

Coursen also asked about checking on a skid loader. Bob Sisson said he would check on prices, leasing, etc. Bob Call said he didn't want to trade in the backhoe, and asked about just leasing a skid loader when necessary.

DRAINAGE: Mike Dickerson, Osage County Herald, told the council that according to his notes, the council agreed to have Vic Robbins come up with plans to address the drainage issue on the Stangis property at one of the July meetings. Ira Allen moved to address this issue again at a future meeting. Larry Coursen seconded; motion carried 4-0.

There being no further business before the council, Bob Sisson moved to adjourn. Rich Hamit seconded; meeting was adjourned at 8:20 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: September 13th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 13, 2006

MEMBERS PRESENT: Larry Coursen, Bob Sisson, Ira Allen, Bruce Smith, Mayor Jack Young. Rich Hamit absent.

OTHERS PRESENT: Ken Krause, Jon Brady, Vic Robbins, Kris Stangis, David Osborn, Mike Dickerson, Bob Call, Jim Koger, Ed Harmison, Everette Dannar (8:15 pm), Cheryl Brown.

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

MINUTES / WARRANTS: Larry Coursen made a motion, seconded by Ira Allen, to approve the minutes of the August 23, 2006 meeting as written. Motion carried 4-0.

Bob Sisson moved to pay all warrants presented. Larry Coursen seconded; motion carried 4-0.

JONES PARK PROJECT: Ken Krause came before the council with an updated presentation for plans to developing Jones Park. Copies of the material are available at City Hall. Krause reported that applications for grants from the Jones Trustees and the Dept. of Commerce, Division of Tourism. Krause said that several issues that require confirmation from the city before they can proceed with the grant process. These issues are the following:

1. A survey of the city park property
2. Water supply to the restroom facilities at the city lake
3. A "test U" cut into the wooded area designated for the RV park
4. Extension of Fifth and Market Streets into the park

The grants being pursued are as follows:

- | | | |
|----|-----------|--|
| 1. | \$133,000 | Phase II of the Trails |
| 2. | \$122,015 | Jones Foundation---- Pride projects, Overbrook City Park |
| 3. | \$125,000 | Jones Foundation----- Overbrook Athletic Association |
| 4. | \$ 6,250 | Dept of Commerce----RV park & landscaping |
| 5. | \$ 15,000 | Children's fishing pond |

The PRIDE projects at the city park include establishing the Hylton Homesite, a memorial circle, a concert/shelter pavilion, equipment and flooring, picnic tables and grills, and a basketball court.

Mayor Young asked if any of the grants would pay for the street extensions and was told by Krause that they did not. The mayor said that a survey of the city property needs to be done before anything else.

Krause said that they will be submitting the grant application September 22nd, and will be meeting with the Dept of Tourism on September 18th. Mayor Young said that the city's commitment will depend on how much grant money is awarded. Krause said that he personally is not going through with the project if the city is not willing to put in the road extensions. Krause said that these items will be required before the grant can be awarded. Mayor Young said that he has no problem with extending the streets, but the 2007 budget has already been approved and does not include funding this project. The mayor also said that the city would need definite cost figures for street extensions before making any commitments. Bob Call mentioned the entrance to the lake on Hwy 56 would also need to be widened to accommodate RV's. Ira Allen commented that this seems to be a 5-year project rather than something that's going to happen in 2007. Krause said that if the city does what the project committee is asking, they can get this all done in a year. Bruce Smith said that the city allocates funds on a yearly

basis, and without having definite amounts, it would be very difficult to do that before the 2008 budget is in place. Krause asked if the city is saying to put the project on the shelf for a year. Krause said that he thinks the assets the city would gain are more than what the costs will be. The mayor agrees, but still can't make any commitments without facts and figures regarding the costs. Bruce Smith and the mayor both stated that they didn't think extending the streets should "make or break" the project.

Bruce Smith moved to authorize having the park area surveyed and title searches done as soon as possible. Ira Allen seconded; motion carried 4-0. There was more discussion about a waterline to the lake restroom area. Bob Sisson said that when the project first started, he was excited about it, but also thought it would amount to a \$10,000 project rather than half a million dollars. He still thinks it's a good idea, but it can't happen overnight. Krause asked what the council wants him to do. The mayor said that he wants to know how much grant money we'll get. Krause said he's not going to put in for grants without the city agreeing to what he's presented at this meeting. Bob Sisson said that he didn't know that street extensions would need to be done to get grant money. Bruce Smith said it'll be a year away for the city to do any of this, unless the money is taken from something already planned in the 2007 budget. Jon Brady asked if the council thinks that there can be a comprehensive plan in place for next year. The mayor said that was very possible, but reminded everyone that 2007 budget money isn't available until January, 2008. Krause said that the committee doesn't feel like the city is interested in going forward with the project. Mayor Young said he would love to go forward, but considers getting the sewer and water systems updated is a priority. Larry Coursen asked if the \$401,265 in grants is a full grant, or if the city would be obligated for a certain percentage. No one was able to answer the question.

WATER / SEWER REPORT: Vic Robbins said that we're still waiting on the Pedrotti company to send the necessary parts for the water-level sensor.

Robbins said that Joshua Excavating is working in the alley between Maple and Oak. The utilities between Santa Fe Trail and Market haven't been located as yet. Robbins said that moving the sewer line over may be the best option in order to avoid the other utilities. He feels that since this is an advantage for Joshua Excavating, they should bear the brunt of any extra expense. Robbins explained that the other utilities, referring to the gas and phone lines, were installed over the existing sewer lines. The mayor asked if, in the future, the city can require utility lines to be placed in a certain area of the easements. Robbins said that the city does have that right, and that the city should be notified in advance.

Robbins reported that the replacing the lines is about 40% completed, but nothing has been done on the manholes as yet. A load of the necessary supplies have been delivered, and the work should get started next week. The contractor is still behind on the clean-up work. Joshua Excavating has been talking to Scott Tucker and Dane Wells about doing the seeding and landscaping. Robbins thinks this would be a good idea since they're local in case of future follow-up work. Robbins said there are a few places where the drain tubes can be replaced by the city, but not many. There was discussion about the best way to clean culverts while they're exposed.

The council agreed by consensus to authorize the mayor to sign a change order and pay request from Joshua Excavating after it's approved by Robbins. Robbins explained that the extra work done at the corner of Santa Fe Trail and Western Heights Dr was done to correct the angle of the line. The council agreed to pay the extra cost for this.

Robbins said that he had designated all the alleys as graveled surfaces, but the one between Maple and Oak in the 300 block has been paved. Bruce Smith said that as long as it's well compacted, it should be okay for the city to work with later.

Jon Brady said he and Lee Flowers have a question about the extra cost involved if they change the type of fencing being replaced. Robbins said that it can be handled different ways, but the contractor might be willing to put in different fencing and charge Brady and Flowers the difference. The mayor said that he would sign a change order if necessary. Brady also asked about connecting driveways. Mayor Young said he and Bob Call would look at it sometime after the meeting.

PROPERTY DRAINAGE: Mayor Young said that he's asked the city attorney to draft a permission letter for property owners to sign in order to change the drainage ditch on part of the 100 block of Ash Street. The city would make one attempt to improve the drainage, and the property owners would be

responsible for maintaining it. Mayor Young asked Kris Stangis if she would be willing to help get the letters signed. Larry Coursen mentioned that the city attorney had previously advised not to make any changes since the drainage ditch is on private property. Mayor Young said that the matter will be voted on again before anymore steps are taken. More discussion followed, after which Bruce Smith moved to proceed with improving the ditch on a one-time basis after getting consent letters signed by all property owners involved. Ira Allen seconded; motion carried 3-1, with Coursen voting against.

BOUNDARY SURVEYS: Cheryl Brown, City Clerk, said that she has visited with Michael Coffman about this, and Coffman would like to have some direction from the council. The purpose of amending the ordinance is to put the responsibility of determining property lines on the owner, and not the building inspector. Mayor Young said he would talk to Coffman.

TREE LIMB DUMP SITE: The mayor asked if Bob Call has anything worked up for a schedule to have the tree limb site open certain times. Call said he didn't and asked if the council wants the maintenance department to be in charge of it. Chief Harmison suggested hiring someone rather than chance having to pay maintenance or the police department overtime. Harmison reminded the council that there is no ordinance to reinforce the signs. The mayor said we have three choices---control it, shut it down, or just not worry about what people leave there. After discussion, Larry Coursen moved to shut it down. Bob Sisson seconded; vote was 2-2 with Smith and Allen voting against shutting it down. Mayor Young voted in support of the motion to shut it down. The mayor said that he would entertain opening it again if a workable plan can be put in place. Larry Coursen agreed with the mayor.

LAW REPORT: Chief Harmison said that August was a very active month with the fair and other events. Harmison said that his patrolcar needs new tires, but that the catalytic converter was replaced under warranty after all.

Officer Dannar has found a class that's free through Homeland Security in October. Harmison and Dannar will be attending classes in Wichita soon. Dannar presented the following information regarding the cell phones.

Dannar has been told by Cingular that the phones can be upgraded to camera phones even though the contract isn't up until sometime in November. The pictures can be downloaded into a computer. Dannar said that the new phones would be \$59.99 each with a \$30 rebate on each phone. They would also have a data pack to allow the phones to access the internet for text messaging, and emailing pictures. Dannar said that this data pack is \$9.99 which would allow for 400 messages per month. There's also a one-time fee of \$3,99 to access local radar. Currently the city pays about \$110/month for all 4 cell phones, and the new phones would cost about \$149.99/month with the data packs. The minutes would increase from 825/month to 1400 minutes/month. Bruce Smith asked if they're having trouble with the phones, or if they're just wanting to update. He asked why they wanted phones with a camera. Chief Harmison said that they always carry their phones, where the 35mm camera is kept in the car. Dannar said that maintenance will be able to take pictures of work areas, etc. He was asked if the new phones would have better reception. Dannar has been told by the Osage County officers there's only a couple of places in the county where they don't get good reception using the phones that Dannar is requesting. The council agreed by consensus to proceed with upgrading the cell phones.

MAINTENANCE REPORT: Bob Call told the council that he found a 1998 GMC truck through Osage AutoWorks for \$5,000. It's a 4WD. The council agreed by consensus to buy the truck, along with signs stating that it's a city truck.

Call said that there's been 4 water line breaks in August, and that he needs to replace a valve at Santa Fe Trail and Elm.

Mayor Young said that Bob Gloss has asked if the city could build a berm in his yard to divert the drainage until a permanent solution can be found after all the sewer rehab work is done. Call said he would check into it. Call also suggested building some kind of concrete retaining wall to divert the water.

Larry Coursen asked if we've gotten any information about skidloaders. Bob Sisson said he's still looking.

Ira Allen asked if there's a valve that can be opened to help get rid of the smelly water at the clinic. Bruce Smith and Bob Sisson both said that it may be a problem with the hot water heater. Smith said that if the chlorine level is ok in the cold water, but low in the hot water, it's probably the hot water heater. Mayor Young asked Call to check this sometime this week or next.

TREASURER: Patty Hylton reviewed the current financial reports. Hylton checked with Kansas State Bank to make sure all the city funds are covered by either federal deposit insurance or a pledge from another bank. The funds are covered up to \$300,000.00. Hylton reminded the clerk that there's still money in the library fund which needs to be paid soon. Hylton also reported that the revenue from the pool is about the same this year as last year, even though it closed earlier than planned.

She told the council that she'll be submitting another request for reimbursement from the sewer loan soon. Donna Crawford was very quick in submitting the last request from the grant side, and we received the money within just a few days.

Hylton gave a brief report on the budget balances. The General, Water/Sewer, and Law funds are close but all are okay at this time. She cautioned everyone that spending the full amount that's been budgeted is not advisable estimating the cash balances at the end of the year.

CLERK'S REPORT: Cheryl Brown said we received a thank you note from the school crossing guards for the new vests and raincoats. Someone from Data Technologies will be here October 16th to do a utility billing software conversion, and Brown will be gone October 18-20th.

COUNCILMEMBER COMMENTS: Ira Allen said that he would hate to see the council not work towards the park project, and that he realizes that these things must be budgeted in advance.

MISC: David Osborn, Card Payment Solutions, was present to see if the city has reached a decision about installing their card payment program. The clerk said that it hasn't been discussed since the presentation. Osborn said that Osage Rural Water Dist #5 has just started using it. Smith said he isn't sure how it's working with his water district, but will do some checking.

There being no further business before the council, Ira Allen moved to adjourn. Bruce Smith seconded; meeting adjourned at 9:15 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: September 27th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 27, 2006

MEMBERS PRESENT: Larry Coursen, Bob Sisson, Bruce Smith, Rich Hamit, Ira Allen, Mayor Jack Young.

OTHERS PRESENT: Beverly Hix, Anne Hassler, Vic Robbins, Everette Dannar, Cheryl Brown.

The meeting was called to order at 7:00 PM. Roll was taken.

MINUTES / WARRANTS: Bob Sisson moved to approve the minutes of the September 13, 2006 meeting as written. Larry Coursen seconded; motion carried 5-0.

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

BOUNDARY SURVEY: Michael Coffman, City Attorney, is working on a way to include a boundary survey in the section of the zoning ordinance that pertains to building permits. The council would like to be able to require a boundary survey if there are questions about property lines.

Coffman is also working on an agreement letter to be signed by some property owners in the 100 block of Ash Street that would allow the city to address some drainage issues.

SURVEY OF CITY PARK PROPERTY: After discussion, Ira Allen moved to hire Taylor Design Group to survey the city park property. Larry Coursen seconded; motion carried 5-0. Bruce Smith volunteered to contact Taylor Design Group.

WATER SAMPLE/CLINIC: Ira Allen asked if Bob Call has taken some water samples at the medical clinic to determine why the water smells so bad most of the time. Bruce Smith had suggested doing chlorine tests on the cold and hot water as a lack of chlorine can cause the problem. Rich Hamit said he has that same problem occasionally. Mayor Young said he would check with Bob Call regarding the testing.

GMC TRUCK: The city has purchased a 1998 GMC pickup for maintenance from Osage AutoWorks for \$4995.

ALLEY'S: Bruce Smith asked about the alleys behind the businesses in the 200 and 300 block of Maple. He was told that Cliff O'Bryhim is concerned about the drainage behind his grocery store. The mayor said that the contractor is most likely not going to make any changes in how the alley is restored, so the city would be responsible to change the slope to improve the drainage.

TIRES: Bob Sisson said that Dean Hoffsommer has a new set of tires that would work on the 98 GMC pickup that he would sell for \$80. Sisson told Bob Call to check them out. The consensus was to buy the tires if they looked good.

NOTICE TO RESIDENTS: Bruce Smith would like to see the maintenance department do a better job of notifying residents when planned repairs are going to be made.

DRAIN PIPE: Rich Hamit commented that the drain tube between Santa Fe Trail and Sycamore wasn't replaced after the sewer work was done. Sisson said that without digging a ditch, the drainage wouldn't be that much better with a drain tube.

Rich Hamit moved to go into executive session at 7:10 Pm for 5 minutes to discuss matters not related to elected personnel. Bruce Smith seconded; motion carried.

The mayor called the meeting back to order at 7:16 PM, at which time no action was taken.

MISC: Rich Hamit asked if the city has an ordinance regulating excessive noise. The clerk showed them a copy of the Criminal Code that would apply to noise complaints.

Ira Allen asked if anyone has given any thought to a solution to avoid closing the tree limb dump site. Allen said that the only way in now is on the east side due to all the dirt being left there from the sewer work. Mayor Young said that maybe the people who do tree-trimming could have a key if the decision is to lock it. Cheryl Brown said that Vic Robbins is concerned that closing it now would cause a hardship for the sewer rehab contractor. The mayor doesn't want to do anything that would encourage driving on any farm ground. Bob Sisson said that we might need to put up signs saying that illegal dumping will be prosecuted. The mayor said that we'd need to pass an ordinance to enforce it. This is all being discussed due to people dumping other things, such as swing sets and furniture and general trash. Consensus was to leave the site as is until the sewer project is finished.

WATER / SEWER REPORT: Vic Robbins reported that the sewer project seems to be going pretty well. Joshua Excavating has hired Dane Wells and Scott Tucker to do the landscaping. There are still lots of manholes to be prepped.

Robbins did say that he's having some disagreement with the contractor on exactly what has to be replaced in permanent easements.

Robbins said that the sewer line replacement is over half done, but some of what's left is some of the harder areas to work.

There was discussion about the drainage around the school. Robbins said that Duane Stout has built a small berm along the west side of the parking lot, and there's no ditch on Stout's side of the road. Robbins said he told Stout he thinks it should be diverted to the south and go between his house and the next one south of him. Mayor Young asked how much work

that would be. Robbins said that Stout and or the school would have to agree to form a little diversion ditch or low spot to send the water south instead of north. There was discussion about trying to take the water north along the west side of the basketball court. Robbins didn't think that would be a good idea. He thinks that with a new culvert, most of the water would end up in the ditch.

Mayor Young asked if Sharon Gunter's yard has been fixed. Robbins said that everything has been done except the seeding. The mayor said there's a small pile of screenings by a tree that she wants moved away from the tree.

Robbins said that numerous abandoned sewer lines have been disconnected during the project which should help with the infiltration.

There being no further business before the council, Bob Sisson moved to adjourn. Larry Coursen seconded; meeting adjourned at 7:45 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: October 11th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

OCTOBER 11, 2006

MEMBERS PRESENT: Ira Allen, Rich Hamit, Bruce Smith, Bob Sisson, Larry Coursen, Mayor Jack Young.

OTHERS PRESENT: Rex Atchison, Don Schultz, Mike & Roxane Fawl, Ben Kramer, Jimmy Waller, Michael Coffman, Charlie & Brooke Davis, Jon Brady, Vic Robbins, Bob Call, Jim Koger, Patty Hylton, Cheryl Brown.

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

MINUTES / WARRANTS: Larry Coursen moved to approve the minutes of the September 27, 2006 meeting as written. Ira Allen seconded; motion carried.

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

DOG COMPLAINT: Rex Atchison, 407 Cedar, was present to discuss problems with a neighbor's barking dogs. Mayor Young explained that tickets have been issued to the dog's owner, but they won't be processed until the November municipal court date. Larry Coursen said that it could take another two months if the dog's owner requests a trial. Atchison told the council that another neighbor has added a note to the complaint regarding the barking. The mayor said that the city doesn't have the authority to seize the dogs without the court ordering such action. The next court date is November 14th.

OSAGE COUNTY ECONOMIC DEVELOPMENT: Don Schultz came before the council to ask if the city would be willing to sponsor a luncheon that the OCED will be hosting in November. The cost would be approximately \$6/person for between 20-30 people. Bruce Smith moved to sponsor the luncheon up to \$300. Ira Allen seconded; motion carried 5-0.

F.A.R. PROPERTIES: Ben Kramer, Kramer Engineering, came before the council to present the plans his firm has developed for Mike Fawl, F.A.R. Properties. These plans are available for public inspection at City Hall during regular hours. The plans are to use a pressurized system with a force main and individual grinder pumps. At this time, the developer is only putting in one building, a BP gas station with some kind of sandwich shop. Connecting to the city's sewer service will require getting an easement from the Overbrook Fair Association. Kramer recommends that the property owner be responsible for the installation and maintenance of the grinder pump, but that the city take over the ownership of the force main, once it's been accepted. Up to four services can be connected to one grinder pump in the future. Kramer said that they can look at installing a different sized line to allow for more development. Fawl indicated that the fairboard seems to be willing to grant an easement. After discussion of the plans, Bruce Smith made a motion, seconded by Larry Coursen, to accept the sewer plans as presented, with the prospect of changing the 1 ½" line to a 2" line with the city paying the difference of the cost—provided that the system will work effectively with a 2" line. Motion carried 5-0. Kramer said that they will write the easements, and then the city attorney can proceed from that point. The council agreed to that. Mayor Young then asked Kramer if his firm has a survey of the whole area that makes up the city lake and Jones Park. The mayor asked if Kramer would consider marking whatever area they have had surveyed. Kramer said he would do it.

Kramer then presented the plans for the water supply for discussion and review. The connection to the city's system will also require an easement from the Fairboard. After more discussion, Ira Allen moved to accept these plans. Rich Hamit seconded the motion, it carried 5-0.

Bob Call was told that he can now approve the original building permit application, providing that the specs in the approved plans match what was stated on the application. Vic Robbins told the council that all of these plans must now be submitted to KDHE for their approval. Kramer said they would be applying for both a sewer and water extension permit.

Kramer asked how the city wanted to handle any inspections required by KDHE. Robbins said that they will require constant inspection and that it can be handled however the developer and the city wants to do it. Kramer said they provide inspection on all their projects. Fawl asked who is responsible for the cost of installing a fire hydrant. Bob Sisson and Mayor Young stated that in the past, the developer has paid for this.

Roxane Fawl suggested that all the requirements that they've been asked to provide be included in the city's building permit application process. The mayor said that the Planning Commission has been working on changes, and this will probably be included.

WATER / SEWER REPORT: Vic Robbins gave the city an update on the sewer rehabilitation project. Joshua Excavating is wanting to get all the pipe laid by the first part of November, but Robbins is concerned about how well they're doing the clean-up. The contract states that the contractor should only be paid 90% of their fee until all the project is completed and approved. The previous payments have been for 100% of the requested amount, so 10% of these payments may have to be withheld from a future payment request.

Jon Brady had concerns about having the ditches on and near his property restored. Robbins said that the contractor should be taking care of this. Brady then asked about how to handle upgrading the fence that was removed for the project. He knows that the contractor is responsible to put the existing fence, but he and Lee Flowers would like to put up a better fence. They are willing to pay for the material, but wonder if the contractor would install the new material rather than the old fence. Rich Hamit said that this matter should be between the property owners and the contractor. The council agreed by consensus. Ira Allen said that the contract was written so that the contractor was obligated to replace what was removed, or something of equal value, and he thinks that there are too many exceptions being added.

Robbins said that the contractor has hired Killough to repave the area on West Santa Fe Trail and it should be done tomorrow. The manhole will be fixed before any paving is done. Robbins said that all the paving can't be done at this time, but hopefully most of it will be done. Robbins said that part of the alley behind Kansas State Bank was accidentally paved, and will have to be redone after the sewer line is replaced. The council agreed by consensus to repave the alley when everything is done.

Robbins said that about 2/3 of the sewer line has been replaced, but very few manholes have been done.

SCHOOL PARKING LOT DRAINAGE: Vic Robbins stated that at the west edge of the school's parking lot, Mr. Stout has built a berm that stops the water from running directly onto his lawn, and it turns most of it north into the street. When the city rebuilt it, we regraded the school's parking lot some with gravel and got a little more to go south, but there's still a substantial portion of the parking that drains right into the street. Robbins said that the water shoots north out of the parking lot into the street. Part of what happens then is natural and part is man-made as there's a berm along the south side of the street that keeps the water on the street, causing it to run down into Bob Gloss's yard. Robbins then said that two solutions have been discussed in the past. The first is to build a little "speedbump" on a diagonal across the street to send the water into the north ditch. The second idea, which is what Robbins would recommend, is to construct a ditch along the south side of the street and take the water along the south side of the street into the culvert that has just been installed. Mayor Young explained that he'd received a phone call from the Stout's and they were upset because the berm was changed without their knowledge and consent. Bruce Smith said that the whole drainage pattern was changed due to the school building across Elm Street, where the water used to drain. Bob Call has made a little terrace on Gloss's property to direct the water away from the house, but the sewer rehab has changed it again. Smith suggested re-grading between Gloss's and Simpson's houses. Robbins said that the water would

still have to be diverted somehow to drain between those houses. Mayor Young said that he and Bob Call need to look at this tomorrow before installing the "speedbump" and consider a ditch later.

BOUNDARY SURVEY: As Kramer Engineering has been asked to mark the pins from previous surveys, the clerk will write a letter to Taylor Design Group informing them that the city won't need them at this time.

DRAINAGE ON ASH STREET: The mayor presented the letter drafted by Michael Coffman that would give the city the authority to address the drainage problems in the 100 block of Ash Street as presented by Kris Stangis at previous council meetings. Coffman, the city attorney, has reservations about the city doing this, but has prepared a letter for the property owners to sign which will establish what is to be done, and who will be responsible for maintaining the drainage area. Bruce Smith volunteered to distribute the letters. Ira Allen moved to have the letters signed as written. Bruce Smith seconded; motion carried 5-0.

MAINTENANCE REPORT: Bob Call gave his report to the council. Call asked how the council wanted him to confirm the presence of a 4" water line to connect to the Fawl property. Smith said he probably needed to do some digging.

Call said part of the pool has been winterized, he's replacing some culverts as the sewer project is being done, and Call asked if we are going to do any street sealing or paving this year. The clerk said there is approximately \$18,000 in the fund, but she's not sure how much budget authority is left.

Two new fire hydrants have been installed, and Call is planning to replace one more soon. The dump truck has had some repairs, and the backhoe and the 2002 city truck have both had 2 new tires put on. Call also asked to buy some tools to keep in the other city truck. Ira Allen moved to authorize the purchase of up to \$400 worth of tools. Larry Coursen seconded; motion carried 5-0.

Call said that he and Jim Koger are starting to getting the meter pits winterized. Ira Allen asked if Call has had a chance to check the chlorine levels at the medical clinic. Call said he went down one day, and since the water was good that day, no test was done.

Allen commended Call and Koger for getting the water break fixed quickly last weekend.

TREASURER'S REPORT: Patty Hylton was present to review the city's financial reports. Hylton said that she has prepared a wastewater project report to show whether or not the funds are coming from the grant or from the KDHE loan. She also has put together another request for reimbursement for approximately \$101,000 that has been submitted for approval. Donna Crawford has told us that we have about \$78,000 left in the grant.

Hylton said that there's only about \$9200 left in the Special Hwy and Street Maintenance budget, so the budget would have to be amended to spend any cash in excess of that amount, regardless of how much money is in the fund. Some of the culverts being replaced can be funded with loan money if they're being replaced due to the sewer project.

CLERK'S REPORT: Cheryl Brown asked permission for the Overbrook Bible Church to borrow the city's folding chairs for a 40-year anniversary event on October 29th. The council agreed by consensus.

Dave Watkins sent a thank-you for the city's sponsoring their fall activity calendar.

Someone from Data Technologies will be here on October 17th to do a software conversion, and Brown will be out of the office from the 18th through the 20th.

Brown told the council that the city has received \$2,091.56 from Osage County, and it must be spent on Parks/Recreation, with a report about how it was spent. The council will consider how to spend this money, and is grateful for it.

The clerk has received a letter from Jim Long, formerly of Bogner & Long, explaining that he has left that firm, and started his own accounting business. The company, known as Long CPA, has submitted a request to do the city's 2006 audit at the same price as the prior year's audit fee -- \$4400. Bruce Smith made a motion, seconded by Rich Hamit, to approve the request from Long CPA. Motion carried 5-0.

Brown also mentioned the notice from Roger Harmon saying the city has been denied a grant for finishing the Trail's project this year.

Brown also brought up some matters concerning how city hall and/or Jim Koger are notified when animals are picked up after regular hours. Jim Koger said he wasn't sure if he had the authority to set how late he can be called on animal control matters. The mayor said that Koger should be able to say how late he wants phone calls, especially if the police department can handle a dog at large. The matter of how long traps are left at one location. Brown said that she knows of one business that would like to have the trap there every night. Mayor Young asked for an executive session at this time. Rich Hamit moved to go into executive session for 5 minutes to discuss matters not related to elected personnel. Bruce Smith seconded, meeting was recessed at 9:05 PM. The mayor called the meeting back to order at 9:10 PM. No action resulted from the closed session.

COUNCILMEMBER COMMENTS: Rich Hamit said he's going to be doing some checking on noise ordinances as a result of a recent "concert" in his neighborhood.

There being no further business before the council, Ira Allen moved to adjourn. Larry Coursen seconded; meeting was adjourned at 9:14 PM.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: October 25th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

OCTOBER 25, 2006

MEMBERS PRESENT: Ira Allen, Bruce Smith, Bob Sisson, Larry Coursen, Mayor Jack Young.
Rich Hamit absent.

OTHERS PRESENT: Vic Robbins, Beverly Hix, Mike Dickerson, Jim Koger, Ed Harmison,
Cheryl Brown

The meeting was called to order at 7:00 PM by Mayor Young; roll was taken.

MINUTES/WARRANTS: Larry Coursen moved to approve the minutes of the October 11, 2006 meeting as written. Bruce Smith seconded; motion carried 4-0.

KSB PARKING LOT: Kansas State Bank has asked the city to wash off their parking lot due to the amount of dirt and debris left by the sewer rehab project. They are concerned that having it scraped would damage the asphalt. Mayor Young has asked David Hesseltine to check to see if the fire department would take care of the matter.

EAST LIFT STATION FORCE MAIN: 300 to 600 feet of the sewer force main is on top of the gravity main and it needs to be fixed while the rehab is being done. The city has received 2 bids from Joshua Excavating to fix it. The first bid was for \$40/ft and the mayor countered with \$30/ft. Joshua then submitted a bid of \$32.50/ft which the mayor accepted.

DRAINAGE ON SEVENTH STREET: The drainage problems caused by the run off from the parking lot at Seventh and Locust were discussed. Bruce Smith commented that maybe looking at it in the daylight would be a good idea. Larry Coursen said that it's been discussed several times. The mayor said that Vic Robbins has recommended a ditch be dug on Seventh to divert the water to the north when it reaches Locust. Larry Coursen asked if the city has the equipment to create the ditch. Mayor Young said that we would ask the township to help. Larry Coursen moved to dig a ditch on the south side of Seventh from the alley behind the parking lot to Locust, and on the west side of Locust. Bob Sisson seconded; motion carried 4-0. The city will probably have to install a tube for Duane Stout's driveway. The mayor will write letters to the Stout's and the Gloss's explaining what will be done. The city will also be responsible for any re-seeding that needs to be done.

WATER/ SEWER PROJECT: Vic Robbins again discussed the force main situation by the east lift station.

Robbins told the council that the contractor missed re-installing the service connection at 407 Walnut. The house that was previously there burned down several years ago, but the property has been bought by Danny Reser. The council agreed to install the sewer service at no cost to the owner if it's needed in the future.

Mayor Young said that a private electrical service line at George Maichel's was ripped out and patched by the contractor. Maichel's daughter wasn't satisfied with the patching, so the mayor contacted Russell Smith to replace the line if George Maichel wants it done. The contractor is also having to replace the electrical box at Breithaupt's.

Robbins said that about 75% of the pipe has been laid, but there hasn't been a lot of progress on the manholes up to this time. Robbins also said that at least 3 new manholes will be needed to rehab the sewer lines in the alleys between the 300 and 400 block of Maple and Oak.

TRAFFIC AND PUBLIC OFFENSE ORDINANCES: Bruce Smith moved to adopt Ordinance No 296, the Standard Traffic Ordinance, and Ordinance No 297, the Standard Uniform Public Offense Ordinance, both by reference. Larry Coursen seconded; motion carried 4-0.

BROOKSIDE BUILDING: Vic Robbins said that he's met with Brookside's architect, and Robbins is waiting for the final plans, including drainage. Robbins is hopeful that he'll get the plans this week. The plans have changed several time since the original application was submitted, and they may change again. Mayor Young said that the permit will not be approved until a suitable drainage plan has been accepted by Robbins.

BOUNDARY SURVEY FOR CITY PARK: Ira Allen asked what progress has been made on the survey for the city park property. The mayor said that Kramer Engineering was told to flag/mark the pins from surveys their company has previously done.

NATIONAL FLOOD INSURANCE: Mayor Young said he took Rhonda Montgomery, NFIP Specialist, Dept of Agriculture, for a tour of the town, and she didn't think there would be any problems. She will have to submit paper work to FEMA for final approval.

REMODEL PROJECT: Ira Allen asked if we could get some estimates for moving the counter in City Hall, along with some other items to provide more seating and work space. The mayor said he would put that on his list.

COUNCILMEMBER COMMENTS: Ira Allen said he attended an Osage County Economic Development committee meeting today, and they are wanting a council member from each town to be on a committee whose goal is to promote growth in the county. Bruce Smith said he would volunteer providing the meeting times work for him.

Ira Allen said that Ken Krause emailed him and is wanting to know if the city has any objections to them starting the park project if they get any of the grants. Mayor Young said that this whole project started with PRIDE wanting to get playground equipment, and he doesn't have a problem with this, but he definitely doesn't want to commit the city to a large amount of money. He thinks that kind of commitment might need to be put on a ballot. Bruce Smith said that the plans seem to be very preliminary, without even knowing if all the property being discussed belongs to the city. Allen said that there needs to be more participation from the city council in some of the planning meetings. Cheryl Brown said that the city hasn't received email notices about the last few planning meetings. Allen said the next meeting will be on November 1st at 1 PM at the Rotary shelter.

MAYOR'S REPORT: Mayor Young said that there are two properties where more permanent easement was required, and he is recommending that the city pay each owner \$500. Bruce Smith made a motion,

seconded by Ira Allen, to pay Jon Wilhite and Richard Douglass \$500 each for the extra easement. Motion carried 4-0.

HOLIDAY: Chief Ed Harmison asked if the second meetings for November and December will be as scheduled. Larry Coursen moved to cancel the second council meeting in November and December due to Thanksgiving and Christmas. Bruce Smith seconded; motion carried 4-0.

EXECUTIVE SESSION: Bob Sisson made a motion, seconded by Bruce Smith, to go into executive session from 7:57 until 8:02PM to discuss matters not related to elected personnel. Motion carried; meeting was recessed for 5 minutes. Mayor Young called the meeting back to order at 8:03 PM. No action resulted from the closed session.

There being no further business before the council, Larry Coursen moved to adjourn. Bruce Smith seconded; meeting adjourned at 8:08 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: November 8th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

NOVEMBER 8, 2006

MEMBERS PRESENT: Larry Coursen, Ira Allen, Bruce Smith, Bob Sisson, Rich Hamit, Mayor Jack Young.

OTHERS PRESENT: Shawn Myers, Jim Gates, Dale Fox, Jon Brady, Vic Robbins, Ed Harmison, Bob Call, Jim Koger, Cheryl Brown.

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

MINUTES/ WARRANTS: Larry Coursen moved to approve the minutes of the October 25th meeting as written. Ira Allen seconded; motion carried 5-0.

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

CITY HALL ROOF: Mayor Young explained that the Masonic Lodge had reported leaks in the roof, which is also the roof for City Hall. The city had contacted Midwest Coating, who put the new roof on the library, to inspect and make a proposal for repair/replacement. Shawn Myers from Midwest Coating presented the findings, including photos. Myers said that some of the seams are coming apart, and there are cracks and holes in the roof. The current roof was done in 1989.

Myers then explained that he recommends putting on a new roof which would have a 15-year labor and material warranty. The cost would be \$12,064.00. Half would need to be paid up front to pay for the actual materials, and the balance after the roof has been installed. Myers said that it could probably be done the first week in December. There was discussion as to how Midwest Coating would do the installation. Bruce Smith moved to approve the proposal from Midwest Coating for \$12,064.00, half to be paid now and the balance after the job is completed. Bob Sisson seconded; motion carried. The clerk will submit paperwork to get a project exemption from sales tax for Midwest Coating. Myers said that Bob Call would need to look to see what fixtures can be removed from the roof.

SEWER DAMAGE CLAIM: The city has received a list of damages from George Drake, 409 Locust, as a result of their sewer backing up into their house. Ira Allen was asked to submit the claim to Employers Mutual as a first step.

SEWER PROJECT REPORT: Vic Robbins suggested adding the Drake's sewer line to the project. It would add the line and a new service connection. The council agreed by consensus after Robbins reviews the video tape and if Joshua Excavating does it for the contract price. It could be another \$3,000.

Mayor Young asked about the line at Ira Allen's residence. Robbins said that he reviewed the tapes and would recommend adding this line to the project also. The cost would be around \$4,000.00. The council agreed by consensus to the additional expense. Robbins reminded the council that an extra 10% was added to the total loan for contingencies such as this.

Robbins said that he thinks that the project has been going reasonably well. However, there is a problem with leaks in the force main at the east lift station. Robbins and Mayor Young decided to replace all the piping through the valve box. He has ordered the parts rather than have Joshua's order

them. The mayor asked if the water around the manhole requires the city to make a report to KDHE. Robbins asked if Bob Call has done this, and Call said he's waiting for a repair date to put in the report.

Meyer Specialty is in town working on the manholes. They're working on the inverts, fixing and shaping the bottoms to improve the flow. If the weather holds, the project may be done by the end of the year. Scott Tucker and Dane Wells have been working on the re-seeding.

Mayor Young asked about the progress on Westar's moving the light poles on the Stout property. Bob Call said that someone from Westar is coming next Monday to look over the situation. Call is to contact the phone company about a wire that's in the ditch.

Robbins said that he's been in discussion with Scott Averill and Tanner Black, and some of the site work has been started at Brookside, such as demolishing some concrete slabs and grading. Robbins has told them that surface run off control is a major issue, and has been told that this will be included in the revised plans. Robbins said that the addition will encroach on the west tower easement, and he thinks the city needs to get a legal document stating that the city isn't responsible for any damage to Brookside's road due to our having access to the water tower. There was discussion about drainage issues to the property south of Brookside. Robbins has told Averill that he'll need to get written permission for additional drainage to the west.

Bruce Smith said that the new permission letters have been mailed to the affected property owners on Ash Street regarding that drainage issue. The mayor said that he's aware of one company that would like to bid on it.

Robbins said that the line at George Maichel's residence has been installed, and the re-seeding is already done, so replacing the electric service is a non-issue at this time.

NOISE ORDINANCE: The mayor asked Chief Harmison if the city has a noise ordinance. Harmison said that we have one, but he's not sure exactly what it says. The matter was tabled until the council and the city attorney have more time to study the ordinances from other cities. Mayor Young reminded the council that there are a lot of things that make noise, such as ballgames, the sale barn, the fair, etc.

PARK PROJECT REPORT: Ken Krause had left an updated report, and had asked if the survey has been done. Bob Call was asked to contact Kramer's Engineering about marking the survey pins. Mayor Young stated again that he doesn't want to commit the city to anything until we have some idea how much grant money the committee is able to be awarded so that taxes don't have to be raised for the city's part of the project. Ira Allen said that the park project committee is waiting on the survey results from the city. Jon Brady said that his understanding is that the committee is also wanting to know about utilities and future maintenance. The mayor said that these things have to be engineered and budgeted, and this will be done as soon as more is known about grant money available.

RE-APPOINTMENT: Rich Hamit moved to re-appoint Pat Martin, Yolanda Dickinson, and Carolyn Meerian to the Planning Commission for a 3-year term. Bruce Smith seconded; motion carried 5-0.

MISCELLANEOUS ITEMS: Amending the Zoning ordinance to include boundary surveys was tabled until hearing something from the city attorney.

The mayor said he talked to David Hesselstine about having the fire department wash off the Kansas State Bank parking lot.

Cheryl Brown asked Kathy Alcorn to have her husband, David give a bid on some re-modeling in City Hall to enlarge the meeting area by reducing the entry. Alcorn hasn't submitted a bid at this time.

LAW REPORT: Chief Harmison said that the caseload for October was pretty low. He had the eyewitness camera repaired in his patrolcar. He also had to replace the battery and bought 4 new tires for it. It will be going in the shop because it won't take gas.

MAINTENANCE REPORT: Bob Call is concerned about the size of the dirt pile being created at the tree dump as a result of the sewer project, and thinks it should be stopped. Mayor Young said that Chuck Musick and Bus Bond are willing to have dirt hauled to their property. Call is to tell Vic Robbins about the change. Call can then close the tree dump until further notice.

The permanent light pole will be put in at the lake next week. Call said that they're about done with the culverts on Market. Call has taken a water test at O'Bryhim's store and the results were good.

Call said he did find the 4" water line that Bruce Smith had talked about, and so he will shut off the 2" line.

He will be ordering more Saturock soon. The park and pool have been winterized and heaters in the well houses. They bought a work topper for the GMC which will be better than a regular toolbox.

CLERK'S REPORT: A letter was received asking for donations for the AfterProm party at SFT. Rich Hamit moved to donate \$100, Bruce Smith seconded. Motion carried 5-0.

The Second Grade class sent a thank-you note for participating in the Halloween parade treats. City Hall will be closed on Friday, November 10th for Veteran's Day.

There being no further business before the council, Bruce Smith made a motion, seconded by Larry Coursen, to adjourn. Motion carried 5-0 at 8:10 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: December 13th, 2006

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

DECEMBER 13, 2006

MEMBERS PRESENT: Bob Sisson, Ira Allen, Bruce Smith, Rich Hamit, Larry Coursen, Mayor Jack Young.

OTHERS PRESENT: Brad Shaffer, Randy Boudman, Mike Dickerson, Bev Hix, EulaLee Fuller, Vic Robbins, David Alcorn, Patty Hylton, Jim Koger, Bob Call, Ed Harmison, Everette Dannar (8:30 pm).

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

MINUTES: Larry Coursen moved to approve the minutes of the November 8, 2006 meeting as written. Ira Allen seconded; motion carried 5-0.

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

USD 434 BOND ISSUE: Randy Boudman and Brad Shaffer were present to give more details on what the board is hoping to accomplish with the proposed bond to be voted upon January 23, 2007. Boudman apologized for not appearing before the council prior to the last election. Boudman stated that his feeling is that the three towns were mostly uneasy about having the 7th and 8th grades from each town moved to the high school location.

Mayor Young asked why the bond issue is being voted on again so quickly. Boudman said the main reason is that the vote was so close (21 votes against) and that if it passes this time, building plans and costs would essentially be the same. Brad Shaffer said that there was concern that not all the voters were aware of the school bond on the ballot.

Shaffer told the council that there are very few K-8 buildings in the surrounding communities. The other districts are able to offer more to the students more cost efficiently compared to maintaining staff for 3 sites. Boudman and Shaffer both pointed out that the 7th and 8th grades would be in a separate wing. They also pointed out that by the year 2010 or sooner, the district must locate all 7th and 8th graders together somewhere, and they feel that it makes the most economic sense to use the high school site. This would be necessary to make more space for K-6th grades in the existing buildings.

Mayor Young stated that several years ago, a school bond was defeated and soon afterwards, a new district building was constructed. He asked what would be built if the bond issue is defeated again. Shaffer said there is no money to build anything without the bond passing.

Cheryl Brown, City Clerk, asked what would happen to the current Junior High staff should they be consolidated. Shaffer said the number would be less, but the thinking is that due to the normal number of people leaving the profession and attrition, no teachers will be dismissed.

Bruce Smith asked about the sports for the 7th and 8th graders. Shaffer said that the entire district would be better able to join a league that would require less travel. He was referring to the high school and junior high being able to join a more suitable league. Smith asked what would the district do with the portion of the old middle school should the bond pass. Shaffer said that the district would hope to not have to spend any more money for it's upkeep, and it possibly could be sold.

Bob Sisson asked about the polling places. Shaffer said there would be one voting place in each town, and possibly one at the high school. The election itself will cost approximately \$5,000. Shaffer didn't say that this would be the last election, only that the board won't be giving up should it not pass in January.

Larry Coursen asked how many more students does Santa Fe Trail have now than when it first opened. Shaffer said he thought there were around 250 when it was built, and there are at least 400 this year.

Shaffer told the council that our schools are doing very well regarding points of excellence, and these should increase if the changes provided by the bond are made.

Ed Harmison asked when the current school bond will be paid off. Shaffer said that by the time taxpayers will see an increase in the mill levy from the new bond, there will be about 5 years left on the current bond. Shaffer said the new bond will be a ten-mill increase until the current bond is paid. The board is concerned about what this project would cost if they wait until 2012, or when the current bond is paid.

There was more discussion about what should be priorities. EulaLee Fuller commented that students without really good drama facilities are less likely to get scholarships in those fields.

The council thanked them for coming.

WATER/SEWER PROJECTS: Vic Robbins said that getting the water tower level sensor operating needs to be a priority as KDHE is wanting to get the waterline project wrapped up soon. Jim Koger and Bob Call said that they've been in contact with Pedrotti's about this.

Robbins said that the sewer line replacement is nearly completed. While replacing the sewer line in the east sewer lift station area, several problems with the lift station were discovered. Robbins would recommend having a contract with Ed Hickman to provide regular scheduled maintenance for both lift stations to avoid future problems. Hickman is going to write a check-list for help with the operating procedure.

There has been some asphaltting done, but there's quite a bit left to do. Robbins said that he had worded the bid incorrectly, so the Kansas State Bank parking lot needs to be considered at this time. Bob Sisson moved to pay to asphalt the necessary area of the parking lot. Bruce Smith seconded; motion carried 5-0.

Bruce Smith asked if the old lift station pumps should be removed, or if there's any reason to be concerned. Robbins said that he didn't think they will cause any problems. It was decided to dig them up and filling them with sand.

Robbins is recommending doing the same thing with a couple of manholes that have been replaced during the project. He also said that some of the houses on the west side of one alley are still to be connected. This is due to the phone fiber optic line being so close to the sewer line.

Robbins said that the project is about 90% completed. Only 2 of the 22 new manholes have to be re-worked.

VEHICLE DAMAGE: The city has received a bill from Charlene Vawter for having her car towed from a sink hole left by the sewer project. Larry Coursen moved to reimburse Vawter \$112 for the bill. Bob Sisson seconded; motion carried 5-0. Larry Coursen moved to ask the contractor to reimburse the city \$112; Bruce Smith seconded. Motion carried 5-0.

BROOKSIDE ADDITION: Vic Robbins said that as long as all the utility connections are done according to the architect's plans, he doesn't see a problem with approving the Brookside building permit. Robbins is concerned about the new driveway being very close to the west side water tower. He would like to require that no construction activity be allowed within 20 feet of the tier. He recommends sending a letter to Brookside regarding this matter. He also is thinking having a guard rail around the tier might be worthwhile. Robbins has sent a letter to Michael Coffman regarding future damages, but hasn't heard from him as of now.

Robbins said there may be a water drain-off problem, not necessarily caused by Brookside, but may be increased with the new addition. The property owner to the west of Brookside stated he didn't want anymore run-off to his property. Mayor Young has talked to the property owner, and they would agree to the original plan if the city will participate in the building and maintaining the waterway. Scott Averill has also indicated that he would be willing to participate in the project. Natural Resources Conservation Services has already inspected the run-off possibility, and recommends either a diversion ditch, a waterway or storm sewer with emphasis on a storm sewer or underground pipe. Robbins doesn't recommend a storm sewer. The NRCS also recommends using 3" rock in the waterway. Robbins recommends acquiring an easement right along the east side of the agricultural property and install our own drainage ditch, which would end up with a ditch on both sides. The existing waterway on the adjacent agricultural property is probably causing a run-off problem on city property as it's causing a

blockage. Mayor Young said he would talk to the property owner and the city attorney regarding the matter.

Robbins said he will be talking with the city attorney about how much of the contractor's money the city should retain until all the work has been approved and accepted.

JONES PARK UPDATE: Mayor Young said that Ken Krause has asked for a city letterhead to use for the cover letter on the grant request. The council reviewed the report provided by Krause. They are asking the city to mow, remove the trash, furnish electricity and security and water/sewer service. PRIDE is asking to be appointed as the responsible party for the project as well as maintaining the landscape. Complete details are available for public inspection at City Hall. Ira Allen moved to provide water, sewer and electricity for the project if the grant is awarded. Bruce Smith seconded; motion carried 5-0.

CEREAL MALT BEVERAGE LICENSES: Bruce Smith made a motion, seconded by Ira Allen, to renew the CMB licenses for The Patch, Casey's and O'Bryhim's Thriftway for 2007. Motion carried.

TOWNSHIP: Ira Allen has been told by the Elk township board that they are going to install sewer service to their building on Hwy 56 and would like to exchange services rather than pay a monthly sewer bill. This is currently how the water bill is handled. Bob Sisson moved to agree to furnish sewer service in exchange for township services as needed. Larry Coursen seconded; motion carried 5-0.

DAMAGE CLAIM/DRAKE'S: Ira Allen reported that the insurance company had settled the claim for \$4,706.65 to George and Lynn Drake for damage caused by a sewer backup.

NOISE ORDINANCE: The matter was tabled until we hear from the city attorney.

BOUNDARY SURVEY OF CITY PARK PROPERTY: The survey document provided by Kramer Engineering was reviewed and discussed. This was something that needed to be done to complete the Jones Park project.

FLOOD INSURANCE/ CITY HALL REMODELING: These matters were tabled until more information has been received.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. Chief Harmison presented a final draft for a Mutual Aid Agreement for Law Enforcement Assistance between the municipalities of Osage County.

Harmison also had included a listing of tax levies for several cities and school districts for the purpose of comparison to that of Overbrook.

He told the council that his patrol car has been repaired so it will now take gasoline. Apparently a filter that vents gas fumes was plugged.

MAINTENANCE REPORT: Bob Call said that he has talked to Ed Hickman about a maintenance contract for the lift stations.

The parts for the water tower telemetry system came today, but a time to install them hasn't been set yet.

Call said there's been two water breaks at Walnut and Santa Fe Trail recently. About 80' of line may need to be replaced. He said that about 5 valves would have to be shut off while this is done. The mayor said to be sure to give everyone affected plenty of notice.

A new water meter has been installed at Justin Florance's house.

Call said that Jim Koger has sort of taken over the water to work towards getting his certification. Bruce Smith said that you have to work for about a year before you can take the test to get certified.

TREASURER'S REPORT: Patty Hylton has moved her Computer Services office to Hwy 56 where the mini-storage is located.

Hylton said that some of the funds are a little low due to the timing of the sewer project expenses, but should even out when we are reimbursed.

Hylton pointed out the cash balances of the various funds, but also cautioned that only the budgeted amounts can be spent. Water/Sewer and Law funds are running very close to reaching the budget amounts. Hylton said that should there be a problem, she can do some transferring from the employees benefit reserve.

Hylton reported that the current sewer loan owed is \$419,650.00 with \$233,050.00 still available. She has given these figures to Vic Robbins.

CLERK'S REPORT: Cheryl Brown reminded the council that January 23rd is the deadline for filing to run for the three council positions. If more than six candidates file, there will be a primary the end of February.

Brown thanked Bev Hix for the breads. And also wanted to recognize the sewer crew for sending a poinsettia plant to thank her for sending faxes, etc.

Brown said that the 2007 cat and dog tags have been ordered, but haven't arrived as of today. She also said that the new roof has been installed on the city building.

The city needs to amend the contract with King & Associates Engineering to cover all the expenses of the sewer project. Bruce Smith moved to amend the contract as presented; Bob Sisson seconded. Motion carried 5-0.

Brown asked about employee bonus checks for Christmas. The council will discuss this later.

EXECUTIVE SESSION: Larry Coursen moved to go into executive session for 15 minutes with Patty Hylton present. Bruce Smith seconded; motion carried and the meeting was recessed at 9:12 PM. Mayor Young called the meeting back to order at 9:27 PM.

Rich Hamit made a motion, seconded by Bruce Smith, to give full-time employees \$50 and part-time employees \$25 Christmas bonus. Motion carried 5-0.

Larry Coursen moved to give 3.3% raises. Motion died for lack of a second. Bob Sisson made a motion, seconded by Rich Hamit, to give 4% raises to all employees. Motion carried 4-1, with Coursen voting no. The new salaries will be effective with the first pay period in January, 2007.

COUNCILMEMBER COMMENTS: Bruce Smith said he would like to visit with Bob Call and Jim Koger about some things pertaining to the maintenance department.

There being no further business before the council, Larry Coursen moved to adjourn. Bob Sisson seconded; meeting adjourned at 9:30 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: January 10th, 2007