

CITY OF OVERBROOK

REGULAR COUNCIL MEETING

JANUARY 14, 2004

MEMBERS PRESENT: Jim Gates, Ira Allen, Bruce Smith, Rich Hamit, David Gerisch (7:07)
Mayor Jack Young (7:05).

OTHERS PRESENT: Sharon Gunter, Charles Hamner, Nolan McIver, Carolyn Meerian,
Marian Massoth, Patty Hylton, Ed Harmison, Everette Dannar, Mark
Tomlinson, Bob Call, Cheryl Brown.

The meeting was called to order by Council-President Bruce Smith. Roll was taken by the clerk to establish a quorum.

MINUTES/WARRANTS: Bruce Smith made a motion, seconded by Ira Allen, to approve the minutes of the December 29, 2003 meeting as written. Motion carried 5-0.

Ira Allen moved to pay all warrants presented, Jim Gates seconded. Motion carried 5-0.

CITIZEN COMPLAINT: Sharon Gunter, 904 Maple, came before the council to voice her concerns about the recent condition left by a back-up of the sewer manhole on her property. Gunter showed pictures to the council. She stated that she was concerned, not only because of the mess but also about the possible health hazard. Gunter said that this seems to happen at least once a year, and wanted to know what the city could do to eliminate the problem. Mayor Young told her that even though a new pumping station had been installed, there have still been some problems. Smith said that a maintenance program for the lift stations is going to be discussed later in the meeting, and the hope is that following a routine maintenance schedule will be a positive way to eliminate the problem under normal circumstances. Gunter stated her concern that the liquid waste that soaked into the ground might be a threat to the nearby creek. Mayor Young assured Gunter that the city will do whatever is necessary to try to avoid this problem in the future. Gunter asked if the sewer lines in her area were too small. Smith said that he felt sure the problem was due to the pump shutting down, and not the size of the lines.

Gunter also told the council that she had told Bob Sisson about a couple of bad spots 30' or so from the manhole. The mayor said that there is another spot north of the manhole with a hole that needs to be checked out as well. Gunter thanked the council for whatever they can do to solve the problem.

MAINTENANCE PROGRAM FOR PUMPING STATIONS: The council reviewed a proposal from Ed Hickman, Hickman Environmental Services. Hickman would charge \$225/station for one visit per year or \$375/ station for two yearly visits to perform routine maintenance. Bruce Smith made a motion, seconded by Jim Gates, to approve the proposal for 2 annual visits per pumping station by Hickman. Motion carried 5-0.

PROPERTY DEVELOPMENT: Nolan McIver came before the council to discuss his developing property west of Brookside Manor. He would like to know if the city is capable of providing water and sewer service if the land is annexed. His plan is to develop in 2 phases—31 lots in the first phase, and 20 lots on the north side of the property. McIver said that there would be 77 acres total. He also said that it would take 6-9 months to complete all the paperwork, so probably wouldn't need utilities until 2005 but wanted a sense of what the city would do before going further.

Mayor Young asked McIver to clarify what he (McIver) would be responsible for in this developing. McIver stated that he would be putting in all streets and the water/sewer lines. He also told the council that the homes would be in the \$130,000-150,000 range. There was discussion about exactly where the property is located. Ira Allen said the council would need to determine whether or not the

city's current utilities can support the number of additional people. Mayor Young said that the city has applied for a grant and a loan from the state to bring the existing sewer system into compliance, and the lagoons were designed to accommodate a population of 1200. Marian Massoth said that even if the lagoons are improved, there are other problems involving manholes, etc. Bruce Smith mentioned that reducing the flow of "clean water" into the lagoons would also be helpful for future development. Ira Allen said that the council is willing to work with McIver if the system can handle the increase in population. Ed Harmison stated that the very western end of Santa Fe Trail Drive is actually private property belonging to the apartments on the north and Paul Perry on the south. McIver was asked to come to the February 11th meeting for more discussion. Allen then said that the council has already been approached by another individual about developing property between the city lake and the fairgrounds.

CITIZEN COMPLIMENT: Carolyn Meerian, co-owner of the Overbrook Quilt Connection came before the council to express her appreciation of how quickly the street at the corner of her business had been repaired. The repair was necessary as a result of a water break, and Bob Call did the work very quickly at Meerian's request due to a special event at her business. The council thanked her for coming.

WATER/SEWER REPORT: Marian Massoth told the council that she hasn't heard anything about the grant request. She said that she'll be finishing the plans for the wastewater improvements. Massoth has also visited with KRWA about getting an updated map of the water and the sewer systems. KRWA has a GIS system that they use. They charge \$35/hour and can do 12-20 points per hour. They will be putting together a quote, and Shane Holthaus will be in Overbrook on February 2nd. Massoth said that she could include this in the design part of her plan. She said that he will need at least one person to help run the machine.

Massoth also said that Doug Helmke from KRWA wants to visit with the council about water rights and a well-head protection plan. The mayor suggested that Helmke be invited to the February 11th meeting. Ira Allen asked Massoth how the capacity of the lagoons is determined. Massoth said that two different things are considered: 1. The volume that can stay in the lagoons for 120 days, and 2. results of biological formula of organic loading. Allen asked how businesses are counted compared to residents. Massoth said that industrial businesses are counted as more, and they counted the locker plant as 20 people in the recent study they did for the wastewater plan. The council agreed that Massoth should do some more testing in several spots around town to evaluate the current results.

Ira Allen asked how soon bids can be let whether or not the city gets the grant since we know we've been approved for a loan of \$300,000. Massoth said that this would depend on how quickly KDHE approves the plans, and whether or not the city would have to re-apply for a grant in April.

SEWER HOOK-UP'S: The council reviewed the revised letter to be sent to all residents the end of January. Massoth recommended that the word "ground" be changed to "clean" in reference to water. Ira Allen made a motion, seconded by Rich Hamit, to approve the letter with the change for mailing to the residents the end of the month.

COMPREHENSIVE PLAN: The mayor announced that the library has been reserved for February 14th at 10 AM for the purpose of conducting a "town meeting" to discuss ideas to use in developing a comprehensive plan. Bruce Smith asked how much control the city would have over what actually goes into an area after the zoning has been determined. With the current ordinance, the city can control the district zoning, but is limited as to determining other conditions. The mayor said that is the main reason to develop a comprehensive plan with specific areas zoned for specific things.

2004 DESIGNATIONS: David Gerisch made a motion to designate Kansas State Bank as the official depository for the city. Bruce Smith seconded; motion carried 5-0. Bruce Smith made a motion, seconded by Rich Hamit, to name Jack Young, Cheryl Brown, Ira Allen, Jim Gates, and Patty Hylton as

check signers. Motion carried 5-0. Designating an official newspaper was tabled until it can be determined whether or not the Osage Co Herald is authorized to publish legal documents.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council, which included the theft of firewood from his residence. Harmison reported that the total deposit from court fines for 2003 was \$19,564.00. He told the council that the court costs have been increased to \$20.50.

Harmison said that the radio's approved for the law grant have been ordered, and commended Officer Dannar on being able to get more radio's for the money than originally submitted.

Harmison requested that the city's share of the Law retirement funding be corrected. It was originally quoted as being 16%, and it will actually be 9.47% effective January 1, 2004. Harmison asked that this be done to avoid another agency being denied better benefits due to incorrect numbers being published. He also reported that the police department expenditures were down \$8,716, of which \$3,291 was payroll. Ira Allen asked if we have learned anymore about the carstop Dannar helped with in which the person stated that he had Aides. Dannar said that they are waiting on final test results, and also on necessary court orders.

Rich Hamit moved to recess the meeting for 10 minutes at 8:30 PM to discuss non-elected personnel matters. David Gerisch seconded; motion carried. The meeting was called back to order at 8:43 pm; there was no action taken.

MAINTENANCE REPORT: Bob Call said that the new fire hydrant has been installed, the hole by the co-op has been repaired, and he has replaced the water meter by First Security Bank. Call reported on the problems with the lift stations, and hopes that the new maintenance plan approved tonight will prevent similar problems in the future.

Call said that there have been several water leaks in vacant buildings this past month, but all the owners have been notified. He also asked about putting meters on all the wells sometime this next year for better monitoring.

Bob Call said that he has written an emergency plan for Todd Goodyear to be used when Call is out of town, and will give one to the mayor and Smith.

Call told the council that he didn't pass the exam for Wastewater Operator, and is planning on taking it again in March. He also said he's planning on taking vacation the week of February 1st.

The mayor said he can help with raising the diving boards for winter storage. They agreed to meet in the morning.

Call said that he was pleased with the work done by Dennis Brown on sealing the cracks in the streets.

TREASURER'S REPORT: Patty Hylton reviewed the fund reports with the council. The reports show the actual balances before any transfers are done. The two funds that will need funds transferred to avoid negative balances are the Bond & Interest (pool) and the Law fund. She will transfer money from the Water/Sewer fund into the General fund, and then transfer funds out of that fund into the two negative funds. This will allow those 2 funds to start 2004 with 0 balances, even though they actually were negative. The General fund has line items to show how much is transferred into which funds to help in future budgets. After all transactions, the pool was only short \$2700 compared to about \$8,000 in 2002. Rich Hamit thanked Hylton for her extra work, and said that this has helped him to better understand the budget.

Hylton said that the new computers have really helped, and are worth the investment.

CLERK'S REPORT: The clerk mentioned that she received a brochure about this year's Kansas Sampler. The library has been reserved for February 14th as mentioned. Santa Fe Trail After Prom party is asking for donations again. Rich Hamit made a motion, seconded by Jim Gates, to donate \$100. Motion carried 5-0.

Brown said that the cable channel computer is operating, but some changes need to be made on the "drive" in the original program to work with the newer computer.

The new computer for Utility Billing is installed and working. Michael Coffman is scheduled to be here on January 28th to report on the boundary ordinance, curfew ordinance, and recommendations for the personnel policy and sewer hook-up inspections.

Mark Green, City of Topeka, and probably Pat Flynn of Fort Scott Community College will be here on January 28th also to discuss lagoons and other sewer issues.

The clerk asked the council to consider replacing the council chairs, or the table or both sometime in the near future.

Brown presented a quote from NCS for a new copier. The one being used is 7 years old, and parts for it may be unavailable. The quote is for a new Kyocera/Mita Copy Center for \$1667.00 without a duplexer. After discussion, Bruce Smith made a motion, seconded by Ira Allen, to purchase the copier at the price of \$1667. Motion carried 5-0.

Brown said that someone is interested in the old utility billing computer to use for repair classes they're taking. The council agreed by consensus providing all the data can be removed.

SALARY REVIEW: Bruce Smith made a motion, seconded by Rich Hamit, to go into executive session for 30 minutes to discuss salaries for non-elected personnel with Call, Harmison, and Brown to each have 10 minutes with the council. Motion carried 5-0.

The mayor opened the meeting at 10 PM. No action was taken as a result of the closed session.

MISC: David Gerisch reported that he has started the process for making ID cards for the council. The mayor told everyone to come to the next meeting prepared for picture taking.

There being no further business before the council, Jim Gates moved to adjourn. Bruce Smith seconded; motion carried. Meeting adjourned at 10:05 PM.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 28, 2004

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

OTHERS PRESENT: Pat & Gloria Flynn, Mark Green, Sylvan Coles, Michael Coffman, James Foster, Marian Massoth, Ed Harmison, Everette Danner, Bob Call, Cheryl Brown.

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

MINUTES: Rich Hamit made a motion, seconded by Bruce Smith, to approve the minutes of the January 14, 2004 meeting with one change in the wording regarding the maintenance report. Motion carried 3-0.

OFFICIAL NEWSPAPER: The clerk reported that the Osage County Herald cannot be designated for official legal publications until they have published 50 issues, which will be sometime this summer. Bruce Smith made a motion, seconded by Rich Hamit, to designate the Osage County Chronicle as the official paper for 2004. Cheryl Brown did tell the council that the owner of the Herald said they would publish legal notices at no charge until they reach the required number of issues.

WATER/SEWER UPDATE: Marian Massoth told the council that Shane Holthaus with Kansas Rural Water Association is planning on being here Monday, February 2nd to visit about mapping the water lines. Massoth will let us know a specific time as soon as she knows.

Massoth said she has visited with the new owner of the meat processing plant, and she learned more about their treatment process. She told them there would be more sampling done in various locations around town, and not just their business.

Massoth told the council that KDHE would like the lagoons to be worked on first regarding the wastewater system improvements, and this would need to be done under a separate contract. Someone from KDHE will be coming out next week to look at the lagoons to get a specific timetable in place. She was told that finishing inspections of the manholes and sewer lines could be done without going through a contract or putting it out on bids. Massoth said she was going to double check about the loan and grant requirements regarding this matter. Donna Lawrence, GAS, will be sending her more information that has to be included in the contracts. Ira Allen asked that Massoth be present when the city picks up the grant packet on February 5th. Massoth said she would plan to be there.

James Foster asked if the sewer lines have been videoed. The mayor said we are not to that point yet. Massoth said that this is included in the original proposal.

Bruce Smith asked Massoth for her idea of a timetable for the project. Massoth said that the plans for bid proposals should be ready in a couple of weeks, hopefully by the end of February. There is a definite timetable that has to be followed. The loan agreement allows the city until March, 2005 to complete the project.

The mayor gave Massoth some information about an upcoming workshop for dam safety. She said that it would be educational for Bob Call to attend, but she will definitely be attending. There was discussion about what's involved with inspections and emergency procedures. A routine inspection costs approximately \$1500, providing there are no problems.

WASTEWATER PROGRAM: Mark Green, City of Topeka, thanked the council for allowing him to come and introduced himself as superintendent of the Water Pollution Control Division of the Department of Public Works. He introduced Sylvan Coles, Section Manager of the same department and Pat Flynn, Environmental Technology, Fort Scott Community College. They are all part of an organization known as the Kansas Water Environment Association. KWEA is a member association of the Water Environment Federation which is an international non-profit technical and educational organization with over 40,000 water quality experts worldwide. KWEA was formed due to a concern about the water quality in Kansas. One of the concepts discussed at their annual meeting was the idea of "Adopt a Community" where a larger city would help smaller communities who don't have the same resources available, such as engineering and planning staffs. Green said that the group has been focusing on how to retain stormwater in ways that produce positive results. He discussed different methods of public education and possibilities for getting individuals involved with things to be done on their property. Green told the council that Kansas State University has been developing a curriculum that addresses environmental education, and has worked with Green on several projects.

Green presented slides showing some of the projects previously completed which showed results of how stormwater can be made productive. Included in these projects were rain gardens and stream buffers. A rain garden is a planted area with a shallow depression that collects and holds runoff before it reaches the storm drain. This runoff can come from roof drains, driveways or other hard surfaces. A stream buffer is a zone of native grasses, trees, and shrubs planted along the edges of streams. They help protect the streams by absorbing runoff, stabilizing the soil, and catching debris and pollutants. These buffers have a natural appearance and are not mowed. Brochures explaining these projects are available at City Hall. Various methods of funding city-wide projects were discussed.

Green then told the council of the possibility of one of KSU's professors using Overbrook as part of her fall class and what would be involved. The class would look over the town, and then come up with some ideas and drawings. Ira Allen asked how much time KWEA would be able to spend on the project. Green said that their role would be mainly as a source for information and general guidance. Allen then asked about how much they could help with the lagoons. Pat Flynn said that since the city already has an engineer working with them, their role would be to work with the engineer and the plans that have already been approved by KDHE. Marian Massoth said that she thought developing a masterplan such as suggested by Green would be a good thing. Green then suggested that Massoth come inspect some of the projects done in Topeka to get some ideas for Overbrook. The council agreed that any way to reduce the amount of stormwater draining into the lagoons would be a positive thing, especially for future growth. Green told the council that there might be a way for KWEA to pay for any expenses that a college class might incur doing a masterplan. He said that the results of the Overbrook project could be helpful for promotion in other towns. Flynn said that he hoped Overbrook would be willing to work with them on a masterplan. Green suggested that the council take time to think about the proposal and possible starting projects. The target starting date would be in the fall of 2004. Sylvan Coles invited Bob Call to attend the next workshop in April as their guest. The council thanked the group for making the presentation and expressed their interest in the idea.

LEGAL MATTERS: Michael Coffman, City Attorney, was present to discuss several ordinances and policies being considered by the city. Regarding a revised wastewater ordinance, Coffman suggested that he and Marian Massoth consult on the technical details. Mayor Young said that the council's main concern has been who is qualified to inspect, and how it's actually done. There was discussion about how a plumber would be licensed or qualified, and if it would be necessary to have some kind of signed certificate from that person for each sewer service inspected. Coffman said that would be advisable, and that the sample ordinance is structured to allow any authorized employee of the city the right to enter and inspect the property as a condition of using the sewer. He admitted that this can get to be cumbersome, but other cities have done this. There was discussion about the cost involved with making the necessary changes to comply with state and city requirements. Coffman recommended a process that would force the problem to be fixed rather than add penalties to the property taxes. He also recommended the city

appoint someone not employed by the city to do the actual inspections. There was discussion about putting the entire inspection process out for bids. Everette Dannar asked about the process to be followed if a property owner denied access for the inspection. Coffman said that the sample ordinance provides for penalties when there are violations, including access for inspection. The city would have the right to issue warnings and citations for violations which would be handled through the municipal court. He advised that the city make every effort to inform and educate the citizens before any inspecting is done, and that would hopefully promote cooperation. There was discussion about current sewer rates and funds to be designated for repairs, etc. Coffman said he would try to have a finished ordinance at the second meeting in February.

Coffman then informed the council that there are some questions about certain properties never having been annexed, or recorded as annexed, and he recommends that Piemann's Title and Abstracts re-map the city for a cost of \$250 to make sure everything is included. The council agreed by consensus to authorize Coffman proceeding. Coffman said he has never heard from the Cemetery Board, so he assumes they don't want to be annexed at this time.

The next subject to be discussed is personnel policies and guidelines. Coffman suggested using the policy handbook published by the League of Municipalities with some tailoring to better fit the city. The clerk was asked to make copies of this for the council to study. Ira Allen said they also need to see the material that David Gerisch received at the seminar he attended regarding this matter.

Coffman said that doing a bulk-mailing regarding the problem with "clean water" draining into the lagoons, and future inspections would be suitable for the purpose of educating the public, and doesn't see a problem doing that before the final ordinance has been adopted.

MISCELLANEOUS: Mayor Young, Ira Allen, Marian Massoth and Bruce Smith are planning to attend the grant presentation on February 5th. The clerk will check to see if Donna Lawrence, G.A.S. will be there even though she cannot accept it on behalf of the city.

Mayor Young said that he didn't want to talk about salaries of non-elected personnel tonight as he thinks the council needs more information about the 2004 budget. Allen said that he also thinks the whole council should be present. The matter was tabled until the next meeting.

KRWA SEMINAR: Rich Hamit asked if Bob Call will be attending the KRWA meetings in March. Call said he's planning on taking his wastewater exam there.

CLERK'S REPORT: Cheryl Brown reminded the council about the TownHall meeting on February 14th at 10 AM at the library. She also said there will be a hearing before the Planning Commission to consider a zoning change on property owned by Mike Fawl west of the City Lake.

She also said that someone from KRWA will be here to discuss a Well-head Protection plan.

EXECUTIVE SESSION: Bruce Smith made a motion, seconded by Ira Allen, to recess the meeting to discuss non-elected personnel matters at 9:03 pm for 15 minutes. Motion carried; meeting was recessed. Mayor Young opened the meeting at 9:18 pm. No action was taken resulting from the closed session.

There being no further business before the council, Rich Hamit moved to adjourn. Bruce Smith seconded; meeting adjourned at 9:21 pm.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

SPECIAL MEETING

FEBRUARY 9, 2004

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

OTHERS PRESENT: Patty Hylton, Cheryl Brown.

Bruce Smith, president of the council, called the special meeting to order in the absence of Mayor Young. Roll was taken to establish a quorum.

Bruce Smith then stated that the special meeting had been called by councilmembers for the purpose of reviewing the 2004 budget, and discussing salaries of non-elected personnel.

EXECUTIVE SESSION: Ira Allen made a motion, seconded by Rich Hamit, to go into executive session for 1 hour from 6:05 pm until 7:05 pm with Patty Hylton, Treasurer and Cheryl Brown, City Clerk present. Motion carried 5-0; meeting was recessed.

OPEN SESSION: Bruce Smith opened the meeting at 7:09 pm. No action taken.

EXECUTIVE SESSION: Jim Gates moved to recess the meeting for 30 minutes at 7:10 pm. Rich Hamit seconded; meeting was recessed.

OPEN SESSION: Bruce Smith called the meeting back into open session at 7:40 pm. No action was taken.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Ira Allen, to recess the meeting for 5 minutes with only councilmembers present. Motion carried 5-0; meeting recessed at 7:42 pm.

OPEN SESSION: Smith opened the meeting at 7:47 pm. No action was taken as a result of the closed session.

Having no further business, Jim Gates moved to adjourn the meeting at 7:48 pm. Ira Allen seconded the motion; carried 5-0.

Respectfully submitted,

Cheryl L Brown
City Clerk

APPROVED: _____

points in future loan applications from the state and grants. Ira Allen made a motion, seconded by Bruce Smith, to participate in the proposed Wellhead Protection Program administered by Helmke. Motion carried 5-0. Helmke told the council that they need to form a committee to start the public education process as soon as possible.

WATER/SEWER REPORT: Marian Massoth reported that she will be talking to Donnie Bryant about getting the telemetry system working before she can sign off on the waterline project. She said that she will be turning in the manual on the waterline project and also the plans for the wastewater improvement to KDHE soon. There was discussion about training for the ones to be notified by the telemetry system. Massoth said that we will know more about the Community Development Block Grant requirements after tomorrow's presentation. The draft of the actual wastewater plan is still being put together, but Massoth reported that about 2,000 tons of rock for the riprap @\$20/ton will be needed. The foundation of geotextile to be put under the rock will add approximately \$5,000 to the cost, but is being used by most contractors. The council told Massoth that the dirt piled by the lagoons is available for building up the slopes where necessary. The council agreed that Massoth should pursue contacting the adjacent landowners to see if any would be willing to have the removed sludge applied to their property. She said this would have to be done in either the spring or fall. There was discussion about the time-frame for the project in relation to applying the sludge to farmland. This would reduce the cost of the project quite a bit compared to having the sludge hauled away. Massoth was hopeful that it wouldn't take KDHE too long to approve the final plan after it's submitted.

Massoth said she needs to give KDHE an update on the inspection of sewer hook-ups. She was told the letter has been approved, and will be mailed within the next couple of weeks. She also said that KDHE has approved the city getting some proposals for inspecting and cleaning sewers and have the work done if the cost is under \$50,000 without taking bids. Massoth said that after meeting with Shane Holthaus of Kansas Rural Water, she would recommend the city have the sewer lines, manholes, and water lines mapped. The cost would be approximately \$5,000. There was discussion about the need for buying extra software to make updates in the future. Massoth said that the cost for the sewer lines and manholes, approximately \$3310, could be included in the total project.

CITY OF OVERBROOK

MINUTES REGULAR COUNCIL MEETING

FEBRUARY 25, 2004

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

OTHERS PRESENT: Marian Massoth, Ed Harmison, Cheryl Brown

The meeting was called to order by the mayor, and roll was taken by the clerk.

MINUTES: Ira Allen made a motion, seconded by Jim Gates, to approve the minutes of the February 11, 2004 meeting as written. Motion carried 3-0.

There were no warrants presented for payment.

ZONING CHANGE/FAWL: The council reviewed the recommendation from the Planning Commission to change zoning on property owned by F.A.R Properties owned by Mike Fawl and Frank Rhodes from Residential-Single family to Commercial. The next phase is to wait 14 days for written protests to be made. Fawl had stated at the hearing his purpose for changing the zoning is to open new business. There was discussion about developing more business along the highway rather than downtown. The matter was tabled until the next meeting at which time an ordinance, if approved by the council, can be adopted which would change the zoning.

CONNECTING LINKS: Rich Hamit made a motion, seconded by Ira Allen, to deny the payment from Osage County in the amount of \$498.00 to be used for maintaining Maple Street. The county will maintain the road surface up to a 24' width as its finances allow. Motion carried 3-0.

BUILDING PERMIT FEES: There was discussion about the current \$10 fee now being charged for building permit applications. This fee has been in effect since 1978. Several possibilities of determining a fee for permits were considered, such as value of the building, zoning of the property, size of the structure, or leaving it at one fee for all purposes. Ira Allen suggested charging \$1/\$1000 of estimated construction cost, with a minimum fee of \$25. The matter was tabled until the full council can be present.

WELLHEAD PROTECTION PLAN: Cheryl Brown told the council that she had received a letter from Doug Helmke, Kansas Rural Water Association, asking that a committee be formed as soon as possible. The council agreed that the committee should consist of Bob Call, who does the maintenance, Bruce Smith to represent the council, Marian Massoth as the engineer, and one of the land owners, possibly Bill Baldwin, and someone at large from in the city. Mayor Young said he would work on finding someone to serve on the committee.

MAPPING WATER/SEWER LINES: Marian Massoth said the cost of mapping the sewer lines and manholes could be included in the Wastewater Loan, but the only waterlines that can be added to the Water Supply loan is the one recently installed from the wells into town. Massoth said she's contacted Donnie Bryant about putting in the necessary switch at the rural water pump station to make the telemetry system safer. This has to be done before she can sign off on the complete project.

SLUDGE REMOVAL: Massoth reported that she's working on contacting land owners to see if the sludge removed from the lagoons can be applied to their farmland. One that has been contacted owns land adjacent to the lagoons, and they also own a quarter section south of the lagoons. Massoth has

visited with the land owner about all the requirements and testing that would be done to make sure the application is done properly. There was discussion about the time-frame of the project depending on what crops will be planted. Massoth is hoping to have more information at the next meeting.

Massoth then presented the council with the draft of the plans for the Wastewater System improvement project that she will be submitting to KDHE for approval. Jim Gates asked about expanding the size of the existing lagoons while the equipment is in place. Massoth said that it would be possible, but soil testing would have to be done to determine how much rock is present. There was also discussion about fencing off the entire property when the project is done, which would eliminate the tree / limb dumping area. It was noted that a lot of non-approved items are being dumped there, and occasionally someone other than city personnel are starting fires. Massoth said she would check into doing some surveying and soil-testing. She reminded the council that doing this would delay submitting the plan, and also increase the total cost. The council agreed by concensus to have Massoth pursue the option. Mayor Young asked if Massoth could project how many more people can be served under ideal operating conditions. She said this could be done by determining the volume and area.

Massoth told the council that she and Bob Call had taken samples at the east lift station, which would include the north end of town, and also the manhole where the previous sample had been taken, but haven't gotten the results.

NEW COUNCIL TABLE: Cheryl Brown reported that she hasn't received a final drawing or bid from Ron Zeckser for a new table for the governing body, but should have it by the next meeting.

MISCELLANEOUS: The clerk asked for permission to send either flowers or a donation for David Gerisch's grandfather. Rich Hamit made a motion, seconded by Jim Gates, to send \$25 to the American Legion memorial fund in honor of Ed Gerisch. Motion carried 3-0.

GRANT DOCUMENTS: Jim Gates made a motion, seconded by Ira Allen, to approve the mayor's signing all documents necessary for the CDBG as prepared by Donna Crawford. Motion carried 3-0.

ADOPT A COMMUNITY PROPOSAL: The city has received a letter from Mark Green, City of Topeka, informing us that the Kansas Water Environment Association board has agreed to participate 50/50 with the City of Overbrook up to \$500. This means that the city may be required to match the \$500. Rich Hamit made a motion, seconded by Jim Gates, to pursue participating with a limit of \$500. Motion carried 3-0. Hamit asked if anyone has talked to the school about being part of this project. Mayor Young said he would talk to Terry Schmidt.

COUNCILMEMBER COMMENTS: Rich Hamit asked if changing the council meeting to a different night has ever been considered. There was discussion about possible conflicts with the other week nights. There are school events scheduled for just about every night, and conflicts with other organizations' meetings. The mayor said that he would like to keep the matter open for more discussion with all councilmembers present.

Rich Hamit made a motion, seconded by Jim Gates, to approve sending Ira Allen to the League meeting covering Law Enforcement on the date of his choice. Motion carried 3-0.

There being no further business before the council, Jim Gates made a motion to adjourn. Rich Hamit seconded; the meeting was adjourned at 8:27 PM.

Respectfully submitted,
Cheryl L. Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 10, 2004

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

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

Mayor Young called the meeting to order at 7:00 PM; roll was called by Cheryl Brown, City Clerk. There was a quorum present.

MINUTES / WARRANTS: Ira Allen made a motion, seconded by Bruce Smith, to approve the minutes of the February 25, 2004 meeting as written. Motion carried 4-0.

Bruce Smith moved to pay all warrants presented. David Gerisch seconded; motion carried 4-0.

BOUNDARY/LEGAL: Michael Coffman, City Attorney, presented information regarding some lots within the city limits that have never been annexed according to county records. They are as follows:

1. Tract of former railroad right-of-way in the Meadows subdivision in the southwest corner of town
2. Small tract south of Hwy 56 just west of Western Heights Drive
3. Small area adjacent to the city lake

The council agreed by consensus to have Coffman prepare an ordinance to annex these pieces of property for the purpose of updating the boundary ordinance.

Coffman suggested that the council study the model sewer ordinance for comments at a later meeting. He said that the big issue with a new ordinance is deciding how appointments will be made regarding enforcing the ordinance. He is planning on consulting with Marian Massoth about the technical details.

Bruce Smith stated that he is concerned about the ability of Osage Rural Water District #5 being able to supply the city the full amount stated in the current contract. He asked if it would be advisable to go on record with the water district about this concern. There was discussion about the length of the current contract. Coffman said he would visit with the water district about this matter.

GRANT REPORT: Donna Crawford, Governmental Assistance Services, was present for an update on the Community Development Block Grant awarded to the city. Crawford advised the city to hire someone with an engineering background to work on a grant to form a comprehensive plan rather than her company. She also stated that it could take between \$35,000 and \$40,000 to get a comprehensive plan in place and currently grants are only available for \$25,000 to \$30,000. She will keep the council informed.

Crawford thanked everyone for doing a good job on the grant application and expressed how pleased she was that the city got the grant on the first application. She especially thanked Marian Massoth for all her work. Crawford was thanked by the mayor and council for her effort in writing the grant.

WATER/SEWER REPORT: Marian Massoth reported that she is still working on finding some farm land for sludge application removed from the lagoons. The best choice is to find land fairly close to the lagoons to keep the expense down, and using just one landowner would also be beneficial. Massoth told the council that Ace Pipe Cleaning would give an estimate for inspecting and televising 20,000 linear feet

of sewer line provided that the request be made on city letterhead. The clerk will send the request as asked.

Massoth also said that she is still waiting to hear from the pipeline company regarding moving the existing gas line on the lagoon property. She also told the council that Kansas Rural Water Association requires a signed contract to pursue mapping water and sewer lines. Massoth was asked to see if arrangements can be made to pay for the waterline mapping next year.

TREASURER'S REPORT: Patty Hylton reviewed the financial reports as prepared. Hylton told the council that the 2004-2005 contract figures from Blue Cross Blue Shield are approximately 40% higher than the current year's premiums. Ed Harmison asked if the city has considered another company. Rich Hamit said that he's looked for himself and he couldn't find any better coverage. Ira Allen said that BCBS is very hard to beat for health insurance. The possibility of excluding certain benefits, such as maternity coverage was discussed. The clerk was asked to check on the matter. The clerk is waiting on new figures based on new health profiles submitted by Harmison and Brown. Mayor Young restated that what Patty Hylton is telling us is that this additional expense will have to be worked into the budget.

Hylton told the council that the General fund will have to be watched this year. Funds were transferred out of it last year to cover pool and bond shortages, but hopefully this will not be necessary this year.

MISCELLANEOUS: Rich Hamit made a motion, seconded by Bruce Smith, to pay for shingles for concession stand roof. Motion carried 4-0. Clyde Martin to be contacted about volunteering to do the work. .

There was discussion about raising the fees for building permits. Ira Allen made a motion, seconded by Bruce Smith, to raise the fee to \$1.00 per \$1,000 of estimated value, with a \$25.00 minimum, or whichever is greater. A site plan or blueprint will also be required before a permit can be issued. Motion carried 4-0. The clerk was also instructed to add something to the amendment that would require the permit to be displayed on the building site visible from the road.

MISC: The following items were tabled: appointing of a wellhead protection committee, changing council meeting nights, licensing of plumbers, and changes to the personnel policy.

Bruce Smith made a motion, seconded by Rich Hamit, to authorize having a new council table built by Zeckser Custom Cabinets at a price of \$795. Motion carried 4-0. The clerk will contact the library to see if they are interested in the old table.

RE-ZONING: After discussion, Ira Allen made a motion, seconded by Bruce Smith, to adopt Ordinance No. 264 which will approve the recommendation of the Planning Commission to change the zoning of property on Eighth Street (Hwy 56) owned by F.A.R. Properties from Residential to Commercial. The mayor expressed a concern about the lack of limitations on Commercial zoned property. Motion carried 4-0.

LAW REPORT: Chief Harmison gave the council his report regarding citations issued and training for the department. He told the council that the insurance for each cell phone is \$3.99/month with a \$50 deductible. Ira Allen made a motion to purchase the insurance; Bruce Smith seconded. Motion carried 4-0.

Harmison asked the council to consider putting some kind of gate at the bottom of the stairs going to the second floor of the city building. He recommends installing one with a warning sign. The council agreed to consider the matter. Harmison said that he had given a list of signs to maintenance 2 years ago that need replaced, and there are still some that haven't been taken care of.

He also asked the council to come up with an alternative place to dump limbs and leaves as the windy season is approaching. Bruce Smith made a motion to ban all dumping and burning on the lagoon

property effective immediately due to liability issues with the gas line. Ira Allen seconded; motion carried 4-0.

Harmison said that he didn't have much luck with tax-exempt gasoline from the local suppliers. He asked if any of the tax rebate funds go back into the Law fund. The clerk said she had not been doing that, but will check into it.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by David Gerisch, to go into executive session to discuss non-elected personnel for 5 minutes. Motion carried 4-0. Meeting was opened at which time Bruce made a motion, seconded by Ira Allen to recess for another 10 minutes. Motion carried 4-0. Mayor Young opened the meeting at which time no action was taken.

MAINTENANCE REPORT: Bob Call reported that the telemetry system is waiting for repairs. Call said that Overbrook Lumber closing will be a hardship. The council agreed by consensus to set up an account with Home Depot. The clerk will try to do this on their website.

Call asked about having the pool repainted this year. After discussion, Call was asked to try to get some more bids. \

A bid from G&G Excavating for installing a water line and hydrant between the ball diamonds, with a branch line to the maintenance shed was discussed. The total bid was \$1800, at approximately \$900 for each part. There would be extra expense for crossing utility lines. The matter was tabled until the next meeting. Call also asked the council to consider either building or buying a storage shed for fish food and other animal control supplies. Call was asked to check into prices for a kit and also a ready-built one from Osage AutoWorks.

Call said he has had some people ask him about summer help. The council agreed by consensus to pay \$7/hr if someone is hired to help with mowing and other projects. The council also agreed to pay Call \$200 in advance for expenses at the Kansas Rural Water Convention.

COUNCILMEMBER COMMENTS: Bruce Smith again voiced his concern about the rural water district being able to supply the city with the amount of water specified in the current contract.

David Gerisch said that the alley west of City Hall needs some attention soon as he's received complaints about vehicles not being able to get through some potholes.

Ira Allen said that plans on street maintenance needs to be started soon. Jim Gates will be asked to help Bob Call with this matter.

Rich Hamit asked if the city would consider paying for the electricity to light the "Welcome to Overbrook" rock and the buffalo. There was a consensus to furnish the electricity. He also said that he will be talking to Rachael King Strom about managing the pool again this summer. There was discussion about attending the county zoning hearing later in the month.

MAYOR'S REPORT: Mayor Young said he has had a resident in the Meadowbrook II addition tell him that Galaxy isn't providing cable service to that neighborhood. He will be contacting Galaxy about the matter. Smith asked if the problem is due to the area being annexed after the franchise contract was signed. The clerk will check the contract for more details.

SALARY: Ira Allen made a motion, seconded by Bruce Smith, to approve a 3% pay raise for Ted Miller, a part-time police officer based on merit. Motion carried 4-0.

There being no further business before the council, David Gerisch made a motion to adjourn. Ira Allen seconded; motion carried. Meeting was adjourned at 11:10 PM.

Respectfully,
Cheryl Brown, City Clerk

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 22, 2004

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

OTHERS PRESENT: Charles Hamner, Paul McCartney, Ed Harmison, Everette Dannar, Cheryl Brown

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

MINUTES: Rich Hamit made a motion, seconded by Ira Allen, to approve the minutes of the March 10, 2004 meeting as written. Motion carried 3-0.

There were no warrants to be paid.

UNFINISHED BUSINESS: Discussion of the old council table, changing the council meeting night, licensing of plumbers, updating the personnel policy handbook, and appointing a Wellhead Protection Committee was tabled until all council members are present.

Ira Allen brought up the model sewer ordinance for discussion. He specified certain sections of the ordinance which address allowing privy's instead of facilities that are connected to the city sewer system. The model ordinance recommends charging a fee for such structures. Allen also pointed out that the ordinance also specifies the size of garbage disposal to be allowed. The matter was tabled until the complete ordinance has been studied further.

POOL MAINTENANCE: David Gerisch told the council that he has talked to someone about submitting a bid for pool repairs and painting.

LIGHTING ON SIGN: Rich Hamit told the council that PRIDE has spoken to Ed Butterfield with Westar Energy about installing a light on a pole to provide light for the Welcome to Overbrook rock and the buffalo. Butterfield has a light, but needs authorization from the city. Rich Hamit made a motion, seconded by David Gerisch, to authorize Westar Energy to install a light on an existing pole, providing the cost is minimal. Motion carried 3-0.

CLERK'S REPORT: Cheryl Brown informed the council that she has been told by Blue Cross Blue Shield that the maternity benefits cannot be excluded from the group health insurance policy. She also told the council that Bob Ellis has requested a hearing to change the zoning at 403 W Market from single family to multiple family on April 15, 2004 at 7:00 PM. Brown said she has received only one phone call regarding the sewer hook-up's, but many about closing the tree and limb dump site.

COUNCILMEMBER COMMENTS: David Gerisch expressed thanks to the community for the support at the loss of his grandfather.

Ira Allen wanted to encourage one or two council members to attend the league seminar on finance in April. There are three dates from which to choose. Allen has learned that a lot of towns are facing problems with wastewater systems. Allen has learned that some of the grants available in the past will not be available in 2005. These funds are being re-allocated through Homeland Security. Allen did say that the city does need a thorough disaster plan to cover local and national emergencies.

MISC: Paul McCartney asked about getting copies of the notes from the first two "TownHall meetings" as he was unable to attend them. Mayor Young said that copies would be available

as soon as they are given to the clerk. McCartney said that he feels the city is on the right track regarding long-range planning. Charles Hamner announced the committee is meeting on Monday, March 29th at City Hall. The steering committee members include Bruce Smith, Charles Hamner, Yolanda Dickinson, and Sue Martin. The mayor said that he will be unable to attend Saturday meetings this spring, but plans to attend the March 29th meeting and encouraged council members to do the same.

GATE FOR STEPS: Rich Hamit asked if Ed Harmison has received any bids for a safety gate to be placed at the bottom of the exterior stairs going to the second floor of the city building. Harmison said he doesn't have any bids as yet.

WATER MEETING: Mayor Young informed the council that there will be a meeting on April 8th at Kansas State Bank dealing with a proposed Pomona Lake water supply district. Ed Harmison stated that he is concerned about the possible effects of atrazine and other chemicals in Pomona Lake and would prefer that the city consider building it's own lake. He feels that this would eliminate the city's dependence on outside water sources. Mayor Young said that he thinks that our participation at this point is to obtain information. There was discussion about digging more wells.

SEWER UPDATE: The mayor presented a letter from Marian Massoth for review. Massoth recommends doing all the sludge application this fall rather than in two stages.

Massoth also has learned that Kansas Rural Water Association is willing to start the mapping process of water lines, but delay the billing until 2005. They will contact Bob Call to make arrangements.

We're still waiting to hear from the gas company regarding prices to move the existing gas line on the lagoon property. Massoth also wanted the council to know that the information given at the last meeting about expanding the 4th cell was incorrect. This would only be effective if the 1st cell is expanded, and she will discuss this in more detail at the next meeting.

A bid from Utility Maintenance Contractors has been received for cleaning and televising sewer lines, but Massoth didn't indicate how many other bids have been submitted.

MAYOR'S REPORT: The mayor encouraged the council to make updating the personnel policy a priority. He asked that they make every effort to read the model provided by the League so that suggestions can be given to the city attorney.

Mayor Young said that, in his thinking, we have one of the best city treasurer's in the state of Kansas, and she works really hard. There have been several instances in the past couple of months when we've asked for a lot of extra figures which she was very willing to provide, but in his opinion some decisions have been made contrary to the reports. Ira Allen asked for specifics, but the mayor said there were too many to name at this time.

TREES/LIMBS: Ed Harmison said that he's also received numerous complaints about not having a place to dump tree limbs, etc. He suggested an area close to the cedar trees north of the road going from Jones Park to the city lake, if only for emergencies. Rich Hamit said he favors trying to find a place for limbs.

There being no further business before the council, David Gerisch made a motion, seconded by Rich Hamit, to adjourn. Motion carried 3-0. Meeting was adjourned at 8:07 PM.

Respectfully submitted,
Cheryl L. Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 14, 2004

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

OTHERS PRESENT: Paul McCartney, Charles Hamner, Joyce Dillon, Dan Brown, James Foster, Kenny & Joe Greene, Rosemary Topping, Bob Call, Patty Hylton, Ed Harmison, Everette Dannar, Cheryl Brown.

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

MINUTES / WARRANTS: Rich Hamit made a motion, seconded by Ira Allen, to approve the minutes of the March 22, 2004 meeting as written. Motion carried 4-0.

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

CONTRACT RENEWAL: Joe Greene, Osage Waste Disposal, came to ask the city to renew the current contract for the removal of solid waste, with a 2% increase in rates. The council told Greene that they have had no complaints about their service. Jim Gates made a motion, seconded by Rich Hamit, to approve the 2% rate increase in the contract renewal, effective June 1, 2004.

BALL ASSOCIATION: Dan Brown, president of the Overbrook Ball Association, came before the council to ask for help in a problem with dogs at Jones Park. Even the ones kept on leashes cause problems. Brown wants to prevent someone suffering a dog bite, and also eliminate messes made by the dogs. The council agreed by consensus to have Bob Call put signs stating "NO PETS ALLOWED" on the entrance gates. Ira Allen asked if the lights have been fixed, and Brown said he hasn't received any more complaints so assumes they're working.

SEWER CONNECTION: Rosemary Topping was present to discuss her recent discovery that her residence has never been connected to the city sewer system. Topping asked for a copy of the city ordinance. She told the council that until she tried to have a new line installed, she thought she was connected to the city line. She learned that her house has been connected to a septic tank. Needless to say, a lot of her yard has been dug up in the process. The mayor asked what Topping wants the city to do. She said that while she doesn't want to take the city to task, she has been paying sewer charges all these years. Topping also said that the cost for all the digging is \$400. The mayor asked Topping to come to the April 28th meeting for a decision. She said that would be satisfactory.

P.R.I.D.E. RESOLUTION: Rich Hamit made a motion, seconded by Jim Gates, to adopt Resolution No. 60 which declares Overbrook to be an official entrant in the PRIDE program for the year. Motion carried 4-0.

ORDINANCE NO. 267: Jim Gates made a motion, seconded by Ira Allen, to adopt Ordinance No. 267 which amends Ordinance No. 95 (Zoning) to change the fee for building permits to \$1.00/\$1000.00 of estimated value, with a \$25.00 minimum fee. The permit would also be required to be displayed on the property. Motion carried 4-0.

RE-APPOINTMENTS: Jim Gates made a motion, seconded by Ira Allen, to re-appoint Cliff O'Bryhim and JA Cordts to the Housing Authority Board. Motion carried 4-0.

Rich Hamit made a motion, seconded by Jim Gates, to re-appoint Scott Averill to the Library Board. Motion carried 4-0.

Mayor Young will visit with members of the Planning Commission before re-appointing those whose terms are coming to an end.

MISCELLANEOUS: Wellhead Protection Committee matters and licensing of plumbers was tabled.

Changing council meeting nights was discussed briefly. Ira Allen stated a concern that it would be very difficult for the citizens to get used to a different night. The matter was tabled until a future meeting.

Mayor Young asked if the council has had a chance to study the sample personnel policies. Since not all the members had access to all the material, the matter was tabled until the April 28th meeting. The mayor said that he would like to get the matter settled so that job appraisals can be done.

Finding another location for dumping limbs and leaves was discussed. Rich Hamit said he and Ed Harmison wondered about the spot just east of the fourth cell at the lagoons. This is an open grassy area. Bob Call said that it would probably work if that's what the council decides. There was discussion about how to keep it from becoming a "trash" dump like the first one was. There was also discussion about limiting dumping to certain times or emergency situations. The matter was tabled until locations and controls can be determined.

LAW REPORT: Chief Ed Harmison reported that there had been 10 criminal cases in March. There were 6 traffic citations issued. Fines collected at the last court amounted to \$2400, part of which were from a ticket issued by the animal control officer wrote. Harmison told the council that Mark Tomlinson will be submitting a report to Harmison and Ira Allen regarding his hours and mileage. He reminded the council that sometimes Tomlinson has to make an extra trip to Carbondale to pick up live traps, and he's received favorable comments about Tomlinson. Ira Allen asked about using Dr. Sanders. Cheryl Brown said that Dr. Sanders is limited as to space, and has indicated that he doesn't want to be responsible for disposing of strays. Harmison asked if the council wanted him to continue submitting written reports. Hamit said he liked having a written report.

MAINTENANCE REPORT: Bob Call told the council that the bid he received for re-locating the gasline at the lagoons is \$59,000. The council agreed not to pursue that course of action.

Call said he's also received another bid for repairs and painting at the pool which is about half of what the bid from McKee's bid is. David Gerisch was asked to get references from Herrick Service Co. Bob Call said he's going to check with someone about applying Vortex to the diving board surfaces.

Call said that the mapping for sewer lines is mostly done, except for some minor changes.

Call told the council that Well No 4 has had to have a new starter installed.

The subject of fish food for the city lake was discussed. Call had a bid for \$1420 for a 9'x12' storage building. He told the council that the Co-op said they would keep what we buy from them, Mayor Young said that Leonard Jirek told him that he's ordered the "big" food, so the mayor will check with Co-op about storing all the fish food.

Call said that the water has been turned on at Jones Park, and all the lights, except 2, are working. Lee Kraus said that it would take more equipment than he has to fix just those 2 individual lights.

Call told the council that he's been patching streets, and the telemetry system is working again. He also said that someone from KRWA is helping him with a new quarterly report that's being required.

Call asked about hiring someone to help him this summer. The council reviewed an application from Justin DeShazer. David Gerisch made a motion, seconded by Ira Allen, to

hire DeShazer for \$7.00/hr to work a maximum of 30 hours/week as part-time for maintenance. Motion carried 4-0. DeShazer understands that he will be working as needed so it may be less than 30 hours some weeks.

MISC: Joyce Dillon commended the police department for how they patrol the sale barn area.

TREASURER'S REPORT: Patty Hylton presented the council with financial reports for the month of March. She told the council that she started transferring funds from General into the City Lake fund this past month. She reviewed the report for the Law fund, and said it looks good this month. She also explained that any funds left each month after the expenses have been posted will be going into a Capital Improvement line in the Law fund. Hylton had prepared a new report showing Year to Date balances and percentages of projected revenues and expenses. This will help the council have a better understanding of balances on a monthly basis and project for the remainder of the year, especially where transfers may have to be made to avoid negative fund balances. She's going to try to write a report showing what percentage of the budget can actually be spent based on revenue.

CLERK'S REPORT: Cheryl Brown reminded the council of the hearing with the Planning Commission on Thursday night with Bob Ellis requesting a zoning change at 403 W. Market.

Ira Allen made a motion, seconded by David Gerisch, to approve the contract with Blue Cross Blue Shield for employee health insurance for the next year. Motion carried 4-0. The mayor said that while the revised quote was less than previously stated, he feels that at some point the city is going to have to consider limiting the amount paid for employees. Jim Gates said that most employers only pay a percentage of the premiums.

Brown asked council approval for her and Hylton to attend a Wage & Hour seminar in May. Jim Gates made a motion, seconded by Rich Hamit, to pay for the seminar for Brown and Hylton. Motion carried 4-0.

Brown told the council that we need to write a letter to Jerry Hover if we want to pursue the grant for the Trails Project. The council agreed by consensus to write the letter.

Santa Fe Trail High School is asking for donations for the Renaissance Committee. Rich Hamit moved to donate \$100. Jim Gates seconded; motion carried 4-0.

Brown also said we have received a letter about supporting the Fast Lane program at school. The council agreed to approve supporting Fast Lane.

Rich Hamit made a motion, seconded by Jim Gates, to approve signing the agreement with Kansas Wildlife & Parks as required. Motion carried 4-0.

Brown asked for permission to make payments for the monthly sales tax collected on water sales by bank debit rather than a physical check. Ira Allen moved to approve the bank debit up to \$400 monthly. Jim Gates seconded; motion carried 4-0.

BID FOR GATE: Everette Dannar presented a bid for \$100 to construct and install a gate on the bottom of the exterior stairway on the south side of City Hall. Jim Gates made a motion, seconded by Ira Allen, to accept the bid. Motion carried 4-0.

WATER/SEWER REPORT: Marian Massoth presented a bid from Utility Maintenance Corp for cleaning and videos of the sewer lines and manholes. The bid is \$1.05 per linear foot. Massoth will check with Donna Crawford to make sure this meets with grant requirements.

Massoth presented a price of a 2,000 gallon tank for pre-treatment at the meat processing plant. The cost would be between \$3500-4000. This expense could be included in the sewer system project.

The process of inspecting sewer hook-up's was discussed. Massoth said that she would check into the requirements for the inspector as any plumber may be able to be trained with KDHE guidelines. James Foster suggested that the city needs to be ready to deal with the extra surface water after illegal hook-up's are corrected. Bob Call recommended that the salary and other details be fixed before any plumbers are contacted. Massoth said she would visit

with Michael Coffman about the technical aspects of the sewer ordinance before the next meeting.

Jim Gates voiced his concern about the city installing a tank for pre-treatment at one business. David Gerisch also asked why the business shouldn't be responsible for the tank. The benefits to the city as a whole was discussed. Ira Allen suggested asking the business to share the cost. Massoth said she would find out more information about tank sizes and installation before a final decision is made. James Foster suggested asking some of the civic groups to help in these matters.

Jim Gates made a motion, seconded by David Gerisch, to accept the bid from Utility Maintenance to video and clean the sewer lines at a price of \$1.05/linear foot provided the video will include hook-up locations and sizing. Motion carried 4-0.

Massoth commended Bob Call on the work he did to make the sewer mapping process go smoothly.

COUNCILMEMBER COMMENTS: Jim Gates would like to make sure the Trail's project is worked on. Gates said he's talked to some contractors who said they'd be willing to help. Gates said he'd talk to Roger Harmon about getting things going again.

Ira Allen said that the county has a very extensive comprehensive plan if approved. He also attended the meeting about a new water district using Pomona Lake. If the city wants to be able to buy water from this district, we would have to cooperate from the beginning. Bruce Smith will have more information regarding cost and alternatives at a later meeting. Allen also mentioned the stipend paid to the governing meeting. He brought up the possibility of being paid per meeting and also mileage to any city-related meetings.

MAYOR'S REPORT: The mayor submitted a bid from Clyde Martin to shingle the concession stand roof for approximately \$1360. This would pay for labor to remove the 2 layers of old shingles and the new shingles, with no charge for labor on the new shingles. Jim Gates made a motion, seconded by Ira Allen, to accept the bid from Martin. Motion carried 4-0.

POOL: Rich Hamit moved to go into executive session to discuss matters not related to elected personnel for 10 minutes. David Gerisch seconded; meeting recessed from 9:35 to 9:45 pm. After the mayor opened the meeting, Rich Hamit made a motion, seconded by Jim Gates, to hire Rachael Strohm as Pool Manager at a salary of \$10/hr. Motion carried 4-0.

There being no further business before the council, Jim Gates moved to adjourn the meeting. Rich Hamit seconded; meeting was adjourned at 9:46 pm.

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 28, 2004

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

OTHERS PRESENT: Rosemary Topping, Paul McCartney, Joyce Dillon, Michael Coffman, Pat McKenzie, Bob Call, Ed Harmison, Cheryl Brown, Everette Dannar (8:40 pm).

The council meeting was called to order by Councilmember Ira Allen in the absence of Mayor Young and Council-President Smith at 7:00 PM. Roll was called by the clerk to establish the presence of a quorum.

MINUTES / WARRANTS: Jim Gates made a motion, seconded by Rich Hamit, to approve the minutes of the April 14th meeting with changes regarding the Blue Cross Blue Shield health insurance quotes and coverage. Motion carried 4-0.

There were no warrants presented for payment.

SEWER ORDINANCE: Michael Coffman was present to review the model sewer ordinance. Ira Allen pointed out that the garbage disposal requirement should be $\frac{1}{2}$ horsepower rather than $\frac{3}{4}$ horsepower. He also recommended that the maximum fine for violations be changed to "up to \$500" to increase the effectiveness of the ordinance. The new service connection fee will remain at \$100.00. More discussion was tabled until Marian Massoth is present.

LIMB DISPOSAL SITE: Several locations for a disposal site for trees, limbs, and leaves were discussed. Ed Harmison suggested using the southeast corner of the lagoon property. Regulating time and access was discussed. The condition of the previous site was mentioned. Harmison said that there hadn't been much household waste left there, because he's opened bags in the past. Jim Gates made a motion, seconded by David Gerisch, to designate the southeast corner of the lagoon property as a disposal site for **limbs, leaves, grass and other organic yard waste**. Motion carried 4-0. This means that nothing else is to be left there. The site will be closed if the rules aren't followed.

POOL PAINTING BID: After discussion, Jim Gates made a motion, seconded by Rich Hamit to approve the bid from Herrick's to paint the pool for \$3105.00 providing Herrick can have the job done by May 15th. Motion carried 4-0. David Gerisch said he would contact Herrick and contact the council if there's a problem with the completion date.

ZONING RECOMMENDATION: The council reviewed the Planning Commission's recommendation to deny the zoning change request by Robert Ellis for the property at 403 W. Market. Several residents in the neighborhood had voiced their objections at the hearing. Jim Gates moved to accept the Planning Commission's finding to deny

the request. David Gerisch seconded; motion carried 4-0. Patricia McKenzie, one of the neighbors, thanked the council.

MAINTENANCE: Bob Call informed the council that the diving boards are having Vortex applied at a cost of \$80 each. Jim Gates congratulated Call on passing the Wastewater Systems test, as did the rest of the council.

LAW: Chief Harmison told the council that Everette Dannar has learned of a 3-day school which will meet the yearly required training hours for the year. The only cost to the city will be gas for the patrolcar and police coverage in their absence. The council approved Harmison, Dannar, and Ted Miller attending the training.

POOL: Rich Hamit told the council that Rachael Strohm will meet with the council before she hires an assistant manager, but she needs to start hiring lifeguards soon.

ANNEXATION: Michael Coffman told the council that he's in the process of drafting a final ordinance to annex the parcels of property within the city limits that have never been recorded with the county for some reason. This should be ready by the next meeting.

REMNANTS OF HOUSE: Ira Allen asked what can be done about the house on Walnut that was damaged by fire. Chief Harmison said that he was told by the owner that he had to wait on his insurance company, but that it has been condemned and he's now waiting on a contractor to remove the rest of it. Allen then asked if the city has any law that applies to property that has been vacant and neglected for a certain period of time. Harmison said that could be considered from a health and safety concern. Michael Coffman said that there might be something in the city's Nuisance ordinance that would apply to that situation.

SEWER HOOK-UP: Rosemary Topping was present to discuss the recent discovery that her residence had never been connected to the city sewer system until very recently. Michael Coffman asked what Topping wants from the city. Topping feels that she should receive some kind of reimbursement for the 45 years of service charges, but she's not sure what's fair. Coffman said that he had talked to KDHE, and has concluded that there are probably violations regarding her not being connected to the city system, but that's not his primary concern. He said that he's concerned about what precedence will be set by any action taken now, because there's no way to know how many other houses may be in the same situation. Topping said the only way for other people to know that is to have to dig up their whole backyard. Coffman said that when the sewer system was installed 45 years ago, someone would have been contracted to make sure all the houses were connected, but there's no way to check that out now. Coffman stated that there is a 3-year statute of limitations regarding any compensation, but he's uncertain that the city is under any obligation to pay anything. He does realize that sewer charges have been paid for the last 45 years. Mayor Young asked Topping if she has an idea of her expenses as of this time. Topping asked the council what they, as individuals, would do under the same circumstances. They told her they'd do just what she's doing. She then said she's spent \$1500, and still has some yard work to pay for. Ira Allen said that there's the matter of the council being responsible for enforcing the ordinance requiring houses to be connected to the sewer. Rich Hamit said that the current minimum charge of

\$5.00 per month for the 20 years of her ownership amounts to \$1200. Ira Allen suggested paying half of the expenses or \$750.00. Rich Hamit made a motion, seconded by Jim Gates, to offer Topping \$1200 reimbursement with the provision she signs a release from future claims regarding this matter. Motion carried 3-1, with Allen voting against. Topping said she would accept the offer and sign the release. Hamit also suggested sending letters to all residents informing them that the city won't be responsible for illegal hook-up's or the lack of any hook-up. The clerk said she could issue the check with the payroll checks tomorrow.

EXECUTIVE SESSION: Jim Gates made a motion, seconded by David Gerisch, to go into executive session for 5 minutes to discuss matters not related to elected personnel. Motion carried; meeting was closed at 8:17 PM. The mayor opened the meeting at 8:22 PM; no action taken at that time.

MISCELLANEOUS: Ira Allen asked for verification of the city having a Planning and/or Zoning board in the future. Mayor Young said that there are 3 members of the existing commission that won't be re-appointed, and he's in the process of finding people to replace them. Requirements for being connected to the city sewer system were discussed. Joyce Dillon asked if anyone who's currently not connected will be required to connect if and when the new ordinance is adopted. Michael Coffman said that the proposed sewer ordinance has definite language about a time limit for everyone to be connected.

PERSONNEL POLICY: This was tabled until the one from the League of Municipalities can be further reviewed, and all councilmembers are present.

FISH FOOD: Mayor Young said that the Co-op has given permission to store the fish food purchased through Wildlife & Parks. Bob Call was asked to check to see if the city can get a similar quality fishfood through Co-op when we can compare the ingredients.

SEWER ORDINANCE REQUIREMENTS: There was discussion about the sections referring to not allowing septic tanks within the city limits under any circumstances. The wording will be changed to accommodate those already in existence due to the city not being able to provide sewer service because of the physical land conditions. The council agreed by consensus to charge the same amount, \$100.00, for all sewer hook-up inspections for new construction. There was discussion about the fee for approving a septic tank installation, and exactly what requirements would have to be met. Coffman recommended prohibiting private systems from this point on, but insert another clause that allows the city to inspect those in existence to preserve public health and welfare. There was discussion about the possibility of installing a pre-treatment tank at the meat processing plant, and how this would apply to the proposed sewer ordinance. Coffman said he would have a finished ordinance for the next meeting.

Marian Massoth said that KDHE had told her that their requirements would allow the city to hire someone to inspect for illegal sewer hook-up's as long as the city provided a small amount of training.

Massoth said that the contract for sewer inspection and cleaning has to be approved by KDHE. There was discussion about a time limit for completing the work. Massoth said she would call the contractor and send it to Coffman for his approval.

She also said that she would like Coffman's opinion about some kind of agreement with land owners who will allow sludge to be applied to their property. Coffman said the best option is to make the applicator responsible for taking care of the sludge. This could be covered in the contract with the land applicator. He did say that the property owner would most likely be more comfortable with some kind of guarantee from the city.

Massoth hasn't checked with Utility Maintenance about providing sizing and connections along with the cleaning and inspecting, but will contact them soon.

She said that the final plans for the wastewater project are being processed, and that the lagoons will need to be fenced in. She did say that some fencing will need to be replaced.

PERSONNEL POLICY: This was tabled until Bruce Smith is present. The mayor said he would like the council to be prepared to discuss, recommend changes, and act on a personnel policy at the next meeting.

COUNCIL MEETING NIGHT: Rich Hamit said that Thursday night's seems to be the best choice for all concerned. Jim Gates mentioned that he's concerned about people getting used to a change. Rich Hamit made a motion, seconded by Bruce Smith, to change regular council meeting nights from the second and fourth Wednesday of the month to the second and fourth Thursday of the month. Carried 3-2 with Allen and Gates voting no. This will be effective in June, 2004.

COUNCILMEMBER COMMENTS: Bruce Smith reported that he has attended a meeting regarding the formation of a new water district. At this point, the main things being considered are who wants to be involved and to what extent. Smith did say that probably those not involved from the start will not have much of a chance to buy water at a later time. He again stated his concerns about Osage Rural Water District #5 being able to furnish the city's full allotment if necessary. The council agreed by consensus to continue pursuing this water supply. The next meeting will be May 6th at Kansas State Bank.

Smith said that the school board seems to be interested in the city's idea about solving the drainage problem at the grade school. Nothing will be decided until fall.

Jim Gates said he would like to get back on track with the Trail's project. Gates said he hasn't been able to contact Roger Harmon, but will keep trying.

The mayor said that having the insurance company hold a percentage of the payment for the demolition of condemned buildings should be considered by the council.

Rich Hamit commented that the gate at the bottom of the exterior stairs looks good.

EXECUTIVE SESSION: Bruce Smith made a motion, seconded by David Gerisch, to go into executive session for 10 minutes to discuss matters not related to elected personnel. Motion carried. The meeting was called back to order by the mayor; no action was taken.

STREETS: The mayor said he had been contacted by a company about street sealing. Mayor Young said that Jim Gates and Bob Call need to look the streets over soon.

DAMAGE CLAIM: The mayor told the council that last February he was looking for Todd Goodyear who was filling in for Bob Call. We had received a considerable amount of snow, and the mayor was trying to find Goodyear on a related matter. As a result of a minor accident, his personal truck was damaged. Mayor Young requested that he be reimbursed the amount of the deductible, \$500.00. After discussion, Ira Allen made a motion to pay Mayor Young \$500.00. The motion died for lack of a second.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 5-0. The meeting was adjourned at 10:05 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

Approved: _____

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: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 12, 2004

MEMBERS PRESENT: Ira Allen, David Gerisch, Rich Hamit, Jim Gates, Bruce Smith. Mayor Young arrived at 7:20 pm.

OTHERS PRESENT: Yolanda Dickinson, Sue Martin, Charles Hamner, Joyce Dillon, Patty Hylton, Bob Call, Ed Harmison, Cheryl Brown, Everette Dannar.

Council President Bruce Smith called the meeting to order at 7:00 PM in the absence of Mayor Young. Clerk Brown called the roll; a quorum was present.

MINUTES / WARRANTS: Ira Allen made a motion, seconded by Jim Gates, to approve the minutes of the April 28, 2004 as written. Motion carried 5-0.

Jim Gates moved to pay all warrants presented; Ira Allen seconded. Motion carried 5-0.

COMPREHENSIVE PLAN COMMITTEE: Sue Martin, Yolanda Dickinson, Charles Hamner, and Bruce Smith are the steering committee for the development of a comprehensive plan for the city. Sue Martin, acting as spokesperson for the group, reported on the progress the committee has made. They have written an informational brochure explaining what a comprehensive plan is and why Overbrook should have one. The committee is going to visit with as many civic groups as possible for informational purposes. They have put together a SWOT Analysis Exercise to be used in these meetings. SWOT stands for Strengths, Weaknesses, Opportunities, and Threats. The goal is to eventually design a survey, which will be mailed to all community members, in the hope that everyone will take the opportunity to contribute. After the survey, a plan can be formulated and then put into action. Those present then participated in a SWOT Analysis Exercise and discussed the results. The committee will meet again on June 7th, and are hoping to meet with as many groups as possible as soon as possible. The council said that they would like to get a report from the committee at the first council meeting each month. There was discussion about the area to receive the survey's. Bruce Smith said he would talk to the postmaster about the number of mailings for Overbrook. The council agreed by consensus to pay for postage.

RESIGNATION: Joyce Dillon, a member of the Planning Commission presented a letter of resignation to Mayor Young. The mayor told Dillon that several of the members are going to be replaced, and asked her if she would consider staying on the commission for at least another month. Dillon said to disregard the resignation, and that she would remain on the commission.

RE-APPOINTMENT OF CITY OFFICERS: Ira Allen made a motion, seconded by Jim Gates to re-appoint the following city officers:

Police Chief:	Ed Harmison
Asst. Police Chief:	Everette Dannar
Part-time Law:	Ted Miller

Randy Harrison
Bill Warrington
Ted Craig
William Nicholson
Jason Cummins

Maintenance Supervisor:	Bob Call
City Clerk:	Cheryl Brown
City Treasurer:	Patty Hylton
City Attorney:	Michael Coffman
Municipal Court Judge:	Stephen Jones
Municipal Court Clerk:	Shayne Coursen
Animal Control: Part-time:	Mark Tomlinson

Motion carried 5-0.

PLANNING COMMISSION: Bruce Smith made a motion, seconded by Ira Allen, to appoint Don Meerian, Glyn Day, and Pat Martin to serve on the Planning Commission until November, 2007. Joyce Dillon and Cliff O'Bryhim will serve until November, 2005.

PERSONNEL POLICY UPDATE: Ira Allen said that a special meeting be called to work on the personnel policy. The council agreed by consensus to meet on May 20th at 6 PM.

SEWER ORDINANCE: After discussion regarding requirements for a private system, Ira Allen moved to adopt Ordinance No. 269 which addresses all aspects of the city wastewater system. Bruce Smith seconded; motion carried 5-0.

POOL MATTERS: Rich Hamit asked for discussion about salary for an assistant pool manager. Hamit said that Rachael Strohm would like to buy some new plastic chairs. Cheryl Brown said that the city pays for an annual membership for the pool at Sam's Club, and that Rachael should be able to get the chairs at Sam's. Hamit also mentioned that his pool key doesn't work, and Bob Call said that he had replaced all the locks on city property last year. Call said he would get more keys for Hamit and Strohm and also the vending company.

The council agreed that it would be good to have someone in charge in Strohm's absence. Bruce Smith made a motion, seconded by Jim Gates, to pay the assistant manager as chosen by Rachael Strohm \$1.00/hr more than their salary in 2003. This would be either \$6.75 or \$7.00/hr. Motion carried 5-0.

WATER/SEWER REPORT: Regarding the sewer inspection and cleaning, Marian Massoth told the council that Utility Maintenance Co. does have a footage counter and the camera rotates which would provide better inspection at pipe junctions. They do not have a way to measure the pipe diameter. Massoth learned from Donna Crawford, our grant administrator, that CBDG requires that anything to do with construction must be put out for bids, so Massoth is putting together a bid packet to be approved at the next council meeting. She said that contractors would want the city to provide the water needed to clean the lines. The council agreed by consensus since this is the procedure when we have pipes cleaned due to emergencies. There was also

discussion about root removal. Massoth suggested that the contract include wording such as "if the pipe section is structurally sound, the contractor shall remove debris, including roots if it can be done so without damaging the pipeline".

Massoth said that whatever company does the project, they will need someplace for debris disposal. This could include leaves, broken tiles from the line, and other various items. Various solutions were discussed, including hauling to the county landfill. Bruce Smith didn't think that there would be a huge amount, but a temporary site may be necessary. Using some of the lagoon area was discussed. Bob Call suggested taking it to the county landfill from the start. Massoth said she would check with KDHE about an acceptable site.

Massoth said that the subject of hazardous waste needs to be addressed in the contract. She has put something in the contract about the contractor being able to request the city to have waste tested if it's suspicious. The council agreed to have Michael Coffman review the final draft of the contract. There was discussion about the easements which vary from alley to alley, and Massoth said most companies would want to have a defined work area established.

Massoth told the council that CDGB requires a "not to exceed" clause regarding the contract with the engineers, so Donna Lawrence is composing an amendment to the contract which will contain this clause. This amount will be \$55,000 which was the amount stated in the application to KDHE.

ANNEXATION PROCEDURE: The clerk presented an outline and drawings of the parcels of land to be annexed. The first order of business is for the council to adopt a resolution to consider annexation, which will state the date, hour and place of a public hearing. The land by the city lake is city owned, so it will not be included with the hearing, but the other two parcels are privately owned, so a hearing is required by law. The land along the old railroad right of way, and the parcel belonging to K & E Health Management have a common perimeter with the city boundary, and are being annexed to make the city boundary straight or harmonious. These properties were thought to have been annexed years ago, but nothing has ever been registered with the county. Jim Gates made a motion, seconded by Bruce Smith, to adopt a resolution to annex the properties as stated. Motion carried 5-0. The hearing was set for July 12, 2004 at 6:30 PM. The clerk will mail the required notices to property owners. Maps of these parcels of land are available for inspection at City Hall during business hours. The hearing notice cannot be published until at least two weeks before the date.

TRAIL'S PROJECT: Jim Gates said he and Roger Harmon have talked about getting things organized. The mayor said that he wants everything to be done with as little expense to the city as possible. Gates said that hopefully most of the next part of the project will be done by volunteer labor, with the main expense being concrete.

STREET RE-SEALING: Jim Gates will be talking to a company out of Kansas City and also Hi-Plains Sand about bids on re-sealing. Gates and Bob Call will check out which streets need to be re-sealed. There was discussion about a long-range plan to overlay streets. Smith suggested getting comparison prices from these companies to be considered in the future. Gates will also contact Killough's.

ANNEXATION: Mayor Young presented an ordinance to annex a parcel of land by the city lake which is owned by the city. Bruce Smith made a motion, seconded by

Rich Hamit, to pass Ordinance No. 270 which will include and incorporate certain land within the limits and boundaries of the city. Motion carried 5-0.

MISCELLANEOUS: The mayor stated that it seems like a lot of people have keys to the lights at Jones Park. The council agreed that while it may result in higher electric bills, some practice times may be necessary after dark. Officer Dannar asked if he could have a key to the control box as he's noticed lights being left on after games in the past. The council agreed that Dannar should have a key kept in the patrolcar for this reason. Bob Call said he would check with the ball association about getting a key.

VEHICLE INSURANCE: Mayor Young brought up insurance coverage for personal vehicles being used for city business. The current policy does not have this coverage. Ira Allen says that these would be covered for liability but not for physical damage. Allen was asked to check into the cost for this additional coverage. Specific vehicles would have to be designated in order to be covered.

LAW REPORT: Chief Ed Harmison reviewed his written report as follows: There were 11 criminal cases in April. Breakdown is as follows:

Phone harassment, criminal damage, battery assault, minor in consumption X 2, furnishing alcohol to minors X 2, traffic accident, battery assault & disorderly conduct, vehicle accident, theft X 2, D.U.I., and found property. The police department assisted and was assisted by the following agencies: Osage Sheriff's office, Life Star, AMR, Overbrook Fire Dept, and the Osage County Attorney. 24 traffic citations were issued – 13 of which were violations in 20 m.p.h. zones. Fines deposited from this month's court amount to \$2,028.

Chief Harmison said that the department is under budget by \$1708 year-to-date. His part-time salary expenses were up last month due to the city-wide garage sale and the demolition derby.

Rich Hamit said he had received a complaint from Larry Woodson that the police had written 24 tickets on the day of the city wide garage sale. Chief Harmison said that Officer Miller had worked from 7 AM until 4 PM, and only 3 tickets were issued by Miller. Harmison said that there were county officers in town that day as part of working this end of the county, and some contacts were made by them in the vicinity of Shirley's Café and north of town. Hamit thanked Harmison for the information.

David Gerisch asked about a vehicle that's been sitting in his neighborhood for some time. It belongs to a grandson of the owner of the house.

MAINTENANCE REPORT: Bob Call said that one of the samples sent to the state has to be re-tested due to unfavorable results. Smith advised him to be extremely careful with the sample bottle.

Call said that Well # 2 was probably hit by lightning, but is back in service. Submitting the bill to the insurance company won't be done as Patchen's will not state that the damage was definitely caused by a lightning strike.

Arrangements have been made with Co-op to store fishfood for us. Call hasn't checked into whether or not Co-op can supply a comparable fishfood.

Call told the council that the dump truck needs some repairs. The hydraulic pump is leaking, and the bottom of the bed is shot. There was discussion about getting some prices on either repairing the bottom of the bed if possible, or replacing

the whole bed. Hamit said he would check the State Surplus catalogue. Call said he would take it out to Craig Gillard's, and Hamit suggested having Dannar look at it.

Helen Holm, District Engineer with KDHE, was here to inspect the water and sewer system on May 6th. She noted that the electric boxes at the wells needed to be replaced, and that the pumphouses need painted. Jim Gates suggested using someone who needs to do community service projects, like the Boys & Girls Club.

Call said the pool is ready to fill which he will start on Monday after the paint has cured.

Doug Helmke, KRWA, was here to check the wells for the purpose of developing a wellhead-protection plan. He made some suggestions, but seemed to think we shouldn't have too much trouble making the plan.

Call received a contract from Ed Hickman to service and repair the pumping stations on a regular basis. The details had been previously approved by the council. Smith reviewed the contract and said it appears to be in order.

There was discussion about getting rid of the concrete and other debris at the old tree disposal site.

TREASURER'S REPORT: Patty Hylton reviewed the monthly financial reports. She pointed out that the cash balances are on the low side, and urged caution. The next disbursement from the tax levy will be received the first part of June. Hylton has worked up a spreadsheet for Water/Sewer for Bruce Smith's information since he's the council liaison for that department. Bogner & Long will be here on June 2nd for the audit.

Hylton gave a brief report on the Wage & Hour seminar she and the clerk attended last week. One thing that needs to be done is to define a work-week as this is how the hours-worked needs to be turned in for overtime purposes for payroll. Cheryl Brown had given the council and mayor copies of some of the material covered for consideration before a final personnel policy is drafted. The mayor asked if differences between departments and hours-worked was discussed. The clerk said that this was covered in the League's policy guideline manual. Chief Harmison said that the League manual had a reference for a minimum of 2 hours pay for being called out. The mayor said that this was one of the things that would be discussed at the special meeting on the 20th. Hylton said that offering a "merit-bonus" for employees if their department has a cash surplus at the end of the year might be considered.

CLERK'S REPORT: The clerk told the council that she has some copies of the League's personnel policy manual and the city's existing policy for their use. Chief Harmison asked if employees will be allowed to offer input at the special meeting. The council said their input would be welcome.

COUNCILMEMBER COMMENTS: Bruce Smith mentioned the letter from the Osage County Herald stating that they can now be designated as an official newspaper for publishing legal matters. The city does this in January each year.

Ira Allen said that he won't be here for the June 10th meeting. He also said that he hopes that more progress can be made in the personnel policy, budget prep for 2005, comprehensive plan, and get people appointed to the Planning Commission and Wellhead Protection project soon.

Bruce Smith asked if more random sampling was planned for testing the load at different spots in the sewer system. Call said that Marian Massoth hadn't said anything to him about more sampling. This was when Massoth had mentioned

installing a pre-treatment vault at the meat processing plant. She was going to get some cost estimates, but hasn't presented them as yet.

Ira Allen said that he doesn't think that the current Nuisance Ordinance would address the problem created by abandoned or partially burned buildings, and would like to talk about this at the next meeting.

MAYOR'S REPORT: Mayor Young said Albert Rukes told him that there are serious cracks in the tennis courts. The mayor said he would visit with Derrick Dahl about the matter. The mayor also said that he's been told there's a tree growing on the lake dam, and asked him to remove it. Mayor Young said Leonard Jirek told him that the city lake has been rated #1 for channel cat in the state according to the Kansas Wildlife & Parks magazine. He also said that he saw some massive channel cat's at the feeder.

The mayor said that Mike Hayden, Kansas Wildlife & Parks director, is working on a plan to reimburse city's expenses for lakes so that the city's wouldn't need to sell licenses. This may never happen, but it's a possibility.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to go into executive session for 5 minutes to discuss non-elected personnel matters. Motion carried 5-0. The meeting was recessed at 10:16 Pm, and opened by the mayor at 10:21 PM. No action taken.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 5-0. Meeting adjourned at 10:22 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

MAY 20, 2004

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

OTHERS PRESENT: Ed Harmison, Cheryl Brown, Bob Call, Everette Dannar

Mayor Young called the special meeting to order at 6:30 PM, and stated the reason the meeting was called is to discuss updating the Personnel Policy for the City of Overbrook.

DEFINE THE WORK WEEK: Bruce Smith suggested keeping Saturday and Sunday in the same work week. Ira Allen recommended starting the work week with Monday and end on Sunday, establishing a 14-day pay period, turn in time sheets on the Monday following the end of the pay period, and pay on the following Wednesday. This would give the clerk only 2 days to process the paychecks and get the necessary signatures. Allen said a uniform time-sheet should be used by all employees. The timesheet should show hours worked, on which days, and should show vacation, sick leave, holidays, and whatever else might be important for audit purposes. Bruce Smith asked about giving compensatory time rather than paying overtime wages. Allen said that you usually end up having to pay someone to cover while comp time is being taken. Smith said that either way, the salary has to come out of the department's budget, and he thinks everyone should be treated the same. He also said that either way. Mayor Young said that realistically a decision has to be made about how much salary can be paid, and Smith added that if the budget can't handle a lot of overtime, hours may have to be cut.

Ed Harmison, Chief of Police, said that he had no objections to being paid every two weeks. Allen said that when this policy goes into effect, the first pay check may be a little short or long. Cheryl Brown said that her only concern is getting the required signatures more frequently, and more councilmembers may have to be authorized to sign checks. Harmison asked that the work week be specified. The council agreed that it would be from 12:01 AM Monday through midnight Sunday. There was discussion about how Everette Dannar's work schedule would be affected. It was again stated that there would be a 7-day work week, with either overtime or compensatory time paid after 40 hours, and 14 day pay period. A time-sheet will have to be approved that will be used for each employee.

HOLIDAYS: The city now pays for 10 holidays. Harmison mentioned that the city wouldn't save any money by reducing the number because the employee would still be paid for the same amount of hours that week. The council agreed by concensus to leave the holiday's the same and specify that holidays falling on Saturday will be observed on the preceeding Friday, and a holiday falling on Sunday will be observed on the following Monday.

TIME SHEETS: The council agreed that only the total hours worked be recorded each day, and not the exact hours. Dannar said that police hours can be checked against their log sheets. A 14-box grid with a space for total hours worked will be satisfactory. The council agreed that the pool employees and animal control should use the same time sheets as everyone else and be paid at the same time.

VACATION: The council agreed by concensus to leave the rate of accumulation as presently stated. The current policy allows the employee to be paid for half of their unused vacation at the end of the year, and carry the remainder until June 30th of the next year. This hasn't been done for the past several years due to a low cash-balance, but the council has voted each year to extend the time period so no one loses any vacation. The possibility of not offering payment for unused vacation was mentioned. After discussion, the council agreed to leave this in the new policy, but include the funds in future budgets. The current probationary period and

payment of unused vacation upon termination were kept as is, but the council did agree that vacation requests should be honored on a first-come, first-serve basis within a department rather than by seniority.

SICK LEAVE: The amount of sick leave, accumulation of sick leave, and the non-payment of unused sick leave will remain at the present standard. The council did agree that an eligible employee may transfer up to 120 hours of sick leave to another employee so long as the donating employee's sick leave does not drop below 96 hours. The council feels that this is a bookkeeping matter, so that only the accounting department needs to know the identities of the employees.

Everette Dannar asked about having personal sick leave restored in case the employee is hurt on the job and Workman's Compensation insurance is put into effect. The council said they would have to check into this with the city attorney and the Kansas Division of Human Resources.

The council wanted the record to reflect that their intention is to hold an employee's position for the length of an approved medical leave, until he or she has been released for work.

FUNERAL LEAVE: Current paid leave in the case of the death of a spouse, son, daughter, mother, father, brother, sister, or grandparent of the employee or employee's spouse will remain at three days, with a two-day extension if travel of 500 miles or more is necessary.

OTHER LEAVE: 16 hours of discretionary (personal) leave will be allowed annually, and leave with pay will be granted to employee's to attend meetings, seminars, and conventions of professional and technical organizations when such attendance is properly authorized by the Mayor or Council. There was discussion about paying employee's for travel time to such events. The clerk learned at a recent seminar that the employee should be paid, but a lesser rate of pay can be established for travel time. There was discussion about paying for employee's meals while attending these meetings. The council will ask Patty Hylton to check into the tax regulations for meal reimbursement.

HEALTH INSURANCE: Mayor Young stated that the city as an employer, may reach a point where providing full-family health insurance to full-time employees may not be possible. The cost of this benefit increases at different rates each year. He thinks that at some point, the city may have to change the amounts provided per employee. There was discussion about changing the amount of premium paid for "new hires" of the city or "new participants" in the health plan. At the present time, one employee is enrolled in the family coverage, and one employee is enrolled in an employee-only plan. There was discussion about rules Blue Cross Blue Shield may have about when a person can enroll in the plan. The council agreed by consensus to change the personnel policy to pay for only the employee's health insurance, after a 3-month probation period. Employees may pay for their own coverage from the date of hire for the probation period, and if they want coverage for any family members their share of the premium will be made through payroll deductions.

The mayor asked if a "cap" on insurance benefits on present employees should be included in this personnel policy. He questioned where the money will come from to pay for the current enrolled employees as the premiums get more expensive each contract year. Ira Allen said that this should be addressed in the budget each year. Ed Harmison stated that his coverage will decrease in three years when his daughter is no longer eligible for his plan. Everette Dannar asked how his coverage would be handled if he needed to enroll in the city's plan. The council agreed that he would be considered a "new participant" and the city would only pay for his coverage, and he would be responsible for additional coverage. Bob Call then said that if he and Dannar wanted the city to pay for all the expense, it sounds like they should enroll before the new policy goes into effect. The clerk said that the contract with BCBS would have certain guidelines about when employees are allowed to enroll. Dannar then said that he would like to know more information about what qualifies as a "qualifying event" for his insurance to be paid by the city. The mayor said that how much of the premium paid by the

city will be determined by the city as BCBS doesn't care who pays what amount as long as the premiums are paid. Smith said that if there is extra expense for additional employee insurance coverage, then other expenses would need to be shaved to cover it. Ed Harmison said that he feels that the expense should be budgeted, without shaving other expenses. The mayor said that while the insurance can be budgeted, the current budget and revenue would be very strained with any additional insurance expense. Smith said that he didn't see how this be handled, short of continuing to raise the tax levy. Harmison then said that the budget will have to be raised as all the expenses such as gas and insurance. Gates said that the only way to increase the revenue is to raise the mill levy. Allen said that the council is trying to set a policy, understanding that exceptions can be made if needed. There was discussion about the differences between a "new hire" and a "new participant". The mayor said that the term "new hire participant" should be satisfactory. The city attorney should have more information about this at the next meeting.

RETIREMENT: This needs to have Kansas Police and Firemen for all current and future police officers added to Kansas Public Retirement Retirement System for all other qualifying employees. The rates for employers and employees are determined by state statute. The council agreed to have Patty Hylton check into some kind of extra retirement fund for non-law employees as there is a considerable difference between the city's share of KPF and KPERS.

JURY DUTY: The current policy pays regular salary for an employee serving up to five days, with the amount paid by the court deducted from the regular salary. In the past, the employee received full pay if they turned in all fees received from serving on a jury. There was discussion about eliminating a time limit. The council agreed by concensus to pay the employee regular wages, provided the jury fees have been turned over to the city, with no limit on days served.

APPROVED OVERTIME: Bruce Smith said that his feeling is that if an employee has to work extra hours due to emergencies, they can report afterwards. Bob Call said he prefers to use comp time rather than be paid for overtime. Ed Harmison says that works for Bob Call, but it doesn't work for the police. He doesn't see how they could not respond to police matters just because they have already logged 40 hours that week. Smith then stated that works as long as there's money to cover for the whole year. Technically comp time is to be used by the end of 2 pay periods. Comp time is figured at a rate of 1 ½ hours just as overtime salary is computed at 1 ½ times regular salary. It was stated that comp time hours do not count as hours worked. Mayor Young asked how many hours is the city required to pay an employee. Smith said that figuring 40 hours a week for 52 weeks is 2,080 hours per year. The mayor said that his point is that the money may run out before the employee's 2,080 hours.

MERIT BONUS: The council agreed that while this might be something to consider in the future, they tabled this until later. Ed Harmison stated that he personally does not want a merit bonus; he feels that his work is judged by the pay raises he receives. Dannar suggested a letter of commendation be put in the employee's file. Developing a pay-range plan was also discussed.

MISCELLANEOUS SECTIONS: Voluntary separation, sexual harassment, political activity, outside employment, workplace safety (which would include substance abuse), telecommunications, travel, residency, discipline, grievances and hearings will be adopted as written by the League. (Page 13, Article G through Page 25.)

MAYOR'S REPORT: Mayor Young said that working on job appraisals and the personnel policy will be on the agenda for the next meeting, and he would recommend taking the time to cover everything to the best of their ability for the benefit of the city and the employees.

Ira Allen would like to see the new time sheets and new pay periods go into effect as soon as possible. The clerk said that she would like to have the time sheets used for a short time before an ordinance is passed to change the pay periods.

MISC: Bob Call asked that job performances be done more often than once a year so that the employee knows their situation before raises are given. The mayor said that another special meeting may be necessary to work on these matters.

There being no further business before the council, David Gerisch made a motion, seconded by Jim Gates, to adjourn. Motion carried 5-0; meeting adjourned at 9:15 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 26, 2004

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

OTHERS PRESENT: Bob & Doris Gloss, Paul McCartney, Marian Massoth, Bob Call, Cheryl Brown.

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

MINUTES / WARRANTS: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the May 12, 2004 meeting with correction to Donna Crawford's name. Motion carried 4-0.

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

CLAIM FOR DAMAGES: Bob and Doris Gloss, representing the First Christian Church, were present to ask for reimbursement for the church's expenses due to a sewer back-up at their parsonage. The total amount for the clean-up was \$729.58. Bob Call confirmed that the city's main had backed up which caused the damage. Ira Allen moved to pay the First Christian Church \$729.58. Rich Hamit seconded; motion carried 4-0. The mayor mentioned that the city had recently enacted a new sewer ordinance which will affect future claims for damages to private property. Bruce Smith explained that the new ordinance applies to perimeter drains being hooked up to the wastewater system, and wouldn't apply to this case.

INTERLOCAL AGREEMENT FOR WATER SUPPLY: Bruce Smith presented a proposal for an agreement between seven groups, including the City of Overbrook, and the Pomona Lake Water Cooperative. This agreement would commit the city to share in the expenses of exploring options for the development of Pomona Lake as a new source of water supply, the first step being a project feasibility study. The total budget for the feasibility study is \$13,500.00 to be divided among the seven groups. The cost for the City of Overbrook would be approximately \$2,000 at this point. The mayor asked which fund will supply the money for the study. Smith said that it would probably have to come out of the Water/Sewer fund, with the General fund backing it up. He also said that it seems like a big expense, but is concerned that if the city doesn't join at this time, water from this source wouldn't be available at a later time. Jim Gates said that the water and sewer rates need to be raised in the near future and this would help pay for the study. Jim Gates made a motion, seconded by Bruce Smith, to sign the Interlocal Cooperation Agreement for Pomona Lake Water Cooperative. Motion carried 4-0.

WATER/SEWER REPORT: Marian Massoth presented the draft of the contract documents and specs for the sewer inspection and cleaning project. The council agreed that the contract should require the contractor to be responsible for removal of debris resulting from cleaning the sewer lines and manholes. The bid opening was scheduled for July 8, 2004 at 7:30 PM, during the regular council meeting, provided that the publishing can be done as necessary. The bids would need to be reviewed and references checked before awarding it to a contractor.

After discussing sizes of a pre-treatment tank, Bruce Smith made a motion, seconded by Rich Hamit, to pursue installing a 2,000 gallon tank on the service line from the meat processing plant. The city would pay for the tank and installation, with the business owner paying for the routine maintenance. The expense would be included with the Wastewater

System Project loan. Massoth will contact the business owner regarding this matter. Massoth said she would take the test results from sampling that she and Bob Call did several months ago.

Bruce Smith asked Massoth's opinion of when the sewer project might get started. Massoth said she would like to see it started within 15 days after awarding the bid. The council agreed that the contract should contain a penalty of \$300 per day if the project is not completed on time.

Massoth said she had supplied the mapping department of Kansas Rural Water Association with copies of maps so they can complete the sewer mapping for Overbrook. The mapping should be available when the inspecting and cleaning is being done. The clerk said that she would like to pursue having new city maps done after the annexations are completed later this summer. There was discussion about who would be able to do this. Mayor Young said that this should be included in the Comprehensive Plan.

INSPECTION: Bob Call said that he received a letter from Helen Holm, KDHE, reporting on her findings of a recent inspection. She indicated that she was satisfied with the progress being made. KDHE has notified the city that we are in violation of microbiological standards for public water supplies. There was discussion about the procedure for mailings, publications, and other notices that must be made available to the customers. Bruce Smith told Call that the chlorine levels have been low at his house, and asked him to check the equipment.

STREETS: Bob Call said that he's received bids from Hi-Plains Sand and also from Harbour Construction for street maintenance. The bids are not for exactly the same things, so Harbour Construction needs to come back and bid on the same areas as Hi-Plains. Jim Gates was asked to visit with Hi-Plains about the quality of their re-sealing the past two years. The matter was tabled until the next meeting.

PLANNING COMMISSION: Mayor Young said that more people need to be contacted about serving on the Planning Commission to take the place of Glyn Day and Cliff O'Bryhim. They would like to be replaced as soon as possible. Several people were suggested, and various people volunteered to contact them.

MISC: The mayor said he's received complaints about kids riding bikes down at the Housing Authority apartments. Bruce Smith said he would check into it.

WATER RUN-OFF ON LOCUST: Mayor Young has talked with Bob Gloss about water running off the school parking lot, down 7th Street, and across Gloss's yard. There was discussion about possible ways to eliminate the drainage. The council agreed by consensus to contact Terry Schmidt about putting in a ditch to control the drainage from the parking lot. Bruce Smith suggested meeting him at the parking lot.

PERSONNEL POLICY: There was discussion about whether or not Workman's Compensation will pay an employee for the personal sick days they may have used immediately after an injury. Cheryl Brown said that Michael Coffman, City Attorney, suggested that she talk with the Workman's Compensation agency for details on coverage, and restoration of personal sick leave.

Coffman advised that the council write an outline to use to put the final sections in a personnel policy. He suggested using the League's policy as a guideline for the order in which items are covered. The clerk said that the payroll changes can be covered by an ordinance, as well as any kind of deferred payment plans for employees.

Ira Allen suggested doing job appraisals at least 2 times a year. The mayor stated that while appraisals might be done more than once a year, raises would be given just once a year unless there are special circumstances. There was discussion about who would do the appraisals. The council agreed that a minimum of two people, the mayor and one

councilmember, should do the evaluations. The council agreed that department heads should be present when evaluating part-time employees. The council agreed that the appraisals be done in June and December each year. Rich Hamit said that some kind of pay-scale be adopted before raises are considered. There was discussion about how to determine a pay scale to begin with. Smith said that the current job market should be considered, as well as length of service and job performance. The clerk said that the League may have some information about pay scales. Smith said he could contact some other water districts. Ira Allen suggested talking to Mark Green with the City of Topeka Water Dept.

The mayor prefers to have everything possible included in the personnel policy for the benefit of mayors, councilmembers and employees.

MISC: In regards to the 2005 budget, Mayor Young said that as a tax-payer he doesn't want to see another increase in the mill levy. However, this may be necessary to be able to provide all necessary services. Ira Allen said that it probably will need increased again, but not to the extent as it was for this year's budget. Jim Gates said that raising utility rates should be done soon as well. The clerk said that the increased cost for the police retirement will have to be put in the new budget. Ira Allen also said that some other payroll expenses are now being taken out of the law fund, and will need to be included next year. Allen feels that the police budget will have to be increased to a certain extent. The mayor again stated that all the funds are low, and they can't make the assumption that the general fund can be used to fund other funds. Mayor Young stated that either the income has to be increased or the city has to spend less money. Smith said that in some departments, one option is to cut back on personnel. The mayor also mentioned that the number of vehicles could be reduced. The mayor said there are areas where cuts can be made, but that's not what he wants to do.

POOL PERSONNEL: Rich Hamit said that Rachael Strohm has scheduled the pool to open on Saturday, May 29th. Taren Karr will be the Assistant Manager. Red Cross is recommending that each lifeguard have a CPR mask. Rachael will check on prices. Ira Allen asked why we need more masks than the number of guards on duty at one time. Hamit will talk to Rachael about this.

There being no further business before the council, Bruce Smith made a motion, seconded by Jim Gates, to adjourn. Motion carried 4-0; meeting adjourned at 9:50 PM.

Respectfully,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JUNE 10, 2004

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

OTHERS PRESENT: Pat Martin, Charles Hamner, Sue Martin, Shelley Foulke, Patty Hylton, Bob Call, and Cheryl Brown.

The meeting was called to order by Council President Bruce Smith in the absence of Mayor Young. Roll was called to establish a quorum.

MINUTES/ WARRANTS: Jim Gates made a motion, seconded by Rich Hamit, to approve the minutes of the May 20th special meeting as written. Motion carried 4-0.

Rich Hamit moved to approve the minutes of the regular May 26th meeting as written. Jim Gates seconded; motion carried 4-0.

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

FIREWORKS SALES: Pat Martin was present to ask permission to sell fireworks at the Boy Scout on the fairgrounds. They give a donation to the Fair Board to pay for the electricity. Rich Hamit made a motion, seconded by Jim Gates, to approve the Martin family fireworks sales. Martin said they would be open from 10 AM until 10 PM. Fireworks can be sold from June 27th through July 5th per state law.

COMPREHENSIVE PLAN UPDATE: Sue Martin reported that their committee has been busy making contact with various organizations in the community. Several groups don't meet in the summer, so September looks to be a busy time for them.

MAINTENANCE REPORT: Bob Call said that he had received a bid of \$500 from Craig Gillard to replace the bed on the dump truck. Everette Dannar is not planning to give a bid. Jim Gates made a motion, seconded by Rich Hamit, to approve the bid of \$500 from Gillard.

Call told the council that they have killed thistles on the lake dam, mowed the lagoons, replaced the storm drain in front of the barber shop, and replaced the element on the hot water heater at the pool.

He presented bids for street sealing and repairs from Hi-Plains Sand and Harbour Construction. The bids were not submitted for the exact same items, and some details were not clear such as who furnishes the materials and differences between the amount of materials needed for certain areas. Gates reported that Harbour Construction has done street work for Lyndon, and they seemed to be pleased with the work quality. There was some discussion about not being completely pleased with the work done by Hi-Plains Sand the past couple of years. The council agreed by consensus to have Bob Call find out exactly how each of the companies are planning to do the work as stated on the bid before making a final decision.

Call told the council that the west lift station had a vacuum seal go out and something bent the shaft, and is being repaired by Ed Hickman. The east lift station had a hole in the discharge pipe last week, but is working again. Bruce Smith asked Call to check into prices of motors to have as a spare.

Rich Hamit asked Call if he has any idea why the alkalinity at the pool is so high. Call said he didn't. Hamit said that Family Pools recommends adding muratic acid, which Call has done. The test still shows a high level.

TREASURER REPORT: Patty Hylton reviewed the financial reports for the various funds as prepared by her. She told the council that the June tax levy of around \$46,000 has been

deposited but won't show up until next month. There was some discussion about the payment terms for the street sealing. Bob Call was asked to inquire if both bidding companies would be willing to accept two equal payments rather than in one lump sum.

Hylton gave the council some information regarding how business expenses can be handled by the city. The city currently uses the Accountable plan, which requires receipts be submitted to verify expenses rather than treating reimbursements as taxable income for the employee.

CLERK'S REPORT: Cheryl Brown said that Casey's needs to have a new Cereal Malt Beverage license showing a new name due to their company doing some re-organizing. Jim Gates made a motion, seconded by David Gerisch, to approve the CMB license. Motion carried 4-0.

Brown said that she had talked to KDHE and learned the correct wording for the public notice required due to a violation of one of the routine tests.

Jim Long of Bogner & Long was here on June 2nd to start the audit process. He will be back at the second meeting in July to report on the audit, and also to present a draft of the 2005 budget. Bruce Smith said that the budget needs to be discussed at the next 2 meetings.

Brown said that she has received a contract from the company where Dale Fox buys fireworks. The council agreed to talk to Fox about the matter before having the mayor sign it. Bob Call said that he did not want to be responsible for storing the fireworks, and the council agreed.

BUDGET INFO: Bruce Smith gave the other members copies of budget information from Carbondale, Burlingame, and Lyndon that he thought might be helpful when planning the 2005 budget for Overbrook. Smith also had a report from the county about each town, but it's not too specific. There was discussion about the mills levied by other towns, and their assessed valuations.

COUNCILMEMBER COMMENTS: Rich Hamit said that both police officers now have keys to the lights at Jones Park. There was an incident when the lights were on all night, but Hamit was told that they were shut off at 11 PM. However, Chief Harmison said they were on at 11:45 PM. Since both police cars will have keys to the lights the problem should be solved.

Hamit also said that the scoreboards are not working. Bob Call said the mayor is aware of this, and told Call not to worry about it. Jim Gates said he'd been told that the ball association is going to contact Coca Cola about fixing them. The city had sent them out of state last year for repairs. Hamit said he would check into it.

There was discussion about buying muratic acid in bulk if the alkalinity continues to be a problem at the pool. Call will check into pricing for the acid.

Hamit said that the CPR masks requested by Rachael Strohm will cost \$6.99 apiece. Ira Allen had suggested just buying enough for the on-duty lifeguards. Hamit said that Strohm told him that each guard needs one. The council agreed by concensus to purchase 9 CPR masks for the pool. There was also discussion about how slick the zero-depth entry is, and what can be done to help the situation.

The clerk asked the council to re-approve the policy of reimbursing the lifeguards for half of their training at the end of the season, and the second half the second year they work at the pool. The council agreed by concensus.

LAW REPORT: Chief Harmison reviewed his report with the council. Harmison said that Officers Dannar and Miller are presently on their way back from training in Iowa.

Harmison told the council that he has informed the Fair Board that the police department will not be responsible for posting signs along the parade route this year due to budget concerns. He also told the council that he will be meeting with Ira Allen and Patty Hylton later this month to discuss the 2005 budget needs.

He also mentioned the need to spray around the city lake to control mosquitoes due to the possibility of West Nile virus.

MISCELLANEOUS: Bruce Smith asked for the current water and sewer rates. The clerk told him the following:

Water: \$11.00/first 0-1000 gallons, then \$5.50 per 1000 gallons thereafter.

Sewer: \$ 5.00/first 2,000 gallons, then \$1.00 per 1000 gallons thereafter.

The council agreed that both rates need to be reviewed due to loans for improvements that are being re-paid.

WATER/SEWER REPORT: Marian Massoth said that KDHE has approved the contract for the Sewer Inspection & Cleaning work to be done. Donna Crawford recommends that the bids be advertised in the Osage County papers and also either the Topeka or Lawrence paper. The council agreed to advertise in the Lawrence paper. The bids will be opened on July 16, 2004 at 2:00 PM at City Hall. Crawford will take care of the publishing and other notices that are required.

Massoth said that she hasn't had time to meet with anyone concerning the pre-treatment tank previously discussed.

MISCELLANEOUS: Bruce Smith recommended that some of the council meet with some officials from the schools as well as the adjoining property owners to discuss the drainage problem caused by the school parking lot. There can only be one councilmember present to keep it from being a meeting, so Jim Gates said that he would volunteer to represent the council.

PLANNING COMMISSION: Bruce Smith said that Tom Wurdeman and Yolanda Dickinson have agreed to have their names considered for the Planning Commission.

There being no further business before the council, Jim Gates moved to adjourn. David Gerisch seconded; motion carried 4-0. At 8:45 PM the regular June 10th council meeting was adjourned.

Respectfully submitted,

Cheryl Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JUNE 24, 2004

MEMBERS PRESENT: Bruce Smith, David Gerisch, Ira Allen, Jim Gates, Rich Hamit (8:30 pm). Mayor Young absent.

OTHERS PRESENT: Rachael Strohm, Bob Call, Ed Harmison, Cheryl Brown

Bruce Smith, President of the Council, called the meeting to order at 7:00 P.M. in the absence of Mayor Jack Young. Roll was called by the clerk.

MINUTES / WARRANTS: Ed Harmison asked that budget concerns be included to his statement regarding not posting signs for the fair parade route this year. Jim Gates made a motion, seconded by David Gerisch, to approve the minutes of the June 10th meeting with the change. Motion carried 4-0.

Jim Gates motioned to pay the warrants. Ira Allen seconded; motion carried 4-0.

RESOLUTION NO. 61: Ira Allen made a motion, seconded by Jim Gates, to pass Resolution No. 61 to authorize a waiver from non-relevant Kansas statutes in as much as the financial reports are based on cash receipts and disbursements. Motion carried 4-0.

POOL REPORT: Rachael Strohm came before the council to report on pool matters. Strohm told the council that her father would be willing to pick up necessary chemicals and other supplies from Sam's Club and she would like to have his name added to the pool account. This would save her making the trips, and the city paying her mileage. Jim Gates made a motion, seconded by David Gerisch, to approve adding Steve Kings's name to the pool account. Motion carried 4-0.

Strohm told the council that there's been problems with the alkalininity level, but they are adding muratic acid as recommended by Family Pools. Bob Call has checked with different suppliers to get the best prices for the acid.

She said that attendance has been fairly normal, and that swimming lessons are going well. She did express her concern about the slickness of the zero-depth entry, but is hopeful that having "Caution" painted in the area seems to be helping. Strohm did ask that some kind of no-grit paint be used next year. She said that the swimmers seem to be adjusting to the slicker surfaces on the diving boards with no injuries so far.

STREET RE-SURFACING: Bob Call told the council that Don Brady of Harbour Construction will bring in a paver and use asphalt. After comparing the bids on the work to be done from Hi-Plains Sand and Harbour Construction, Jim Gates made a motion to accept the bid from Harbour Construction for \$33,380.00. Ira Allen seconded; motion carried 4-0. Bob Call will contact Brady about when the work will be done.

FIREWORKS CONTRACT: Jim Gates made a motion, seconded by David Gerisch, to approve the contract with Premier Pyrotechnics which states the responsibilities of both parties. Motion carried 4-0. Bruce Smith said that Dale Fox indicated that next year might be the last year he would be in charge of the ordering, etc involved with the fireworks display. The council agreed that he's done a very good job.

POOL MAINTENANCE: Bob Call told the council that clogged filters are probably the reason for the fuses blowing, and thinks that cleaning the filters more often will stop this from

happening. Call said that Rich Hamit was at the pool the last time he changed the fuses so he is aware of the situation.

Call told the council that the owner of the trailer court on Elm Street is planning on adding more trailers. There was discussion about the zoning requirements for mobile home districts. Call said that the owner would be back on Friday and the clerk will make sure that he gets all this information.

PLANNING COMMISSION: Ira Allen asked if the council would be voting on appointments for the Planning Commission tonight. The clerk said that she hasn't received letters of resignation from any current members. Smith said that he's talked to a couple of people who are willing to serve.

LETTER TO BUSINESS: David Gerisch made a motion, seconded by Jim Gates, to approve mailing a letter regarding installing a pre-treatment tank at one of the local businesses to help the situation at the lagoons. Motion carried 4-0. The clerk will mail the letter after the mayor signs it.

CITY LAKE: Bob Call told the council that the wiring to the aerator needs to be replaced with a higher grade. The council agreed by concensus to have Krause Electric check the whole system before replacing the wire.

DRAINAGE AT SCHOOL PARKING LOT: Bruce Smith suggested that Bob Call, a councilmember and a representative from the school meet with the residents living by this parking lot to discuss possible solutions to water draining into Bob Gloss's property.

REMINDER: The clerk reminded the council of the Annexation hearing on July 12th at 6:30 P.M. and the bid-opening for the sewer inspection and cleaning on July 16th at 2:00 P.M.

Cheryl Brown also requested the council to approve a corporate certificate of authority to authorize Bruce Smith to sign checks. Jim Gates made a motion to add Smith to the existing check-signers. David Gerisch seconded; motion carried 4-0.

COUNCILMEMBER COMMENTS: Jim Gates has talked to a couple of contractors who may be willing to help with the Trail's Project.

Bruce Smith brought up disussion on raising utility rates in the near future as we will have waterline and sewer improvement loans to repay. The water rates were raised in March, 2003 and the last sewer rate change was made in April, 1996. Several options were discussed. The matter was tabled until the next meeting.

Rich Hamit arrived at the meeting at this time, and asked what pool matters had been discussed. He wanted the council to know that we're buying the muratic acid from Lyndon Building Supplies at a lower cost than Family Pools was asking. He also said that he had been keeping track of the water usage, but wasn't sure what a normal rate would be. Hamit also said that the hot water in the girl's shower has a very bad odor. Bob Call said he thought it might be the floor mat and he cleaned it with straight bleach. He said he would check it again to make sure it wasn't the hot water heater.

There being no further business before the council, Jim Gates moved to adjourn. Ira Allen seconded; motion carried. Adjourned at 8:52 P.M.

Respectfully submitted,

Cheryl Brown
City Clerk

APPROVED: _____

