

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 12, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MISCELLANEOUS: Chief Harmison said that after checking tree limbs around town, he would like to postpone having them trimmed until later in the year. Council agreed by concensus.
Jason Hielscher told the council that they will be using Jones Park for soccer again this year. Brown said that Hielscher needs to let Bob Call know when they'll be done so he can get the bathrooms winterized.
Jon Brady said that the right field lights are working, and wondered what the problem was. Brady said they had some concern about the fuse box as the breakers seem to get hot. The mayor said that we'd check that out with Bob Call.

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

Respectfully submitted,

Cheryl Brown,
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JULY 26, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

AUGUST 9, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

AUGUST 23, 2006

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

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

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

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

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

Mayor Young arrived at this time.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 13, 2006

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

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

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

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

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

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

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

The grants being pursued are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dannar has been told by Cingular that the phones can be upgraded to camera phones even though the contract isn't up until sometime in November. The pictures can be downloaded into a computer. Dannar said that the new phones would be \$59.99 each with a \$30 rebate on each phone. They would also have a data pack to allow the phones to access the internet for text messaging, and emailing pictures. Dannar said that this data pack is \$9.99 which would allow for 400 messages per month. There's also a one-time fee of \$3.99 to access local radar. Currently the city pays about \$110/month for all 4 cell phones, and the new phones would cost about \$149.99/month with the data packs. The minutes would increase from 825/month to 1400 minutes/month. Bruce Smith asked if they're having trouble with the phones, or if they're just wanting to update. He asked why they wanted phones with a camera. Chief Harmison said that they always carry their phones, where the 35mm camera is kept in the car. Dannar said that maintenance will be able to take pictures of work areas, etc. He was asked if the new phones would have better reception. Dannar has been told by the Osage County officers there's only a couple of places in the county where they don't get good reception using the phones that Dannar is requesting. The council agreed by consensus to proceed with upgrading the cell phones.

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

SEPTEMBER 27, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

OCTOBER 11, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl Brown, City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

OCTOBER 25, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

NOVEMBER 8, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

DECEMBER 13, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The council thanked them for coming.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____