

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 12, 2005

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

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

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

MINUTES / WARRANTS: Ira Allen moved to approve the minutes of the December 22, 2004 meeting as written. Jim Gates seconded; motion carried 5-0.

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

SEWER PROJECT: Cheryl Brown said that one bid for the pre-treatment tank has been received, and apparently the bid opening will be January 24<sup>th</sup> at 1:30 PM. There was a brief discussion concerning the project, but the matter was tabled due to Vic Robbin's absence.

INSURANCE CLAIMS: Ira Allen said that he's not received any new information regarding claims from Carl Anderson or Bruce Cole. Mayor Young said that the Anderson's are meeting with an attorney next week.

GRANT APPLICATION PROPOSAL: Donna Crawford, Governmental Assistance Services, has submitted a proposal for applying for 2005 grant funds to continue the Wastewater System improvements. Jim Gates moved to hire Crawford at a fee of \$5,450.00 to do the application. Bruce Smith seconded; motion carried 5-0. There was some discussion about the timing of the grant funds and the time limits set by KDHE.

BUILDING INSPECTION TRAINING: No additional information about other training locations and times was available; matter tabled.

OFFICIAL 2005 DESIGNATIONS: Jim Gates moved to name Kansas State Bank and First Security Bank as official depositories; Bruce Smith seconded. Motion carried 5-0.

Rich Hamit made a motion, seconded by Bruce Smith, to authorize the following to sign checks: Jack Young, Patty Hylton, Cheryl Brown, Jim Gates, Bruce Smith and Ira Allen as three signatures are required. Motion carried 5-0.

Cheryl Brown said that for some reason, no one from the Chronicle has been picking up articles or payments on Monday's and she either has to fax things or mail them. Jim Gates moved to designate the Osage County Herald as the city's official newspaper for 2005. David Gerisch seconded; motion carried 5-0. Brown will contact the Herald to get details on deadlines, etc.

EMPLOYEE SALARY REVIEW: Mayor Young asked if all the employee evaluations have been done and was told they are done. The clerk had provided current salary and retirement rates for the council's use. Smith asked if the council is looking at doing something different than what's been done in the past where raises have pretty much been across the board since evaluations have been done. The mayor said that he thinks the evaluations should be more in order before raises are tied to them. There was discussion about the actual forms being used for the evaluations being the problem rather than the employee's job performance. Brown suggested that the council go into executive session if the discussion is on a personal level. Smith stated that unless the evaluations are being applied, that everyone would probably be treated in general. Smith also asked if 3% raises hadn't been considered when the 2005 budget was approved. There was discussion about the retirement benefits being included in the "raise" process. The mayor asked if anyone had thought about setting up some kind of tax-deferred fund for those not covered by the Kansas Police and Fireman retirement. The city cannot increase the amount deposited into KPERS for Brown and Call to equal the amount for Harmison and Dannar. It was tabled until we can ask the auditor about legal options. Jim Gates said that overtime pay needs to be discussed, too. The mayor said that he thinks that we should forget about talking about overtime and let the departments be responsible for how much they spend on overtime. Smith said that he understands what the mayor means, the council still needs to monitor it and not let overtime pay be another source of income. Ira Allen made a motion, seconded by Jim Gates, to give a 3% cost of living raise to all hourly-paid employees effective January 1,

2005. This would exclude the municipal court judge, court clerk and treasurer. Motion carried 5-0. Rich Hamit moved to raise the treasurer's salary to \$100/month. Jim Gates seconded; motion carried 5-0. Gates said that Bob Call has been taking compensatory time off rather than being paid salary for overtime, and he thinks it should be discussed. This will be on the agenda for the next meeting.

**OSAGE COUNTY CONCERNS:** Mayor Young said he had been approached by the county commissioners while at the courthouse to discuss the city's lagoons. The county has received a complaint about raw sewage being discharged from the lagoons. The mayor gave them a brief summary of the wastewater project. He was told that the county doesn't allow land application of sludge from lagoons. Young told them that this had been approved by Kansas Dept of Health and Environment. The commission would like a copy of the plan approved by KDHE. The council agreed to send a copy of the recent order from KDHE which states the requirements and a time-table for completion.

**COURT DOCUMENTS:** The mayor said that each council member has received a copy of the city attorney's opinion regarding "Notices To Appear" (tickets), and the way the process is being handled presently is the way it's going to stay. He has asked Judge Jones to write a policy for court matters, and there's no need for more discussion.

**LAW REPORT:** Chief Harmison reported that there were only 5 criminal cases for December and 11 citations issued. He also reviewed his 2004 summary report. There were 94 criminal cases compared to 131 in 2003. He's hoping to stay under 100 this year. Harmison also presented a break down of all the traffic citations issued which totaled 156 in 2004. He also said that Dannar was able to order the 2005 patrolcar at a lower price than authorized, and the dark blue color didn't cost any extra.

Harmison gave a brief report on the ice storm. He commended Westar and Wright's tree service for responding so quickly. He also reminded everyone that dog and cat tags are due now.

Chief Harmison also pointed out that the police department ended up in the black this year. Rich Hamit said that the police department and Bob Call deserve a pat on the back for the job they did. Mayor Young asked what can be done about the people dumping limbs on the south side of the road. Bob Call has put some caution tape up which will hopefully stop it. Call was told to see if that pile can be pushed over to where they're supposed to be.

Officer Dannar said he thought that the city should send a letter of thanks to Wright's tree service. The mayor and council agreed that Westar and all the other tree services should be thanked, too. Mayor Young suggested putting something in the Topeka paper expressing our thanks.

**MAINTENANCE REPORT:** Bob Call asked how long to leave the Christmas lights up. Rich Hamit said that he had been asked by someone to leave the lights up until a certain person returns from overseas. Hamit said he hadn't been able to contact this person, so the lights can be taken down whenever Call has time.

Call told the council that Osage City has a water jet for sale with an asking price of \$7500. Smith said that Overbrook has hired them in the past to clean sewer lines. The council asked Call to get some more information about the hours on it, and the tank size. Smith said that it would be a good buy considering the condition of some of the sewer lines. The mayor suggested that Call and Smith inspect it before the next meeting.

Well No 1 is down, and Call is thinking of having Patchens use the camera. He also said that Wells No 4 & 5 need new electric boxes. The consensus was for Call to get the boxes installed, and suggested getting some bids. Smith said that the wells used to have draw-down tubes that measured the water level and Call should have them installed as each well is being serviced..

Call said that the new sidewalk has been installed by the pool. The library steps have also been repaired. He said that he's still waiting on Donnie Bryant to contact him about replacing some waterline. The council said that Call should tell Bryant that if he doesn't set a time, that the job will be put up for bids. Taking bids will delay the project, but necessary in order to use the water loan money if Bryant is not the contractor.

Call said that the backhoe needs the brakes repaired or replaced and will be taking it to Marshall's. One side locks up.

Smith asked how the lift stations did during the power outage. Call said that he kept them warm, but neither one wanted to start back up. He just moved the generator around between the lift stations and the wells trying to keep them from freezing. Smith said that his water district has a generator for sale that the city might be interested in. He'll bring more details in to the office soon. Gates asked how long the lift station can go without electricity and Call said probably about 6 hours. Call said that he could use another generator to keep things running. After discussion, the council agreed by consensus to have Call get some propane heaters.

The clerk told the council that since the building is settling, a lot of air comes in along the floor on the south side of city hall. Call has said that he might find some kind of insulation to fill the space.

The mayor said that someday replacing this building will have to be considered. He then said that he's been contacted about the city being reimbursed by FEMA for damages caused by the ice storm. This would include salary, equipment, gas, diesel, and other items. He will be meeting with them in Lyndon on Thursday morning.

Hamit asked Call if the lockers for the pool looked okay. Call said they look pretty good.

EXECUTIVE SESSION: Bruce Smith moved to go into executive session with Bob Call for 5 minutes; Jim Gates seconded. Bruce Smith then moved for another executive session with Gates seconding. Mayor Young called the meeting back to order with no action being taken.

TREASURER'S REPORT: Patty Hylton reported that all the funds ended with positive cash balances. Brown said that this was partly due to increasing the tax levy and also raising the water/sewer rates in the past year. Hylton reviewed the Annual Financial Report that will be published.

Hylton said that there is cash available to pay the full-time employees for half of their unused vacation, but it would come out of 2005 budget since the 2004 W-2's have been issued. There was discussion about what the personnel policy states about unused vacation. The policy states that an employee will be paid for half of the unused vacation hours, and carry the other half into the next year with the stipulation that it be used by June 30<sup>th</sup>. The council has voted to allow the employees to carry over more than half with no time limit on when it's used the past several years due to a lack of cash at the end of the year. Everette Dannar was concerned about not being able to use the hours carried over by June 30<sup>th</sup>. The clerk said that she will have these checks ready by the next pay day, but they'll be separate checks.

CLERK'S REPORT: Cheryl Brown reminded everyone that the deadline for council and mayor is noon, January 25<sup>th</sup> and the fee is \$5.00. When asked, she said that Larry Coursen and Bob Sisson have filed and Michael Blood and David Gerisch have asked for the filing forms.

COUNCILMEMBER COMMENTS: Rich Hamit made a motion, seconded by Bruce Smith, to pay for Patty Hylton and two other council members to attend a League seminar in Ottawa on January 21<sup>st</sup>. Motion carried 5-0.

MAYOR'S REPORT: Mayor Young again thanked Bob, Ed and Everette for their extra time during the ice storm.

AGENDA FOR NEXT MEETING: The council agreed by consensus to put the retirement fund, job evaluations, 2006 budget and personnel issues on the agenda for January 26<sup>th</sup>. The Planning Commission will be meeting Tuesday, January 18<sup>th</sup> for the first time. The mayor encouraged everyone to attend if possible.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried. The meeting adjourned at 8:52 PM.

Respectfully submitted,

Cheryl L. Brown  
City Clerk

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 26, 2005

MEMBERS PRESENT: Ira Allen, Bruce Smith, Rich Hamit, Mayor Jack Young, David Gerisch (7:08 PM).  
Jim Gates absent.

OTHERS PRESENT: Sue Martin, Vic Robbins, Patty Hylton, Bob Call, Ed Harmison, Everette Dannar,  
Cheryl Brown

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

MINUTES/ WARRANTS: Ira Allen made a motion, seconded by Bruce Smith, to approve the minutes of the previous meeting as written. Motion carried 3-0.

Bruce Smith moved to pay the warrants. Ira Allen seconded; motion carried 3-0.

COMPREHENSIVE COMMITTEE: Sue Martin was present to discuss printing and mailing the surveys the committee has prepared. Several options were discussed. They are going to ask the banks, grocery store and library to be drop-off locations for the surveys as well as City Hall. If surveys are sent to Overbrook, rural route customers in Scranton, Carbondale, Quenemo, and Pomona the total would be approximately 2,399. The postage would be \$888.00 plus a printing fee of approximately \$465.00. Martin said she would get some more information from the printer and report back at the next meeting.

RETIREMENT FUND: Cheryl Brown said that Jim Long hasn't responded to inquiries about some kind of retirement fund for KPERS employees to match the benefits for KPF (Police and Firemen). The city contributes 11.67% for KPF, and 4.01% for other full-time employees. The matter was tabled.

JOB EVALUATIONS/DESCRIPTIONS: Mayor Young said that he would like the evaluation forms to be more specific to the actual job. Ira Allen said some kind of salary range should be included. Getting more information from the League and other cities was discussed. Things to be considered in developing pay ranges would include continuing education, licensing, as well as length of employment and job performance. The matter was tabled until a later meeting.

WATER/ SEWER REPORT: Ira Allen asked Vic Robbins why the local contractors weren't notified about the second bid regarding the pre-treatment tank. Robbins said the bid is for the tank only, and does not apply to the installation. The city received 4 bids for the tank. They are as follows:

1. Allied Concrete, Grandview Mo --- \$6810.75
2. D of K Concrete, Iola, Ks. -- 1089.50
3. Trigard Concrete, Belleville, Ks. -- 1321.00
4. Vanguard Products, Topeka, Ks. -- 3860.00

The bids from D of K Concrete and Trigard Products did not conform to the plans and specifications needed. After determining it met all the bid requirements, Rich Hamit moved to accept the bid from Vanguard Products for \$3860.00. Bruce Smith seconded, motion carried 4-0. Robbins said that a bid notice will have to be published for the installation of the pre-treatment tank.

Robbins then told the council that he has talked to Kansas Rural Water Association and the final map for the sewer system is almost done. There was discussion about the best way to mark the map for copying, etc.

Dean Beckman has completed 271 I & I inspections to this point. Robbins has reviewed them and has found approximately 45 that are definitely hooked to the sewer system, and another 30 that are questionable. So far, 200 or so are in compliance with the state and city requirements. Robbins will meet with Beckman before he sends in the first quarterly report to KDHE.

Robbins said that Cell No 4 at the lagoons had been de-watered, but they will have to start over again because of all the moisture from the snow and problems with the plug. Robbins did discover some problems with the piping when the cell was de-watered. There was some discussion about possible repairs.

Robbins told the council that he's still working on the plan for replacing waterline by Wrench Benders. He is waiting on Donnie Bryant to provide a cost-estimate for materials and labor.

The council agreed by consensus that Robbins can do the soil testing for Mid-Continent as he is licensed in Kansas. Mayor Young will need to sign a letter of agreement that Robbins will prepare.

**CONNECTING LINKS:** Rich Hamit made a motion, seconded by Bruce Smith, to NOT accept the Connecting Links agreement with Osage County. Motion carried 4-0. This enables the county to maintain the part of Maple Street that's within the city limits.

**KRWA MEETING:** Rich Hamit moved to send Bob Call to the Kansas Rural Water meetings in Wichita the last part of March. David Gerisch seconded; motion carried 4-0. As has been done in the past, the city will give Call an allowance for motel rooms, meals, and turnpike fees. The amount will be determined later.

**PLANNING COMMISSION:** The minutes of the first Planning Commission meeting were discussed. There was some discussion about the Commission's voting procedure. The clerk said that how the vote is done may have to refer back to Robert's Rules of Order.

**TRANSMISSION MAINT:** Mayor Young brought up taking the city vehicles to Topeka for more complete transmission maintenance. A complete flushing can not be done locally. The mayor said that his wife's nephew is the manager of Expert Tire where the "power" flushing can be done. The matter was tabled until more information about the costs, etc can be determined.

**CITIZEN LETTER:** Mayor Young brought up a letter received from Patricia Hulsopple of 508 Maple. She had a complaint about the response of the fire and police department on January 5<sup>th</sup>. She had called "911" to report a burning tree limb. There was no immediate response, and the limb eventually fell on some power lines. She was concerned that this would cause other fires and called "911" again. After awhile, she did see Chief Harmison in the alley observing the fire. According to her letter, Hulsopple was concerned that the limb could have landed on the roof or parked cars.

After reading the letter, the council agreed by consensus that the local fire and police departments handled the matter properly, and that electric lines need to be handled by Westar service people. It was also stated that the response time would have been affected by the number of fires and downed lines all over town. The mayor said he would write a letter to Hulsopple explaining that there were numerous emergency calls due to the extreme weather conditions.

**FEMA:** Mayor Young has received a letter saying that the Federal Emergency Management group had been scheduled to meet on January 24<sup>th</sup>, but hasn't heard any results from them as yet. He did ask Bob Call to keep track of bills received for work directly related to the storm damage. There was discussion about what expenses can apply to any reimbursement. Several people have asked the mayor about roadside limb pick up. The council agreed that providing a place for the limbs should be adequate.

**EXECUTIVE SESSION:** Bruce Smith moved to go into executive session to discuss matters not related to elected personnel. Rich Hamit seconded; meeting was recessed from 8:05 until 8:15 PM. No action was taken.

**POMONA LAKE PROJECT:** Bruce Smith reported that there should be more information concerning the project within the next 2 weeks. He handed out an info sheet comparing supply options from the City of Lawrence and the Pomona Lake project. He will keep the council informed.

**AQUA JET SEWER MACHINE:** Smith said that he's gathering information about new water jet sewer cleaners before making a decision about the used one that Osage City has for sale. It has some mechanical problems. He has also been checking out generators.

**2006 BUDGET PREP:** Patty Hylton had prepared a report showing annual budgeted expenditures compared to actual fund expenditures from 1998 through 2003. She thought this might be helpful in preparing the 2006 budget. She also gave them a chart of Actual Tax Rates, Property Valuations, and Tax Levied for the same years. Ira Allen asked if the next report could show the amount of tax revenue actually received compared to what was levied. The clerk said that each fund has a line showing tax receipts so that shouldn't be too difficult, depending on how many years we go back. Allen then said that they need to determine the amount of revenue to run the city, then see where that falls to decide how much tax to levy. The clerk explained that the amount of expenditures budgeted only gives authority to spend it, but does not necessarily mean the revenue will come to that amount.

David Gerisch gave a report on the Municipal Finance class he and Hylton had attended. He said the class really emphasized developing a Capital Improvement plan for at least 5 years. They said the plan needs to be put in writing and followed as closely as possible, understanding that some projects may

have to be moved around as far as time is concerned. Gerisch had received information about maintenance records to consider in replacing equipment. The main purpose of having the plan is to evaluate and prioritize each project, including the various means of financing the projects. Hylton said one thing they learned is to keep a running line of debt, such as bonds, rather than changing the tax levy every year. She also said that they recommended that city's develop a debt policy to give consistency from one council to the next.

She said the first step might be to inventory what we have, determine the life expectancy, and the amount needed to replace the items. Hylton said there are some good books that would give guidance. She was asked to price them and report back. There was discussion about economic development and how the city could make policies to encourage this. The Planning Commission could be useful in this matter. Hylton said that we need to watch how the state funds education as that may take away some of the revenue we get from the state in the future.

**JOB EVALUATIONS:** The mayor asked for a volunteer to look into salary ranges and step programs and other matters to be considered when evaluating employees to determine salaries. Allen said he would check into the Law Enforcement side, and Smith will check on the other departments. Hamit asked that more specific examples be studied. The clerk said that several examples were considered 2 years ago when the current one was selected. The mayor asked that they try to have this information at the second meeting in February.

**RECREATION COMMITTEE:** The mayor said that Dan Brown was asking about a recreation committee being formed. Hamit said he has contacted several people, and will try to have a meeting before the next council meeting.

**PERSONNEL ISSUES:** Bruce Smith made a motion, seconded by Ira Allen, to go into executive session for 10 minutes to discuss matters not related to elected personnel. Motion carried; meeting recessed. The mayor opened the meeting and stated that no decisions were made. They expect to make some decisions at the next meeting regarding individual salaries.

**COUNCILMEMBER COMMENTS:** Bruce Smith said he's looking forward to more information about the Pomona Lake project and future plans for the city. David Gerisch said that the class he attended really opened his eyes to how much there is to learn about budgeting. Ira Allen said that he feels that they really need to start focusing on the budgets for the next 5 years. Rich Hamit said he'd heard a rumor that the police department is buying the medical clinic building. It was verified to be strictly a rumor. He asked how many had filed for the April elections. The clerk said that 4 filed for council and 1 for mayor. Filing for council are Bob Sisson, Larry Coursen, David Gerisch, and Michael Blood. Jack Young has filed for mayor. The election will be the first Tuesday in April.

Bob Call told the council that he will on vacation the first week of February and that Justin DeShazer will cover.

There being no further business before the council, Bruce Smith moved to adjourn. David Gerisch seconded; meeting adjourned at 9:50 PM.

Respectfully submitted,

Cheryl L. Brown  
City Clerk

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

CITY OF OVERBROOK

MINUTES            REGULAR COUNCIL MEETING

FEBRUARY 9, 2005

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

OTHERS PRESENT:     Sue Martin, Bob Sisson, Vic Robbins, Sharon Gunter, Bob Call, Patty Hylton, Ed  
Harmison, Everette Dannar & Mike Gerisch (8:20), Mark Tomlinson (8:25), Cheryl  
Brown.

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

MINUTES / WARRANTS:     Bruce Smith made a motion, seconded by Ira Allen, to approve the minutes of  
the January 26, 2005 meeting as written. Motion carried 3-0.

Ira Allen moved to pay all warrants presented. Bruce Smith seconded; motion carried 3-0.

SURVEY MAILING:        Sue Martin presented the council with final costs for printing and mailing surveys  
that will be sent out as a first step in developing a comprehensive plan. The cost of the printing will be  
\$464.95 without them doing the tabbing. The postage for 2400 pieces will be \$888.00. This mailing will  
include Overbrook and surrounding rural routes. Martin then asked for opinions on how long people  
should be given to return the surveys. It was decided to allow a couple of weeks, or until March 11<sup>th</sup>.  
Martin is hoping to have them mailed by February 22<sup>nd</sup>.

WATER/SEWER PROJECT REPORT:     Vic Robbins reported that the pre-treatment tank should be done  
by March 1<sup>st</sup>. The bid notices for installing the tank have been published again, but he hasn't sent letters  
to the local contractors yet. The bids will be opened on February 25, 2005 at 11:30 AM.

Robbins said there isn't much to report on the de-sludging process. Mayor Young said Robbins  
might want to notify Mid-Continent to move the equipment left behind due to it being very close to the  
brush pile.

Robbins then told the council about the latest development on using the remaining waterline loan  
funds. KDHE has informed him that they would prefer the city submit a request that would include  
projects totaling the balance rather than just one small portion. They said this would avoid the  
appearance of the city trying to eliminate taking bids. And they also indicated that there's a possibility  
that only one more request would be granted, with the balance of the funds reverting back to the state.  
They will decide after receiving the application whether or not it should be re-bid or considered a change-  
order on the original project. The council agreed by consensus for Robbins and Bob Call work up another  
proposal to be submitted.

Robbins said he's working on reviewing the sewer hook-up inspection reports completed by Dean  
Beckman. There was discussion about the timing of the de-sludging process. The weather may force  
the postponing until this fall. Robbins recommended that we wait awhile longer. The timelines set by  
KDHE for lagoon improvements, as well as the city's plans were discussed. KDHE has set March 1, 2005  
as the deadline for the city's decision on whether to add to the existing lagoons, or build a new system in  
another location. Robbins said they also want a feasibility analysis on how the city would repay a loan.  
Bruce Smith asked if some engineering needs to be done at the existing site, and Robbins said he should  
probably take some readings. Ira Allen mentioned that there are time restrictions on crop insurance that  
also would allow for some more time to do the de-sludging. Ed Harmison mentioned the possibility of  
the city paying the land owner not to farm the acreage needed for the de-sludging. Others options were  
discussed. Mayor Young asked that the land owner be kept informed of the situation. Robbins reminded  
the council that the land owner has the right to cancel the process if they felt the process would damage  
their land.

CITIZEN CONCERN:        Sharon Gunter came before the council to ask what the city was going to do about  
the damage done to her yard during the inspection and cleaning of sewer lines. She said that the ruts  
made mowing very difficult as well as adding to the mowing time and damage to her mower. Mayor  
Young said that he has no problem with doing some grading and seeding, but added that repairing or  
replacing the manhole may cause more damage. Final decisions as to what exactly will be done haven't  
been made as yet. The mayor said that the city will do something before mowing season starts.

Gunter asked when the contract is up with Galaxy Cablevision. She has been keeping track of  
channels and times that are out of service for various reasons. The mayor said that while he agrees with

Gunter, none of the surrounding cable companies are interested in providing Overbrook with service at this time. Gunter then asked if there's some way that the city can pressure Galaxy to do a better job. David Gerisch said that Galaxy had informed us that they have no plans to provide more service. Gunter also said she's not happy about how her complaints are handled. The mayor said the city would do what it can, but wouldn't make any promises.

**RETIREMENT FUND:** Patty Hylton has learned from a KPERS employee that anything the city would do to compensate employees in KPERS for the extra being contributed to KPF would be considered as income, subject to taxes. One way to make this work would be to take the desired net amount and actually pay the gross. Hylton was told another option would be for the city to actually set up another pension plan. Ira Allen said that one option would be to pay an adjusted wage, and let the employee buy their own qualified plan to defer taxes. The matter was tabled until a later meeting and get more information about qualified accounts.

**EXECUTIVE SESSION:** Rich Hamit moved to go into executive session for 5 minutes. Ira Allen seconded; meeting recessed from 8:52 until 8:59 PM. Mayor Young called the meeting back to order at which time Bruce Smith made a motion, seconded by Rich Hamit, to raise Bob Call's salary by \$2/hour effective this pay period. Motion carried 4-0.

**RECREATION COMMITTEE:** Rich Hamit said he had scheduled a meeting with members of the Ball Association and school officials, but no one from the schools attended. Hamit presented the council with some facts and figures regarding expenses and concerns. Hamit suggested that the city pay for some of the costs, such as field maintenance and maybe donate something for equipment. Some of the long range plan includes building a new diamond, and a small shed/scoring stand between the diamonds. Among the immediate needs are fixing the backstops. Mayor Young said that fixing the backstops could cost as much as \$10,000. The possibility of applying for Jones Fund for the new construction was mentioned. Hamit also said they've had problems with the main electrical box. Bob Call said he wasn't aware of this problem, but would have it checked. Another item was the water line and hydrant between the diamonds. Call said he had proposed running water to the maintenance shop at the same time, but the council had never voted on the bid from G & G Excavation. Hamit mentioned that there's a need for an extra pole to hold up a safety net between the diamonds. Someone needs to check with Westar about the pole.

Bob Call presented the original bid on installing water lines and a hydrant from G & G's for \$1750. Rich Hamit moved to approve the bid. Bruce Smith seconded; motion carried 4-0. After more discussion, Rich Hamit made a motion, seconded by Bruce Smith, to pay \$1050 for field maintenance and give the ball association \$500 for equipment, totaling \$1550. Mayor Young asked how much control the city would have over the person hired to pick up trash. Several times the trash cans overflow and trash blows everywhere making it difficult for city employees to mow. The vote on the above-stated motion was 2-2, with Mayor Young voting No to break the tie. There was discussion about the best way to fund whatever the council does approve. Ira Allen moved to pay the Ball Association \$1550 for field maintenance and a new chalker. Bruce Smith seconded; motion carried 3-1.

Hamit said that he will be visiting with Rachael Strohm about the pool.

**LAW REPORT:** Chief Ed Harmison reviewed his written report for the council. Harmison then told the council that Mike Gerisch is working for the police as a non-paid reserve officer. Gerisch has qualified on the shooting range, and works full-time as a dispatcher for Osage County Sheriff.

Harmison said that the new patrolcar should be in next week. Harmison then asked if the council wants to pay an additional amount as a downpayment from the \$6500 left from 2004. Dannar then asked what he needs to do to take possession of the car. He was told to check with Olathe Ford and then Kansas State Bank who will be doing the lease. Ira Allen suggested \$5,000 as a downpayment and using the remaining funds to cover the graphics, and equipment transfer costs. Mayor Young said that he was thinking that since this year's budget is tight, maybe the funds should be kept available and not used for additional payment on the new car. Patty Hylton's opinion was that the budget should be okay even with the additional downpayment. Ira Allen moved to pay an additional \$5,000. David Gerisch seconded; motion carried 4-0.

Chief Harmison reported that he's applied for training for himself and Dannar in Wichita at no cost to the city except for part-time coverage while they're gone. He did ask the council to consider applying for a credit card so that employees don't have to pay for expenses such as motels and meals and then wait to be reimbursed. The card(s) would be kept in City Hall and checked out only when necessary. The mayor brought up establishing a limit, such as \$500 with additional expenses considered on an individual basis. Ira Allen said that unauthorized purchases would be deducted from paychecks. After discussing

the matter, Rich Hamit made a motion, seconded by Bruce Smith, to approve applying for a credit card with a minimum \$1,000 credit limit from one of the local banks. Motion carried 4-0. Consensus was to get two cards in the event the police department and maintenance department needs them at the same time, with each supervisor being responsible for a card.

Harmison then told the council about the experience he and Dannar had while serving a warrant in Topeka. He also told the council that court had been cancelled for the second month in a row. There was discussion about holding back the judge's salary for the current month. The clerk said that in the past, the previous judge had been told that he wouldn't be paid for the second month without court being held. Consensus was to pay Judge Jone's salary, but to consider some kind of a policy in the future.

**MAINTENANCE REPORT:** Bob Call said that Osage City has told him that the city should make an offer on the water jet machine. After discussion, the council agreed by consensus to offer \$2500, expecting additional expense for repairs. Bruce Smith said that spending another \$2500 for repairs would still be a good investment.

Call asked what pole is needed at Jones Park. Hamit explained that it's needed to support the safety net between the diamonds. Hamit said he would have someone from the ball association talk to Call about the pole and the hydrant and the electrical box. There's also a possibility of moving the scoreboards.

The bid for replacing the electrical boxes at the wells came in at \$4800 from Patchen's, but it includes more than what Call asked for. Call told the council that we should be able to replace several areas of problem waterline with the remaining \$28,000 KDHE loan proceeds.

Call said that repairs to the west lift station caused damage to Gloss's yard which will have to be taken care of when the weather is better. The dump truck is stuck at the cemetery where Call was turning around, and a broken valve stem is being repaired on the back hoe. There was discussion about all the problems with the hydraulics and hoses on the dump truck. Mayor Young suggested putting a skidloader on the long-range plan maintenance list. This could be part of a Capital Improvement project.

Call said he's been working on the annual water report for the state. He also reported that the lumberyard has been bought, and may be open by March 1<sup>st</sup> which will save him lots of trips to Lawrence or Topeka.

He thanked the council for the raise in salary.

**TREASURER'S REPORT:** Patty Hylton reviewed the previous month's fund reports. She told the council that she's started making transfers for the Equipment Reserve fund, and this year she's transferring the budgeted \$10,000 from the General fund into the Pool fund at the beginning of the year with ALL pool expenses coming out of the pool. Hylton also said that the necessary amount needed to pay this year's Waterline project loan payments has been transferred from Water/Sewer. She will be setting up budgeted transfers out of General, Law, and Water/Sewer into an Employee Benefit line so that it's easier to determine what's available.

The mayor asked Hylton what needs to be done to get the vehicle maintenance records started. The clerk said that there might be logs available through one of the office supply stores. The mayor thought maybe a small ringed binder would work. David Gerisch had a couple of prices for the books recommended at the municipal finance class he and Hylton attended. He'll do some more checking on availability and prices.

**POMONA LAKE WATER PROJECT:** Bruce Smith reported that he's still waiting on information from Patchen's about drilling new wells while the Pomona Lake project is still in the preliminary phase.

**COUNCILMEMBER COMMENTS:** Ira Allen asked if the city should pursue getting insurance quotes from other sources before the policy renews in April. Allen also said that the subject of the city asking for a refund from Galaxy Cablevision was possible. This refund would be due to Galaxy not providing service for several days after the ice storm, but billing the same amount as usual. Smith said that it probably wouldn't do any good as the ice storm is considered an act of nature, and not the direct fault of Galaxy.

Allen also stated that he didn't think that it's necessary for the clerk to deliver packets before council meetings. Brown said she didn't mind delivering them unless the streets and driveways are icy. Most of the council can pick them up on the day before or the day of council meeting. It was consensus to allow Brown to make the decision regarding packets, but with the understanding that the city isn't responsible for damage to her vehicle while delivering them.

Rich Hamit asked if the mayor had contacted Patricia Hulsopple regarding her letter discussed at the previous meeting. The mayor said he hadn't talked to her, but if contacted would try to explain the council's position.

Hamit asked what we should do about the zero-entry area at the pool to keep it from being so slick. Gerisch said he would contact the man who painted the pool last year to see if he has any ideas. Hamit suggested that a bid for the non-skid surface and concrete repairs be asked for as soon as possible.

MAYOR'S REPORT: Mayor Young asked that the retirement fund, job evaluation forms, and salary ranges be the agenda for the next meeting.

The Planning Commission will be meeting on February 15, 2005 at 7:00 PM at City Hall.

There being no further business before the council, Rich Hamit moved to adjourn. Bruce Smith seconded; motion carried and adjournment was at 9:52 PM.

Respectfully submitted,

Cheryl L Brown  
City Clerk

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 23, 2005

MEMBERS PRESENT: Bruce Smith, Jim Gates, Ira Allen, Mayor Jack Young, David Gerisch (7:40), Rich Hamit (7:50).

OTHERS PRESENT: Marcus Day, Marian Massoth, Ed Harmison, Cheryl Brown, Everette Dannar, Mike Gerisch (7:55), Michael Blood (8:15).

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

MINUTES: There was discussion about what expenses were approved as requested by the Overbrook Ball Association. Cheryl Brown said she had used the same wording as she heard it on the tape, but would recheck the tape before issuing a check. Ira Allen also asked about the request for a waterline between the diamonds and was told that it was approved in a separate motion. At that point, Bruce Smith moved to approve the minutes. Ira Allen seconded; motion carried 3-0.

Bruce Smith made a motion, seconded by Ira Allen, to pay the warrants presented. Motion carried 3-0.

LIBRARY BOARD: Ira Allen moved to appoint Joanna Brady to serve the remainder of Peggy Waldman's term. Waldman resigned when she accepted the position of Librarian. Bruce Smith seconded; motion carried 3-0.

INTRODUCTION: Cheryl Brown introduced Marcus Day who was present to take notes for the Osage County Herald.

NOTICE OF CLAIM: Mayor Young said that the city has received a Notice of Claim from attorneys representing Carl and Theresa Anderson. The claim is for \$30,000.00 in actual economic damages, with the total cost of basement restoration still unknown. The clerk was instructed to send the documents to Scott Thompson, of Citizens Insurance.

JOB EVALUATION FORMS: Chief Harmison gave the council forms from Ottawa and the League of Kansas Municipalities, but didn't find any evaluation forms made specifically for police departments. After looking at all the different forms, some previously studied, the council agreed by consensus to limit the choices to the ones from Emporia, Ottawa, and the one titled Management Employee Performance Appraisal. It was also suggested that the job descriptions be incorporated into the evaluations if possible. The matter was tabled until the March 23<sup>rd</sup> meeting.

WATER/SEWER PROJECTS: Marian Massoth was present to report in the absence of Vic Robbins. The first matter to be considered was the engineer's report on choices for the Lagoon System Upgrading options. After considerable discussion, Jim Gates made a motion, seconded by Bruce Smith, to accept Option No 1 as the first choice, depending on the results of core drilling. Option No 2 would then be the accepted choice. Motion carried 3-0. Option No 1 is to construct a new gravity-flow primary cell at the north end of the current primary cells. Option No 2 is to construct a new pumped-flow primary cell north of the existing primary cells. KDHE has ordered the city to make a decision by March 1, 2005.

Either option has to be approved by KDHE, but Robbins and Massoth think that they will approve either choice. Option No 3 would require constructing a new final cell on the west side of Shawnee Heights Rd, and Option No 4 would be constructing a new 3-cell lagoon system north of Overbrook. The estimated cost of Option No 4 is \$775,000.00 compared to approximately \$120,000.00 for Option No 1. The report is available to public inspection during regular city hall hours.

Massoth said that Robbins is still hoping for the de-sludging to be done this spring, and not having to be postponed until fall.

Robbins has prepared a Description of Work to replace designated water lines using the balance of the Public Water Supply loan. Robbins is still working on prioritizing the sewer and manhole repair scheduling. The deadline for completing the sewer hook-up inspections was discussed. Mayor Young said that Beckman has completed most of them, but there are about 30 that either have refused to be inspected, or are never available to meet with Dean Beckman. The council will need to compose a letter to deal with this problem. The bids for installing the pre-treatment tank will be opened on Friday, February 25<sup>th</sup> at 11:30 AM.

**RETIREMENT FUND:** Mayor Young said that he hasn't been able to get more information on what plans are available to the city for the purpose of balancing the retirement paid among all full-time employees. The matter was also tabled until the second meeting in March. Smith, Allen and Hamit are to check into several options that might be acceptable.

**SALARY RANGE:** Chief Harmison gave the council material from Osage City, Topeka Police, Ottawa, and the Kansas National Guard in reference to pay scales and salary increases. The matter was tabled until the March 23<sup>rd</sup> meeting. Rich Hamit said he would try to have the one used by the state of Kansas at that meeting.

**COUNCILMEMBER COMMENTS:** Bruce Smith said that an engineer's review for the Pomona Lake Project will be held on February 28<sup>th</sup>. Three proposals will be presented at the meeting by Bartlett & West.

David Gerisch said he was unable to contact James Herrick about working on the pool. Gerisch said he still hasn't gotten any information from MediaCom regarding cable service. The contract with Galaxy expires in November, 2005. Several council members were surprised that Galaxy hasn't come to pursue renewing the contract. Gerisch said that if no other company wants to provide cable, that he recommends a shorter contract period with Galaxy.

Jim Gates asked if anyone has contacted Westar about providing power to the city lake area. The clerk said that Bob Call told her that more definite information about the needs of lighting for the Trails' project is needed to determine the supply.

Ira Allen told the quote from Employers Mutual Insurance for this year's coverage is \$21,682.00. Mayor Young asked what other insurance providers could be contacted for quotes, other than the league. Allen said that Employers Mutual is one of the best companies. Allen asked if the city lake is an "open" lake now. The clerk said that it's been an open lake - no city license required- as of the date on the ordinance. Chief Harmison said he has had large copies of the ordinance that will be posted on both sides of the lake.

Rich Hamit said that Dan Brown is to contact Bob Call about the water line and hydrant for Jones Park. The council agreed by consensus that the motion was for \$1350 to pay for the maintenance and the chalker. The clerk will check the tape and her notes again and issue the check soon.

Hamit said that he has a problem with the new DSL promotion from Sprint. The price is lower than what residents are currently paying. The clerk said she would contact Carolyn Gaston about the matter.

Rachael Strohm has not been contacted about managing the pool this summer, but Hamit will keep trying to reach her.

Hamit said that he thinks the city should pursue setting up a website. Brown said that the city channel is not working, and has not had any response about repairing it. Brown said that someone would need to take responsibility for maintaining the website. Hamit suggested someone at the library might be interested. Michael Blood said that his father builds and maintains websites. He was asked to talk to him about doing one for the city.

Gerisch said that he's had several people ask him about updating the city motto of "Don't Overlook Overbrook". Mayor Young said that he's personally proud of that motto. The matter was tabled.

Bruce Smith said that the Kansas Rural Water meetings are March 29, 30, and 31<sup>st</sup> in Wichita and encouraged people to attend if possible.

**MAYOR'S REPORT:** Mayor Young presented material given to him by Larry Woodson regarding Neighborhood Revitalization Plan. The clerk will make copies for the council to review and discuss at the next meeting.

**CITIZEN'S COMMENTS:** Michael Blood asked what lights were being discussed earlier, and was told that the city needs electricity to run the aerators at the city lake, and the plans are to have some kind of lighting along the trail. At this time, we are using electricity from the fairgrounds.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded the motion; meeting was adjourned at 9:02 PM.

Respectfully submitted,

Cheryl L. Brown  
City Clerk

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 23, 2005

MEMBERS PRESENT: Ira Allen, Rich Hamit, Bruce Smith, Jim Gates, David Gerisch (7:08 PM), Mayor Jack Young.

OTHERS PRESENT: Joni Hudson, Jenny Nichols, Ed Harmison, Cheryl Brown.

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

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the March 9, 2005 meeting as written. Jim Gates seconded; motion carried 4-0.

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

LETTER REGARDING SEWER HOOK-UP'S: The draft letters prepared by Michael Coffman, City Attorney, were reviewed. One letter will be sent to those property owners who have not been inspected. Dean Beckman has attempted to contact the owners, but has been unable to for one reason or another. A few owners have denied Beckman access. The second letter is to be sent to property owners known to be out of compliance. The council agreed by consensus to have Michael Coffman sign the first letter regarding inspecting the property, and Bob Call to sign the second letter for non-compliance. There was discussion about what the city could do to assist homeowners determine exactly where their drains empty.

It was decided that Bob Call and Vic Robbins will work together on sending the second letter, and October 31, 2005 will be the deadline for making corrections, providing this meets with the KDHE deadline.

POOL/TRAINING: Rich Hamit informed the council that Joni Hudson would like to take a LifeGuard training course to enable her to train others to lifeguard. The class costs \$125.00. Hudson would also be paid \$10/hr while teaching the class. Rich Hamit made a motion, seconded by Bruce Smith, to pay \$125 for Joni Hudson to take the LGI class, a salary of \$10/hr while teaching the class, and to set the training fee at \$75 for non-employee students. Motion carried 5-0. This is contingent on Hudson's getting into the training class. Employed students will pay \$25 to cover the cost of materials.

DUMP TRUCK REPAIRS: Mayor Young said Marshall's Automotive has given an estimate of \$1500-2000 to fix the hydraulic problem on the dumptruck. According to Bob Call, there are several other problems that will need repairs. The council agreed to have Bob Call see what's available in the used-truck market.

HEALTH INSURANCE: Bruce Smith moved to approve the 2005-2006 contract with Blue Cross Blue Shield to provide health insurance. Rich Hamit seconded; motion carried 5-0.

DISASTER OPERATIONS: The clerk reminded the council that registrations for the Disaster Operations seminar on April 14<sup>th</sup> need to be sent by April 8<sup>th</sup>. The cost is \$35 per person. Bruce Smith made a motion, seconded by David Gerisch, to send up to 2 people to the seminar. Motion carried 5-0.

RETIREMENT FUND: The mayor said that Brian Luther is going to have someone contact us about what can be done for Call and Brown's retirement in order to equalize what the city pays for the police department.

JOB EVALUATIONS/SALARY RANGE: Rich Hamit will check with the League about helping us put together job evaluations that would be more specific for the city. After discussion, it was decided that Rich Hamit and David Gerisch would research salary ranges and Ira Allen and Bruce Smith would work on job evaluations. These subjects will be discussed at the second meeting in April.

BUDGET WORKSHOPS: Cheryl Brown reminded Mayor Young, Ira Allen, Bruce Smith and David Gerisch that they've signed up to attend workshops on April 29<sup>th</sup> in Topeka. The mayor, Smith and Gerisch have

also signed up for a budget seminar on June 1<sup>st</sup>. Gerisch said that his attending would depend on his being re-elected. Ira Allen said that whoever is elected should go since it pertains to budgets.

COUNCILMEMBER COMMENTS: Bruce Smith said that he should have more information about the water supply project in April.

David Gerisch said he still hasn't heard from James Herrick about painting the pool.

Ira Allen asked how the de-sludging is progressing. The mayor said that he didn't see any activity the last time he was at the lagoons.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting for 5 minutes to discuss matters not related to elected personnel. Motion carried: meeting recessed from 8:10 - 8:15 PM. The mayor called the meeting back to order; no action taken.

MAYOR'S REPORT: Mayor Young asked the council to consider an enterprise promotion for Overbrook such as the one Osage City has started.

The mayor reported that all the paperwork is in, and all the work has been completed enough to be submitted. There was about \$15,000.00 worth of qualified bills, of which we could be reimbursed for 85% or about \$12,750.00. We should know about the final approval by the end of April, but there's no specific date for receiving the money.

COMMENTS: Ed Harmison said that main street is in need of some assistance, whether it comes from PRIDE or the city. He suggested having a work day. Ira Allen said this has been discussed at a PRIDE meeting but no date has been set. The mayor said that the city's backhoe could be used, provided the operator is qualified.

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

Submitted,

Cheryl L. Brown  
City Clerk

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MARCH 9, 2005

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

OTHERS PRESENT: Marcus Day, Bob Sisson, Vic Robbins, Ed Harmison, Patty Hylton, Bob Call, Cheryl Brown

Mayor Young called the meeting to order by establishing the presence of a quorum at 7:00 PM.

MINUTES / WARRANTS: Bruce Smith made a motion to approve the minutes of the February 23, 2005 meeting as written. Ira Allen seconded; motion carried 5-0.

Ira Allen moved to pay all warrants; Rich Hamit seconded and the motion carried 5-0.

CORRECTION TO BALL ASSOCIATION DONATION: Cheryl Brown reported that she had misunderstood Ira Allen saying "chalker" instead of "chalk" which explained why she thought the amount to be given was \$1550 rather than the actual \$1350.

WEBSITE FOR CITY: David Gerisch said that Michael Blood has a bid for developing a website, but is unable to attend due to being out of town tonight. Tabled until a future meeting.

NEIGHBORHOOD REVITALIZATION PLAN: This plan would abate collecting property taxes on property improvements for five years. The council agreed to pursue the plan.

CLAIMS FROM ANDERSON'S: Employers Mutual Insurance has turned the claim from Carl and Teresa Anderson over to their legal adjustor, Tim Hoffman. Ira Allen also said that a claim from Ace Pipe Cleaning has been submitted, and the city needs to pay the deductible but doesn't have the invoice at this time.

WATER/SEWER PROJECT REPORT: Vic Robbins was present to update information. Three bids for installing the pre-treatment tank were received: D&D Excavation for \$4200, S&S Plumbing for \$7800, and Markley Ditching for \$9500. Robbins is satisfied with D&D Excavation being able to complete the job requirements. After discussion, Jim Gates moved to award the bid for installing the pre-treatment tank to D&D Excavating for \$4200. Bruce Smith seconded; motion carried 5-0. Robbins said he will send D&D Excavation the notice of award. The council agreed to a 30-day completion period.

Robbins said that he has visited with Galen Kennedy and the contractors about how much more time the city has to do the de-sludging. It has been agreed that we have a couple more weeks to get it done. The brush pile has been burned, so that's not an obstacle. Robbins said that if the weather doesn't cooperate the process will have to wait until the fall.

KDHE will accept additional waterline replacement as a change-order to the original contract, but wants one project rather than several smaller jobs. Robbins and Bob Call have talked to Donnie Bryant about submitting an estimate for as much as can be done with the remaining loan proceeds.

Robbins said that he's sent a letter of notice to KDHE stating the city has chosen Option NO 1 which is to add a gravity-flow cell provided it can be excavated.

He reported that as of February 18<sup>th</sup> 354 inspections have been done, 8 owners have refused to be inspected, and approximately 75 appear to be a problem. Beckman has about 30 that he has been unable to inspect because of not being able to make contact with the owners. Jim Gates asked if any who were found to be out of compliance have made corrections. The mayor said he had been contacted by one such person who was very upset because they couldn't afford to do it at this time. Rich Hamit said he knows of some that have been corrected. Follow-up inspections were discussed. Robbins said that the KDHE consent order requires that the city submit a report regarding the findings of the inspections by April 1, 2005. The council agreed that the number that have refused to be inspected and the ones to be inspected be included in the non-compliance total. Robbins said he would talk to Dean Beckman about the ones to be inspected. The council agreed by consensus to have Michael Coffman draft a letter to be sent to the property owners as a last notice to be inspected. A decision will have to be made regarding the next step for those who still refuse the inspection.

Robbins said that he hopes to have a report on the sewer rehabilitation plan ready for the first meeting in April. Robbins said he will be on vacation the week of the next council meeting.

**PROPERTY AT 201 TRAIL DRIVE:** Mayor Young presented a letter from Gary Kentch, a realtor referring to the building at 201 Trail Drive being out of compliance with the required setback of 30' from the property line. It is unknown whether this was done deliberately or accidentally. The property was sold as is, but Kentch is concerned about future problems. Kentch is wanting a letter from the council granting a variance, but the council agreed that this needs to be referred to the Planning Commission for review.

**CABLE SERVICE:** There was discussion about contacting other cable service providers before the franchise contract expires with Galaxy Cablevision in November, 2005. Rich Hamit has talked to someone from MediaCom who indicated that they need to wait until we get Galaxy's proposal before MediaCom would be willing to talk to us. The council agreed by consensus that Galaxy should be contacted to appear for discussion at the first meeting in April if possible.

**POOL MANAGER:** Rich Hamit informed the council that as Rachael Strohm is expecting a baby in May, she does not want to manage the pool this summer. An ad will be run in the local papers for three weeks and the salary will be determined by the experience and qualifications of the person to be hired.

**POMONA LAKE WATER PROJECT:** Ira Allen reported that the city's initial cost to participate could be as much as \$80,000. He recommends that due to a lack of that kind of funding in the current budget, the city work out an agreement with Osage Rural Water District NO 5 to continue buying water from them, possibly increasing the amount available to the city.

**LAW REPORT:** Chief Ed Harmison reviewed his written report for the council. Harmison told the council that he had a fax line installed for the police department in January. The number is 785-665-7236. Harmison said the new patrolcar is in service, and the 1999 will be taken to Olathe Ford in the morning.

**MAINTENANCE REPORT:** Bob Call told the council that he and Vic Robbins are going to be looking at possible solutions to the water run-off problem in the alley behind the post office and First Security Bank. The water is coming from the next block north, and causes potholes and erosion in the alley.

Call asked David Gerisch if he'd talked to Herrick about working on the pool this spring. Gerisch said Herrick has not returned his calls, so Call was told to contact some others.

Bob Call asked for approval to use Justin DeShazer again this summer for up to 30 hours a week. The council will discuss salary later in the meeting.

Call said that the brush pile has been burned. Rich Hamit asked if Call has been contacted by the ball association about the waterline, electricity and an extra pole at Jones Park. Call said that he hasn't talked to anyone, but that he's told Goodyear that the waterline is to be installed after the water is turned on later this spring. Call said he usually does this the end of March. Call also said one more stool needs to be replaced as it's cracked, and replace the urinal this spring. The council approved the repairs.

The mayor asked if the dump truck is being repaired, and Call said it's at Marshall's.

**TREASURER'S REPORT:** Patty Hylton reported that the funds seem to be in good shape, with nothing out of the ordinary this past month. She has started plugging some numbers into the 2005 budget, and intends to have more at the first meeting in April. Mayor Young asked if the Water/Sewer fund will support a pay raise for DeShazier. Hylton said that it could in her opinion. She said that there is approximately \$43,000 of expenses to be reimbursed from the Wastewater loan and grant as soon as the paperwork can be submitted.

Hylton said that she had tried to do some research on retirement funds as requested by Ira Allen, but she recommends talking to someone who does financial planning. The council agreed to ask Brian Luther to the March 23<sup>rd</sup> meeting to discuss retirement funding. This is being pursued to adjust the city's share of Call and Brown's retirement to that of Harmison and Dannar's. Currently, Brown and Call are receiving 4.01% of gross salary compared to 11.67% for Harmison and Dannar. This amount is paid into KPERS and KPF before taxes are taken out, with the taxes to be paid upon withdrawal.

**CLERK'S REPORT:** Cheryl Brown asked that the "No Parking" sign be replaced by the planter on the east side of City Hall. The old sign rusted out and was never replaced. Mayor Young also asked that the street alongside the planter be painted "No Parking".

Brown said that Osage Waste Disposal will most likely be at the first meeting in April to discuss renewing the contract. The council agreed by consensus to discuss the contract rather than take bids from other contractors.

Brown presented the council with the new contract rates from Blue Cross Blue Shield to be renewed on May 1, 2005. The employee/single coverage would increase from \$364.18 to \$394.54 and the employee/family coverage would increase from \$1118.48 to \$1211.75 or about 8%. At this time, Brown is the only employee on the single plan and Harmison is the only one on the family plan.

EXECUTIVE SESSION: David Gerisch made a motion, seconded by Bruce Smith, to go into executive session to discuss matters not related to elected persons. Motion carried; meeting recessed from 8:32 to 8:37 pm. Meeting back to order when Gerisch moved to recess again from 8:37 until 8:42 pm. Smith seconded; motion carried.

Mayor Young called the meeting back to order at 8:42. Jim Gates moved to raise Justin DeShazer's salary \$.50/hr at this time and another \$.50/hr upon getting his CDL with the city paying for the CDL exam. David Gerisch seconded the motion; carried 5-0.

COUNCILMEMBER COMMENTS: Jim Gates said that the Rotary Club has had to return the funds they were going to use for benches along the Trail's project at this time, but will re-apply at a later time.

Rich Hamit told the council that he's given them the state's civil service pay plan to use as an example. He also encouraged everyone to visit the Overbrook Home Center and meet the new owners, Mac and Lori Barnett.

MAYOR'S REPORT: Mayor Young said that he will be meeting with the FEMA people on Thursday at 1 PM again. They are still gathering information about benefit hours, salary and known expenses.

Ira Allen asked if the governing body id pictures are ready. Gerisch said they should be done soon as he is able to use his color printer again.

There being no further business before the council, Jim Gates moved to adjourn. David Gerisch seconded, and the meeting closed at 8:50 PM>

Respectfully submitted,

Cheryl L Brown

City Clerk

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 13, 2005

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

OTHERS PRESENT: Bob Sisson, Larry Coursen, Vic Robbins, Mike Dickerson (Osage County Herald), Joe and Kenny Greene, Roberta Daniels, Peggy Waldman, Michael Blood, JA Cordts, Bob Call, Patty Hylton, Ed Harmison, Everette Dannar, Cheryl Brown.

The meeting was called to order by Mayor Young at 7:00 PM. Roll was called by Cheryl Brown, City Clerk to determine a quorum.

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the March 23, 2005 meeting. David Gerisch seconded; motion carried 5-0.

Jim Gates made a motion to pay all warrants presented; Bruce Smith seconded and the motion carried 5-0.

OATH OF OFFICE: The oath of office was administered to re-elected Mayor Young by Clerk Brown, followed by newly-elected councilmembers Bob Sisson and Larry Coursen who are replacing Jim Gates and David Gerisch. Jim Gates thanked the city to allow him to serve the past four years, and also thanked the other members of the governing body.

CONTRACT RENEWAL: Joe and Kenny Greene, Osage Waste Disposal, were present to ask the council to renew the contract for solid waste removal for another year, with a 9% rate increase. This is the first rate increase asked for in several years. After discussing the fact that there have been no complaints from residents, Ira Allen made a motion, seconded by Bruce Smith, to renew the contract with Osage Waste Disposal with the requested rate increase. Motion carried 5-0. The clerk will write a letter confirming the contract renewal for the Greene's.

LIBRARY REQUESTS: Peggy Waldman, librarian, came before the council to consider increasing the funding for the library when the 2006 budget is being prepared. Waldman presented a report showing being open an additional 12.5 hours per week would require an additional \$4995 funding for salaries, as well as funds for employee benefits, utilities and advertising expenses. Approximately \$1600 is needed to cover the cost of 200 hours when the librarian hours overlap due to workshops, special events, etc.

Waldman encouraged the council to visit the library to see all the available resources. She mentioned that some of the equipment needs to be repaired or replaced. This report is available at City Hall during regular business hours.

Mayor Young said that this request would definitely be considered for the 2006 budget, and thanked Waldman for the information.

LIBRARY BOARD APPOINTMENT: Bruce Smith moved to reappoint Kristy Hamit and Joanna Brady to the library board until April, 2009. Ira Allen seconded; motion carried 5-0.

WATER/SEWER PROJECT REPORT: Vic Robbins reported that the lagoon de-sludging project went for about 6 days until rain stopped the project. Mid-America Environmental Contractors has asked for a partial payment as it may be several months before they can finish the desludging. Robbins has asked them to produce their hauling logs and an invoice for consideration. He thinks they've hauled about 1 ½ million gallons of sludge, or about a third of the sludge. One corner of the cell didn't get cleaned as well as Robbins would have liked due to a deep hole left by the previous de-sludging. Robbins said that Gailand Kennedy was pleased with the application process. The process will start again as soon as the cropland is available in late summer.

The installation of the pre-treatment tank is waiting on D&D Excavating to provide the necessary documents regarding performance bonds and insurance certification in order to complete the contract requirements. The council agreed by consensus to extend the time requirement to avoid starting the bid process over.

D&D Excavating is waiting on bids from asphalt companies before submitting a final estimate on replacing the waterline as approved earlier.

Robbins gave an update on the inspections for sewer hook-up's. He sent KDHE a report showing that of the 421 connections to the sewer, 403 have been inspected. Certified letters have been sent to the remaining 18. Of those 18, 12 refused to be inspected and 6 are yet to be contacted. Michael Coffman, City Attorney prepared the letter that was mailed on April 8<sup>th</sup>. Several have contacted Dean Beckman since that time.

116 connections were found to have sump pumps discharging to the ground, 19 have foundation drains discharging to the ground, and 106 sites were slab on grade construction and have no sump pumps and he's confident that they don't have fresh water draining into the sewer system.

There were 24 sites determined to have sump pumps connected to the sewer system, a definite violation of the city ordinance and state regulations. Of the remaining sites, 56 houses have basements with no sump pumps, and Robbins is unable to determine whether or not 100 or so sites are in or out of compliance. The main issue would be if the site has totally underground foundation drains which can't be inspected visually. The ones with basements and no sump pump would be the most likely to be connected to the sewer system, but older homes that were built before the public sewer system was installed most likely don't have foundation drains connected to the sewer system. Robbins estimates that we may end up with about 100 that will need more inspection. Several options were discussed. If a property owner refuses to have the sites inspected, legal action may be necessary in order for the city to comply with the state. KDHE has implied that if the city can't get 100% compliance with the connections, the city will have to figure out how best to handle the clean water that drains into the sewer system.

Robbins reported that he has reviewed nearly all the tapes and logs of the sewer inspections. He told the council that there is actually more sewer line in the city than originally thought. He has been rating the lines and manholes according to their condition. He will have his final report ready for the council as soon as he finishes his review of the tapes. He estimates that about 7500 feet will have to be replaced. He's checking into cost estimates of replacing the line or lining the existing line. He estimates that 100 of the manholes will need replaced or repaired at a cost of about \$120,000.00. The total cost for the total project could be around \$700,000.00. The city is presently approved for \$300,000 in grant money and also \$300,000 state revolving loan funds. Mayor Young said that we have already hired Donna Crawford to start the grant application process again for additional funds. Robbins said that since the lagoon testing has been better, KDHE will probably be more patient.

**TREASURER'S REPORT:** Patty Hylton reviewed the financial reports for the month of March. She explained the format of the reports for the new council members. Hylton said that she has put the reserve for employee benefits into a separate line, taking some from the general, law and water/sewer funds to make up the amount. This fund is in case more employees need health insurance for themselves or their families. She recommends putting this amount, \$24,000, into a CD account. Hylton said that she should have more detailed reports concerning the 2005 and 2006 budgets in May. The auditor will be here on May 17<sup>th</sup>, so that would be a good time for any questions the council might have before the 2006 budget is prepared. Hamit asked if the pool phone is on year round. Brown said that the phones at the pool and park are kept on year-round in order to keep the same numbers. This can be changed back to having them disconnected each year, but we would probably have different numbers each year. The matter was tabled until a later meeting.

**WEBSITE:** Michael Blood said he doesn't have a written proposal for a city website, so Mayor Young said that the council will table considering Blood's proposal along with one from Josh Strohm at the first meeting in May. The city cable channel has not been working for several months, and we haven't been able to find someone to maintain it.

**WATER BILLING:** Ira Allen said that Walt Martin has questions about the water billing at the Laundromat prior to a new meter being installed. The clerk said she would get that information within the next few days. The new meter was installed at the city's expense, and the old one was tested by KRWA but the results haven't been received yet. Mayor Young said that the matter would be tabled until the first meeting in May.

**POOL MANAGER:** Rich Hamit moved to go into executive session for 5 minutes to discuss matters not related to elected personnel. Bruce Smith seconded; motion carried 5-0. The mayor called the meeting back into open session; no action was taken.

**BUDGET WORKSHOP:** Cheryl Brown said that a replacement for David Gerisch to attend a Basics of Budgeting workshop on April 29<sup>th</sup> in Topeka, or we need to ask for a refund. Monday is the deadline for the refund. Larry Coursen said he would be unable to attend due to previous plans, but Bob Sisson said he would go.

**PLANNING COMMISSION:** Bruce Smith moved to appoint Carolyn Martin to fill Don Meerian's place on the Planning Commission. Bob Sisson seconded; motion carried 5-0.

**LAW REPORT:** Chief Harmison reviewed his written report for the council. Harmison said that he and Officer Dannar had attended 3 days of training in Iowa the end of March. The only cost for the training was the gasoline to get there and back. Harmison said that he's learned another Osage County Deputy is in the process of moving to Overbrook. He invited the new councilmembers back to the police department for more information.

**MAINTENANCE REPORT:** Bob Call reported that the aerator is running at the city lake, and that the restroom has been serviced. Call has re-done the drain in the street at the north end of the alley between Maple and Walnut on Santa Fe Trail to reduce the water flow down the alley.

Call said that the water line and hydrant has been installed at Jones Park. A leak has been fixed at the Rural Water pumping station. Justin DeShazer has been painting at the well houses and they've been mowing. Call has ordered Saturock for some street repairs to be done next week. He is waiting on a bid from James Herrick to repair and paint the pool this year. Hamit asked if DeShazer has taken his CDL test yet. Call said he's taken the written exam, but hasn't done the driving test yet. This brought up the subject of the city dump truck. Call was told to check into some prices on used dumptrucks for consideration. Sisson said that Call should check with Meier's or other similar companies. There was discussion about what to do with the fertilizer in the spreader.

Mayor Young asked who empties the little trash cans at the lake. Call said he does whenever he's up there.

**CLERK'S REPORT:** Cheryl Brown said that the city has received a request from Santa Fe Trail High for a donation for the Renaissance Committee. Rich Hamit made a motion, seconded by Bob Sisson, to donate \$100. Motion carried 5-0.

Brown said she had talked to Larry Baer, League of Ks Municipalities, and there's no legal way for 2 council members to work as a committee outside of an open meeting. Mayor Young disbanded the committees he had assigned at the last meeting.

Brown asked if Dean Beckman could now be paid for the first 38 inspections he did. The council had voted to withhold the first week's pay until the project was completed. Bruce Smith said that Beckman had done a satisfactory job. The council agreed by consensus to pay Beckman for the first 38 inspections with the next payroll.

Brown said that the Post Office is going to remodel, and there's a 95% chance that the box numbers will stay the same. Mayor Young asked about getting another box for the police department and municipal court. Harmison said he had considered this, so the mayor said to pursue the matter. There's no charge as the city building is too close to have street delivery.

**WEBSITE:** Josh Strohm came before the council to answer questions about his company's website proposal. Mayor Young told him that the matter had been tabled until the first meeting in May so the council will have a chance to consider both proposals.

**COUNCILMEMBER COMMENTS:** Bruce Smith said that the Pomona Lake Project is still on hold pending other studies being done for water sources. He's hoping to have more information sometime in May.

Ira Allen extended a welcome to Sisson and Coursen. Allen said that since the city has their own fireworks display, he isn't in favor of financially supporting others. He asked if anyone is going to the hearing on Community Block grants. Brown said that hopefully Donna Crawford will attend. Allen asked when someone from Galaxy Cablevision will be here for the next meeting. Brown said that they will be here on April 27<sup>th</sup>. Bruce Smith volunteered to contact MediaCom about any interest they might have in the city franchise. Mayor Young encouraged the council to tell people about Galaxy being here, and the clerk asked that she be notified if large numbers of people are planning on being here in case we need to move to a bigger meeting place such as the library.

Rich Hamit said that the League does help cities write job descriptions for \$45/job and that they can also assist in setting up evaluations and pay plans. He doesn't know exactly what they would charge for the additional plans, but should have that information by the next meeting.

**MAYOR'S REPORT:** Mayor Young also welcomed the new members. He stated that there's a lot going on, and he feels we are making progress.

MISCELLANEOUS: The mayor welcomed Mike Dickerson, of the Osage County Herald, to the meeting and thanked the paper for their interest in covering the council meetings.

EXECUTIVE SESSION: Bob Sisson moved to go into executive session for 5 minutes to discuss matters not related to elected personnel. Bruce Smith seconded; meeting was recessed. Mayor Young opened the meeting; no action was taken as a result.

MISCELLANEOUS: The mayor asked that the agenda for the next meeting would include a report from Chief Harmison on the training for reserve officers. It will also include job evaluation forms and salary ranges and a retirement plan and setting up a drug screening program.

There being no further business before the council, Bruce Smith moved to adjourn. Ira Allen seconded; meeting adjourned at 9:55 PM.

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

APPROVED:-----

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 27, 2005

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

OTHERS PRESENT: Sharon Gunter, Pam Faust, David Gerisch, Max Friesen, Sue Martin, Yolanda Dickinson, Mike DeBernadin, Charles Hamner, Mike Dickerson, Ed Harmison, Everette Dannar, Cheryl Brown.

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

MINUTES / WARRANTS: Rich Hamit made a motion, seconded by Ira Allen, to approve the minutes of the April 13<sup>th</sup> meeting as written. Motion carried 4-0.

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

COMMITTEE REPORT: Sue Martin, Yolanda Dickinson, and Charles Hamner were present to update the council on their committee's activities. The group has compiled the results of the 126 returned surveys. They would like the council to look over the report and discuss it further at a future meeting. It was decided that the committee would come to the May 25<sup>th</sup> meeting for more discussion.

Sue Martin said that one of the questions and/or comments on a lot of the surveys was the financing aspect for improvements. She told the council that The Grant Network is holding an intensive 3-day grant proposal writing workshop at Wichita State University May 16-18<sup>th</sup> of this year for a cost of \$549 plus motel and meals. She would be interested in attending the workshop. The council agreed to discuss the matter later in the meeting and let her know.

GALAXY CABLEVISION: Mike DeBernadin, Customer Service Manager for Kansas, of Galaxy Cablevision was present to discuss the upcoming franchise agreement with the city and Galaxy. Mayor Young said that several of the citizens present have had problems with the cable service and the mayor would like these matters addressed before any contracts are signed in November of this year. The mayor asked DeBernadin if the city is legally able to contact other cable providers while the franchise agreement is in effect. DeBernadin said that it's his understanding that the city does have the right to contact other providers, and those companies would be free to consider the possibility of pursuing the franchise.

DeBernadin stated that the Galaxy technical manager has told him a "head in" rewire is being planned in the next month for Overbrook which should improve the service. Mayor Young said that most of the complaints have been about the number of channels for the price, and the times that channels are out of service. DeBernadin said that they are limited to a certain number of channels depending on the system. He said that the whole system would need to be rebuilt in order to significantly increase the number of channels. He did say that this might be considered when preparing future budgets. He also said that Galaxy pays a franchise fee to obtain the programming they offer. DeBernadin also mentioned that the main competition is the satellite providers who are able to offer numerous channels due to the volume of customers. Sharon Gunter asked if other channels could be offered in place of existing ones. She and several others are interested in the History and Discovery channels. She also mentioned the National Geographic channel. DeBernadin stated that they do offer a digital product, but the company through which it's provided has gone out of business which has led to problems in maintaining them. Gunter then said that the channels she mentioned are offered in the basic package through other companies. DeBernadin said Galaxy does provide the History channel in some of their cities, and he will check it out for Overbrook. Gunter said that at one time, she kept a spreadsheet on which channels were unavailable at which times, but has noticed an improvement in the service lately. DeBernadin said that the equipment in the head-in building is very sensitive to hot and cold temperatures, so weather changes definitely can cause reception problems.

Max Friesen stated that he doesn't watch much television, but has never had a problem with Galaxy. He asked what happens if the city signs a franchise agreement with another company. DeBernadin said that company would either have to build a complete new system or buy the existing equipment from Galaxy. Galaxy bought this equipment from Cablevision of Texas when they took over the franchise several years ago.

Friesen also asked that the speed limit from the old railroad tracks to the south city limit raised to at least 30 m.p.h. and left the meeting.

Pam Faust asked if the rates will go up due to the rewire job at the head-in building. DeBernadin said it won't affect the rates. Mayor Young asked about providing service to new subdivisions in the future. DeBernadin said that their engineer checks out the location. He said that the new subdivision by the cemetery was checked by the engineer and since several houses had satellite dishes, they didn't feel it would be feasible to add services in that area. Cheryl Brown, City Clerk, said that she's been contacted by several residents in Meadowbrook II recently about getting cable service. DeBernadin said he would talk to his supervisors about a follow-up study. He told the mayor that letting Galaxy know when new subdivisions go in is the best thing as it's easier to install the cable service at the start. Ira Allen asked if the existing service lines to individual houses can handle more channels. DeBernadin said it's his understanding that the cable being used is pretty much at a system-lock. This doesn't mean that it can't be increased at some point. Brown said that the city access channel may be abandoned soon, and there's nothing on Channel 18 at this time when Galaxy considers adding the History channel. Ed Harmison asked why the city would want to renew the franchise agreement with Galaxy if so many people are dissatisfied with the current service and Galaxy isn't planning on making major improvements. DeBernadin said that while he sees that point, he also thinks that Galaxy would be more likely to budget for improvements with an extended commitment from the city. Rich Hamit pointed out that works both ways—the city would be more willing to make a 10-year commitment with additional services from Galaxy. Brown asked if Galaxy will provide cable service to the city without a franchise agreement. DeBernadin said that this has been the case in other towns, but without the franchise agreement, Galaxy can stop the cable service without notice. At this time, there are 143 cable subscribers out of approximately 360 residences, not counting individual apartments.

DeBernadin said he would talk to his supervisors about adding channels and come back to a later meeting. He wasn't sure he would have enough information until the second meeting in May. The mayor said that renewing the contract would require reviews every so many years. The clerk asked if there's a possibility of internet access through the cable in the future. DeBernadin said not that he knew of. Gunter asked that periodic upgrades be included in the contract also, especially if the contract period is 15 years long. The possibility of a 3 or 5 year contract period was discussed, but the mayor said he can understand the company wanting a longer commitment. DeBernadin told the council that any cable company is subject to how the channels are delivered to them as well as how they themselves deliver them. Harmison said that most customers are not concerned with problems the cable company has, just their own service. DeBernadin said they also service Maple Hill, Meriden, Rossville, and Silver Lake. The mayor thanked DeBernadin for coming, at which time DeBernadin left the meeting. Mayor Young told Gunter, Faust and Gerisch that part of the problem the city is facing is that no other cable companies have expressed interest in Overbrook.

**WATER/SEWER PROJECT UPDATE:** Vic Robbins was unable to attend, but the clerk said that the contract with D&D Excavating has been signed. A decision needs to be made about the next step regarding the property owners who still have not contacted Dean Beckman about inspecting their sewer hook-ups. Out of 18 letters sent, only 6 have yet to respond. The council agreed by consensus to consult with Coffman about the next action to be taken. Coursen said that the city attorney may have to send out a complaint to be handled through the municipal court.

**HOUSE AT 129 WALNUT:** Larry Coursen asked what's been done about the condition of the house at 129 Walnut belonging to Pat Neil, Jr. Chief Harmison said that Neil, Jr. was cited and he appeared before the council, and they extended him for a year, and Harmison hasn't had any re-direct from the council. Mayor Young said that Harmison did his job, and that the council at that time didn't follow through. Coursen asked what the council can do. Harmison said that the original citation was for violation of the Nuisance Ordinance, and he can do that again. Ira Allen said that when the council agrees with the party involved about the action to be taken, a letter should be sent stating a time limit and the results if the actions aren't completed. Larry Coursen made a motion, seconded by Bob Sisson, to take action on the property at 129 Walnut. Motion carried 4-0. Michael Coffman will be consulted about the necessary procedure. Bob Sisson asked if anything is being done about all the vehicles at the property at 501 Locust owned by Jeff Good. There was discussion about previous notices and results. Chief Harmison was asked to check out the vehicles for proper registration.

**RESERVE POLICY:** Mayor Young said that Chief Harmison has given him a copy of the city's Reserve Police Officer policy. Harmison said the Reserve program was started about 7 years ago. Harmison said he quit using reserves and used only those with full or part-time law enforcement certificates for liability purposes. The current reserve officer is a resident of the city with a good background record, and is employed as a dispatcher for Osage County Sheriff. Coursen asked about liability if he is injured while riding with another officer. Ira Allen said he would be covered under the city policy, and would verify this

again. Sisson said that while the policy covers him, he still has doubts about the 2 full-time officers need anyone riding with them. Harmison said that the Kansas Law Enforcement Training Center course which is 14 weeks long, they do not know how to train an officer to operate by himself. Single police officers working by themselves is against the KLETC. Harmison said that he feels that a reserve officer is a benefit to the city. Sisson said he feels that while it may be a benefit, it should be council-approved. Larry Coursen made a motion, seconded by Bob Sisson, that the council approve anyone acting as a reserve officer for the City of Overbrook. Motion carried 4-0.

**YARD REPAIRS:** Sharon Gunter said that Bob Call has done some work on her yard where the trucks caused damage during the inspection and cleaning of the sewer lines. She said that she doesn't feel it's been completed. The mayor said that he would give the message to Call.

**JOB EVALUATION FORMS:** Rich Hamit said that he still hasn't received the information from the League of Kansas Municipalities and will contact them again.  
Brown said that she hasn't been contacted by anyone regarding retirement fund accounts.

**LETTER TO NOTIFY:** Ira Allen thinks the city should have a policy of writing letters to residents stating any decisions made by the council that affects them, including appointments to various boards or committees. Larry Coursen moved to set such a policy; Ira Allen seconded the motion. Carried 4-0. Allen then brought up dog tags. Only about half the number has been sold so far this year as was sold all of last year. He said that either the ordinance should be enforced, or repeal the ordinance. The fine for not having a current license is \$58.50 plus court costs. There was discussion about how to check for current licenses. Even dogs at large that have been picked up are not necessarily ticketed for not having a license at this time. The clerk said we're billed for approximately 6 to 7 animals over a 2-month period that have been taken to Carbondale.

**HEALTH INSURANCE:** Larry Coursen asked about the amount spent on employee health insurance. He said that paying for full-family coverage is a big expense for the city, and wondered what other cities do. Ira Allen said that at a previous meeting the council agreed that the city would pay for employee-only coverage in the case of new-hires/subscribers.

**COUNCILMEMBER COMMENTS:** Bob Sisson has concerns about one of the police cars being driven out of town. He stated the extra expense for fuel and the wear-and-tear on the car. Sisson made a motion, seconded by Larry Coursen, to require the police cars be kept in town. Allen said that he thinks that as long as an officer is on call 24 hours/day, he should have a vehicle. Sisson asked why that officer should be on call when the police chief lives in town, as well as several Osage County officers. Chief Harmison said that this has been discussed by the previous council, and if it's brought to a vote tonight the vote will probably be split. He said that the officer doesn't abuse the car, and that's it been this way since he was hired. Harmison said that he is asked to go to Lyndon to pick up things before he comes to town. Harmison said that he knows that Dannar will come when he needs help, and the county officers may be off duty. Harmison pointed out that Dannar is not on city insurance which is a savings, he's dedicated to the town, and he's not abusing the vehicle. He pointed out that we've had employees in the past that drove city vehicles to Four Corners for coffee. Harmison said he's never had anyone come to him about the car being driven out of town to a residence. He mentioned the same condition about the petition against buying a new police car. He stated that it seems to him that the two new council members have an axe to grind with the police department and he's willing to meet with them. He pointed out that Dannar saves the city money, and we don't get a new car every 3 or 4 years but more like every 7 or 8 years. Sisson said he has nothing against Harmison or Dannar, he just feels that the police car should stay in town. Harmison said there are several police officers in other towns that drive their vehicles to and from work who live outside the towns. A vote was taken with Sisson and Coursen voting yes and Allen and Hamit voting no. The mayor asked if he could abstain from voting and the matter would be brought up again at the next meeting. The clerk said she doesn't think he can abstain, but the matter can be brought up again at a later time. Mayor Young stated that while he agreed with Sisson on some of his points, he also feels that officers should be equipped to handle emergencies. At that point he voted no which resulted in the motion to keep the cars in town being defeated. The mayor again stated that this matter has nothing to do with what kind of employee Dannar is, but the job itself and using the car to drive back and forth to work while living outside the city limits.

**SPEED LIMIT CHANGE:** The possibility of changing the speed limit on Maple on the south end of town was discussed. After discussion, Ira Allen made a motion to change the speed limit on Maple Street from

First Street to the city limits from 20 MPH to 30 MPH. Larry Coursen seconded the motion; motion carried 4-0. The clerk will have the city attorney draft the ordinance to make sure it's done correctly.

LAGOON TESTING: Ira Allen said that some time back tests were done on private property, but the results were apparently never sent to the property owner. The mayor said that there was no agreement to send a letter to the property owner, but the results are open to the public and were discussed in a council meeting.

POOL CONCERNS: Rich Hamit said that we're still waiting on the zero-entry painting to be done, so we don't have a definite time for training to start. He said we've had 5 applicants for manager and they will be interviewing on Friday and Saturday.

MAYOR'S REPORT: Mayor Young asked that a special meeting be called for Monday, May 2<sup>nd</sup> at 5:30 Pm to make a decision on a manager. The council agreed by consensus.

WORKSHOP: Bob Sisson made a motion, seconded by Ira Allen, to pay \$549 for Sue Martin to attend the grant writing workshop in Wichita as well as motel expenses for 2 nights and meals. Motion carried 4-0.

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

Respectfully submitted,

Cheryl L. Brown,  
City Clerk

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

CITY OF OVERBROOK

MINUTES REGULAR COUNCIL MEETING

MAY 11, 2005

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

OTHERS PRESENT: Joni Hudon, Vic Robbins, David Gerisch, Michael Blood, Jeff Good, Mike Dickerson, Bob Call, Ed Harmison, Everette Dannar, Patty Hylton, Cheryl Brown.

The regular meeting was called to order by Mayor Young at 7:00 PM, with a quorum being present.

MINUTES / WARRANTS: Rich Hamit moved to approve the minutes of the May 2, 2005 special meeting. Bruce Smith seconded; motion carried 5-0.

Ira Allen made a motion, seconded by Larry Coursen, to approve the minutes of the April 27, 2005 meeting as written. Motion carried 5-0.

Bruce Smith moved to pay all warrants. Ira Allen seconded; motion carried 5-0.

POOL MATTERS: Rich Hamit informed the council that Taren Karr has declined the assistant manager position, but Jenny Nichols is interested.

Joni Hudson gave the council a list of who's been hired as lifeguards. There will be 5 regular guards, and 2 to fill in as needed. Salary was discussed. Hudson recommended salary be determined by years of employment as well as qualifications. Guards would be paid \$5.75 the first year, \$6.00 the second year, and \$6.25 for the third and following years. The council will consider a salary increase for lifeguards if they become Water Safety Instructors.

After discussion, the council agreed by consensus to pay the Assistant Manager \$7.00 per hour for this season. Hudson is planning on the pool opening on May 30<sup>th</sup>. She will be teaching lifeguard training classes over the next 2 weekends. Ira Allen commented that he liked the Policies and Procedure Manual Hudson had prepared, and would like her to give the council an evaluation of each employee at the end of the season. There was discussion about policy for rotating guards.

The council agreed by consensus for Hudson to order 2 new umbrellas for the lifeguard stands.

WEBSITE: The council reviewed the website proposal presented by Michael Blood on behalf of his father. Basically, the proposal is for \$200/home page and the following:

2-3 additional pages: \$135 each page

4-5 additional pages \$100 each page

6+ additional pages \$80 each page

To show an example of the cost, the following was given: A website with 6 pages would cost Home page-\$200, six additional pages - \$480 (6 x \$80). They would charge a monthly service fee of \$25 to update information and maintenance.

Bob Sisson said he some information about a website that he had bought. There was discussion about whether or not there's a need for the city to have a website or even the city cable channel. Coursen asked if we could contact TrailNet to see how many Overbrook customers would have access to a website. Ira Allen said that a website could provide information to more than just local residents. Since some of the councilmembers didn't have a copy of the proposal from Josh Strohm, the matter was tabled until later in the meeting.

RE-APPOINTMENT OF CITY OFFICERS: Bruce Smith asked if there would be a change in animal control since Mark Tomlinson has moved out of town. Sisson said that he's already

discussed the daily time and mileage logged by Tomlinson with Chief Harmison. Harmison then said that part of the reason why Tomlinson works for at least 1 hour and logs 10 miles/day is due to patrolling the city lake this time of year. Hamit said that he didn't care if Tomlinson lives out of town, but doesn't want to pay his mileage back and forth to town. Sisson said that always before the animal control person went out when called, or to check traps. He also didn't see why that person has to patrol the lake when we have 2 full-time police officers. Sisson said he's seen a game warden at the lake twice this year already. Bob Sisson made a motion that even though the animal control person is moving out of town, that he would be allowed to keep the job with his being responsible for paying for his gas to and from town, and that the only time he would be in use is when notified. Hamit said that he didn't mind the patrolling, but maybe not every night. Hamit then asked how many animals Tomlinson finds when patrolling as compared to individuals calling him. Harmison said he couldn't answer that without Tomlinson's logs. Mayor Young suggested adding a time-period to the motion to see how it works. Hamit said he would still like to know the percentage of animals picked up while patrolling before voting. Sisson's motion died for a lack of a second. Tomlinson arrived at the meeting at this point. Hamit asked Tomlinson how many animals are picked up as a result of patrolling. Tomlinson said that it's about 50-50 on animals picked up from patrolling and calls from people. He said that he picks up about 2 a week from patrolling. He usually returns the tagged ones to the owners. Harmison said that Tomlinson's logs can be available at the next meeting. Smith told Tomlinson that the council is considering eliminating patrolling the lake from animal control. Tomlinson said there are people taking under-the-limit length fish, and he's recently written a ticket for that which made the city \$90. David Gerisch pointed out that fines collected by the game warden to the state, and not to the city. Tomlinson said that without patrolling, the lake would go downhill, and the city would be losing revenue from any violations. Chief Harmison said that he has received good "PR" about Tomlinson being at the lake, as he (Tomlinson) has a personality that comes across pretty good when he checks people. Ira Allen moved to look at the animal control logs at the next meeting. Rich Hamit seconded; the motion carried 5-0.

Bruce Smith made a motion, seconded by Rich Hamit, to re-appoint the list as prepared by the City Clerk. Motion carried 5-0. The list includes the following:

Police Chief:	Ed Harmison
Assitant Police Chief:	Everette Dannar
Part-time Law:	Ted Miller, Randy Harrison, Ted Craig, Billy Warrington, William Nicholson, Jason Cummins
Animal Control:	Mark Tomlinson
Maintenance Supt:	Bob Call
City Clerk:	Cheryl Brown
City Treasurer:	Patty Hylton
City Attorney:	Michael J. Coffman
Municipal Court Judge:	Stephen Jones
Municipal Court Clerk:	Shayne Coursen

**ANIMAL LICENSES:** Chief Harmison has given people 2 weeks to get the 2005 licenses for dogs and cats before issuing tickets.

**SPEED LIMIT CHANGE:** Changing the speed limit on Maple from First St to the city limits to 30 m.p.h. was tabled until the city attorney submits a draft ordinance to be considered.

**COMPLAINT REGARDING PROPERTIES:** Chief Harmison said that he's been advised by the city attorney to re-issue a citation to Pat Neil, Jr regarding his property due to the length of time since the first citation. Harmison has sent Jeff Good a registered letter, and has talked to him in person regarding his vehicles being out of compliance. Good is scheduled to appear at this meeting.

**SEWER VIOLATIONS:** There was discussion about the penalties set forth in the city's current sewer system ordinance.

**PRE-TREATMENT TANK:** Cheryl Brown asked the council to advise on withholding 10% payment from D&D Excavating until all the dirt work is done where the pre-treatment tank was installed on First Street. The council agreed by consensus.

**CHECK SIGNERS:** Bob Sisson moved to leave the check-signers as currently appointed. Larry Coursen seconded; motion carried 5-0.

**LAW REPORT:** Chief Harmison reviewed his written report for the council. Harmison mentioned that the recent survey indicated that there is a lot of concern about property being taken care of regarding grass, junk vehicles, etc and he is addressing those issues. Bob Sisson asked Ira Allen if he's gotten any information about the liability coverage on reserve officers. Allen said he hadn't been able to make contact yet. Chief Harmison said that he doesn't intend to use reserve officers in the future, but several council members said they'd still like to know about liability coverage.

**MAINTENANCE REPORT:** Bob Call said that he's repaired the skimmers at the pool, but they may need to be replaced this fall after the pool closes. There was discussion about ways to determine problem areas around the pool. Call asked that he be given an opening date for next year at the end of this season so he'll have more time to get everything ready.

Mayor Young has inspected the dirt work done at Sharon Gunter's by Call. Gunter has stated she feels more work needs to be done. The mayor told her that more damage will be done when repairs are made on the manhole. Gunter has asked if the city would mow that part of her yard until all the repairs are done to avoid damaging her mower. The council agreed by consensus to wait until all the sewer repairs are made, then do whatever necessary to restore the yard, but not mow until that time.

Call reported that he 's ordered a new chlorinator pump. The little 5 hp pump has quit working. Bob Sisson moved to approve replacing it at a cost of \$500-700. Bruce Smith seconded; motion carried 5-0.

Call asked if rip rapping around the lagoons is being considered as it needs to be done as soon as possible. This is part of the over-all sewer improvements, but there's no definite time at this point.

Call also asked which councilmember will be going with him to check streets to be resealed. No one has been assigned, and Mayor Young said he would go with him if necessary.

He's still waiting on the meter-test results from KRWA regarding the old meter from the Laundromat. The meter has been replaced at the city's expense.

Call said that he's received 2 applications for an assistant. One is asking for \$7/hr and the other is asking for \$10/hr. The council agreed by consensus to hire Mark McCain, Jr at \$7/hr if Call is satisfied with the interview.

The "Slow-Children Playing" signs have been ordered.

**WEBSITE:** Josh Strohm arrived at the meeting to discuss his proposal for a city website. Strohm explained the differences between his prices, and what each plan provides. After listening to Strohm's presentation, the council agreed that they need more time to consider both proposals, as well as allowing Beth Sisson to explain the website that Sisson's have obtained. The matter was tabled until the next meeting. The mayor said that they might ask Strohm and Blood to come to the first meeting in June, and will let them know if they're needed at the next meeting.

Strohm told the council that TrailNet is introducing a new wireless system in June. More information will be available on their website soon.

**VEHICLE COMPLAINT:** Jeff Good came before the council to explain the situation with his vehicles and the letter he had received from Chief Harmison. This will be considered the

hearing Good is entitled to request. After discussing the number and how long the repairs needed, Bob Sisson made a motion to give Good 10 days to bring them into compliance or remove them. Larry Coursen seconded the motion; motion carried 5-0. The date was set at May 21, 2005. Chief Harmison will send Good a follow-up letter so he will have the decision in writing.

**TREASURER'S REPORT:** Patty Hylton explained that she has given them extra reports that they can use when preparing the 2006 budgets. She reviewed the current bank statement and fund reports. She told the council that the Law fund looks short in budget because \$5,000 of remaining 2004 budget was spent on a downpayment for the 2005 patrolcar in 2005. This balance wasn't included in the 2005 budget. To avoid amending the 2005 budget, any of that balance from 2004 that's needed can be borrowed from another fund by the Law fund. Jim Long will be here on the 17<sup>th</sup> for the audit, and will be here in July for the audit report and a preliminary budget for 2006. The mayor would like to have a 2006 budget prepared by the council by the end of June. Mayor Young also reminded the council that they need to establish a pay scale to determine salary caps when considering budgets.

Hylton said that she's officially resigning from going to the cow pasture to work on the city cable channel equipment, so we have to get a website. This is one of the problems with the city channel.

**CLERK'S REPORT:** Cheryl Brown asked for a head count on who will be attending the June 1<sup>st</sup> budget workshop. If we cancel early enough we can get our money back. All those who signed up indicated they are canceling.

**WATER/ SEWER REPORT:** Vic Robbins reported the pre-treatment tank installed, and it seems to be working as planned. Bruce Smith suggested that sampling be done again to make sure the tank is effective. Robbins said that the most recent tests have improved. Robbins told the council that KDHE has reinstated the city to quarterly sampling on the new wastewater permit. He recommends we continue testing monthly for several more months just to be on the safe side. The council agreed by consensus to test monthly for awhile. The last time we were out of compliance was when the desludging was being done.

Robbins has done the inspection of the city lake dam. He will be submitting a report by the end of June, and the only thing that needs to be done is to remove the trees that have started to grow on the dam. Robbins recommends mowing the dam once a year in the fall. This shouldn't interfere with wildflowers that have been planted. He also suggested burning it.

Robbins has discussed the next letter to be sent regarding the intake and infiltration letters with Michael Coffman. Robbins needs a compliance date set by the council before the letters can be sent. He recommends that the property owners be given two months to comply. The council had previously given them until October 31<sup>st</sup> in consideration of the costs involved. Robbins said he understands that, but we have to comply with the consent order from KDHE. He also said these letters are being sent to those that have sump pumps connected to the sewer system, and they need to be sent as soon as possible.

Robbins asked if the council wants him to send in the quarterly progress report required by KDHE. The council feels that he should be the one to write the report.

D&D Excavating is still working on getting all the arrangements made to replace waterlines.

Robbins said he has not been able to get the plan for sewer lines and manholes rehabilitation done. He realizes he has to comply with grant timetables. Sisson asked what are the plans to riprap the lagoons. Robbins said that KDHE wanted the piping to be redone first, so the riprapping has been moved to a future phase. Robbins said he will try to get KDHE to approve having the riprapping done while more desludging is done. Bob Call asked if Cell 4 can be included in the request.

**TRAILS PROJECT:** Mayor Young said he'd been contacted about progress on the Trails project. The grant money will be withdrawn on August 31<sup>st</sup> of this year. Smith said Roger Harmon talked like he's still working on it. Hamit was asked to contact Harmon about any activity he's planned.

**SKATEBOARD PARK:** The mayor said he'd been contacted by someone interested in buying the ramps. There was discussion about how much they're used. More kids seem to be riding bicycles on them rather than skateboards. There was discussion about the sale price. The city paid \$3500 for them. Everette Dannar told the council he was interested in buying them, and asked if the council could make a decision about selling them and he can let them know for sure in the next week. Bob Sisson moved to sell the skateboard ramps. Bruce Smith seconded; motion carried 5-0. The council agreed by consensus to sell them to Dannar for \$1750 when Dannar knows for sure. Dannar stated that if he doesn't buy them, he

said he'd help the city get rid of them. The mayor said that if the city doesn't sell them to Dannar, the price will be three-fourths of what we paid for them.

COUNCILMEMBER COMMENTS: Bob Sisson wanted to thank the clerk for putting all of his discussion regarding the policecar, meaning the new one, being driven out in the country in the minutes so people would know that it had been discussed. Chief Harmison stated that he made the decision that Dannar have the new car rather than himself. Sisson said he didn't have a problem with any officers, but people had contacted him about the matter. Michael Blood said most people wouldn't think to make positive comments about the matter, but as a citizen feels safer knowing Dannar has complete access to the policecar at all times. David Gerisch said that several citizens have told him the same thing.

DRUG TESTING: Michael Blood asked if the council has made a decision about drug screening. He asked if they have received the proposal that had been mailed from another company. The clerk said that as no one recognized the name, the proposal had been discarded as advertisement. Blood said that people with Commercial Drivers Licenses are required to submit to drug screening. Mayor Young said they would be discussing this soon. Blood also asked about the zoning where the speed limit is being changed. The clerk said it's zoned as Industrial. Blood then congratulated the two departments that didn't have any negative comments on the recent survey—the police department and the city council.

There being no further business before the council, Bruce Smith moved to adjourn. Rich Hamit seconded; meeting was adjourned at 10:05 PM.

Respectfully submitted,

Cheryl L. Brown  
City Clerk

APPROVED:-----

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 25, 2005

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

OTHERS PRESENT: Sue Martin, Yolanda Dickinson, Beth Pankratz, Beth Sisson, Mike DeBernadin, Marcus Day, Jim Gates, Mark Tomlinson, Ed Harmison, Pat Neil, Jr., Everette Dannar, Cheryl Brown.

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

MINUTES / WARRANTS: Bob Sisson made a motion, seconded by Ira Allen, to approve the minutes of the May 11, 2005 meeting as written. Motion carried 5-0.

Larry Coursen moved to pay the warrants presented. Bob Sisson seconded; motion carried 5-0.

SURVEY/COMMITTEE UPDATE: Sue Martin and Yolanda Dickinson were present to give a report on activities. Sue Martin thanked the council for sending her to a recent workshop on grant-writing as she learned a lot of valuable information.

An analysis of the recent survey results was discussed. Following that, there was discussion about how to make the survey results available to the community. The council suggested publishing in the local papers, and putting copies in businesses and City Hall. Martin asked the council how they want the committee to proceed. Rich Hamit suggested prioritizing the areas to work on, and then form individual committees. The committees could develop ideas for their area, then meet with the council. Everyone would be involved with fund-raising plans. Martin said that the city may have to form a foundation in order to accomplish some of the goals. Ira Allen suggested talking to Debbie Smith about the matter. Rich Hamit suggested working on bringing in a pharmacy and funding a community building. Martin said she would be willing to contact people to serve on various committees. The council thanked Martin and Dickinson for their work.

GALAXY CABLE: Mike DeBernadin, Galaxy Cablevision, was present to answer questions from an earlier meeting. He told the council that the city has a non-exclusive contract with Galaxy which means that the city could approach another cable company to provide service, in addition to Galaxy. DeBernadin explained that the contract with Galaxy provides the city with the option of reviewing the contract at any time, not just pre-specified times. Adding programming to channels 18 and 36 was discussed. He explained that adding channels might result in a fee increase depending on the cost to Galaxy. In the past, several residents have requested the History channel.

DeBernadin said he's still waiting on information regarding providing service to residents in the Meadowbrook II area. There was more discussion about the length of the contract. The current contract is for ten years, and some of the council were reluctant to agree to ten years. DeBernadin said that sometimes a longer contract leads to Galaxy being more willing to invest more in the equipment, etc. He was reminded that the city, at the same time, would be more willing to sign a longer contract with more of a commitment from Galaxy. Bruce Smith asked what Galaxy's policy is concerning areas that might be annexed in the future. DeBernadin said that the contract would only apply to existing boundaries, but if Galaxy is notified in advance, providing service would be a possibility. He said that they would try to get some kind of count on possible customers in the Meadowbrook II addition, and asked the city to consider writing a letter to determine interest in the cable service. DeBernadin said he would come back to one of the June meetings with more information.

Ed Harmison, speaking as a citizen, said he hated to see the city sign a long-term agreement without upgrades in technology and service. DeBernadin said that he understands that, but that it is very expensive to re-build systems and they've had to work with a lot of equipment left from previous providers.

**WEB-SITE FOR CITY:** Beth Sisson presented some options for a city web-site. She has purchased a domain name for one year which she'll donate to the city at no cost if the city is willing to accept the domain name of "overbrookks.com". The city would need to renew the account each year. She explained the different options and costs available, and also said that the city might be able to forward the website to the Overbrook Library website. There are 6 options that offer different features at different costs. Sisson said that going through Domain Direct would be a very inexpensive way to see how much the website would be used, and she is willing to build the website and maintain it for several months at no cost. All of this is available for viewing at City Hall. The council thanked her for her offer and told her that they would be making a decision at the next meeting.

**MEDICAL CLINIC:** Beth Pankratz told the council that the clinic will be opened by Kim Davis on June 6, 2005 and to inform the council of a grand-opening for the clinic and other businesses on July 2, 2005. PRIDE and Rotary will be assisting in the CELEBRATE OVERBROOK day plans. Pankratz presented a schedule of planned activities, and asked if the council would approve a free-swim day at the pool, and also give permission to close part of some streets for a car show and street dance. Chief Harmison said the city may not have the authority to close the street since the county now maintains Maple Street. Pankratz said she'd check with some of the county commissioners tomorrow. She told the council of the advertising that's being planned. Pankratz said that proceeds from the vendors and craft booths will go towards funding advertising the clinic in other towns. Everette Dannar said they might want to consider listing the car show as a "cruise" rather than show to avoid people thinking there will be prizes awarded. Pankratz will talk to the Heberling's about this. The council indicated that they will approve the street closings if allowed by the county. Pankratz said that she thinks that having a clinic will be helpful in attracting a pharmacy in the future.

**MISCELLANEOUS:** Mayor Young arrived at the meeting at this time.

**JOB EVALUATIONS/DESCRIPTIONS:** Rich Hamit has received material from Mark Morris of the League of Kansas Municipalities for the council to review. Morris would be willing to attend a meeting to discuss descriptions, evaluations and pay scales. There is a charge for actually writing them. Hamit will talk to him to arrange the time.

**ANIMAL CONTROL LOGS:** Chief Harmison gave the council a summary based on a number of reports pulled from the past 10 weeks. Mayor Young asked how many animals were picked up from patrolling. Mark Tomlinson said that the 9 "take homes" would have been the result of his patrolling. He stated that none of the "take homes" were the same dogs. Hamit asked if a citation is written the second time a dog is at large. Tomlinson said not unless it charges or bites someone, then it's an automatic citation. There was discussion about Tomlinson's checking the lake. Bob Sisson questioned the need for Tomlinson's patrolling the lake as the state game wardens check it occasionally. Hamit questioned how often the state would be checking. Sisson responded by asking how often do they check other lakes. Larry Coursen asked what it's costing the city. Tomlinson said it's costing about \$400/month for his salary and mileage. Tomlinson said that he can be back in town in about 4 minutes even living outside of town. Smith questioned the effectiveness of his patrolling after it gets dark, but Tomlinson said that's when people let their dogs run. Harmison said that the number of dogs at large has gone way down since Tomlinson started 3 years ago. Larry Coursen made a motion, seconded by Bob Sisson, for Tomlinson to stop patrolling the lake and make it an on-call situation. Motion carried 3-2, with Allen and Hamit voting no.

ORDINANCE NO 280: Ira Allen moved to adopt Ordinance No 280 to change the speed limit in the south 100 block of Maple to the south city limits from 20 mph to 30 mph, effective on publication. Rich Hamit seconded; motion carried 5-0.

COUNCILMEMBER COMMENTS: Bruce Smith presented a report on cost breakdowns of the Pomona Lake water project. This will be discussed in more detail at a later meeting.

Smith said that Roger Harmon has set a work-day on the Trails project for June 4<sup>th</sup>, with the city doing some preliminary work. All available help is appreciated.

Bob Sisson asked Ed Harmison about our police department going out of town to issue warrants. Harmison said that they do serve warrants on cases from our court cases.

Ira Allen asked about the request from the library. The clerk said that Peggy Waldman would like this remodeling project to be considered in the budget.

Rich Hamit said the pool will open on May 30<sup>th</sup>, and the leak seems to have been slowed down. Hamit asked what the status is at the Jeff Good residence. Chief Harmison said that 2 cars have been removed, and one motorcycle is gone and the driveway has been cleaned up leaving him with 4 cars and a motorcycle with 2005 tags.

MAYOR'S REPORT: The mayor said Bob Gloss has asked him about the drainage problem due to water draining from the school. The possibility of installing a "speed bump" type of structure across the road at an angle to direct the water might work. The council agreed by concensus to approve up to \$500 to buy some kind of "speed bump" apparatus. The mayor said he will talk to Bob Call about checking prices. Hamit also said we might want to make some more repairs on the drainage grate by the barbershop.

MISCELLANEOUS: Ed Harmison gave the council a map of where the streets flooded during the past week. He said that there are several culverts under the streets that need to be cleaned or replaced. Smith said that this needs to be addressed as a long-range plan. The mayor said that the sewers have become a priority, but he realizes that this needs to be addressed.

TREE REMOVAL: The bid to remove the tree north of the west lift station from Peterson was discussed. The bid is for \$600 to remove the tree, and \$100 to grind the stump. The council agreed to have Bob Call get one or two more bids.

There being no further business, Rich Hamit moved to adjourn. Larry Coursen seconded; meeting adjourned at 9:37 PM.

Respectfully submitted,

Cheryl L Brown

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

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JUNE 22, 2005

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

OTHERS PRESENT: Tim Harris, Mike Dickerson, Vic Robbins, Mark Tomlinson, Bob Call, Cheryl Brown

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

MINUTES / WARRANTS: Bruce Smith moved to approve the minutes of the June 8, 2005 meeting as written. Ira Allen seconded; motion carried 5-0.

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

DRUG & ALCOHOL TESTING: Tim Harris, Kansas Drug Testing, Inc., presented the council with information regarding his company and current regulations. Harris said that any driver with a Commercial Driver's License operating a vehicle weighing 26,001 pounds is required to have this testing done. Harris explained the rates charged by his company, and that the city's employees needing the testing would be included in the Department of Transportation testing pool and be subject to random testing. Harris said that for a set fee, his company would provide the city with a written policy and updates as they are made.

The mayor asked why this testing couldn't be done through local medical personnel. Harris said that the specimens have to be collected by someone with special training and must be sent to a certified laboratory, and then reviewed by a certified MRO before results come back to the employer. Employees would not be included in a pool, so the individual tests would be more costly.

The mayor asked if police officers were required to have the testing done. Harris said they are not since they're not required to have a CDL, but that cities do have the legal authority to test police officers because they carry firearms. They would be part of a separate pool, but the city would just pay for the set-up of one program.

The council thanked Harris for the presentation. Bob Sisson said that Kim Davis told him her office is certified to collect blood tests, and would be qualified to collect urine samples soon. She didn't think finding a certified lab is a problem. There was discussion about including the police officers. Ira Allen said he is under the impression that our police officers are being tested through the county. There was discussion about the legality of having this testing done through a private clinic rather than through a pool controlled program. The mayor said that the city attorney should be contacted before making a final decision.

WEBSITE: Beth Sisson pulled the new City of Overbrook website up on one of the computers so the council could preview it. She told the council that she needs to add some more information before publishing the website, and then she will contact search engines to make it more available. The council was asked to look it over and let her know what they think and about ideas they may have. Sisson was thanked for all her work. The website is [www.overbrookks.com](http://www.overbrookks.com). Brown will ask Kansas State Bank to put an announcement on their marquis, and Mike Dickerson of the Osage County Herald will put something in the paper.

Sisson showed the council a picture taken in 1911, and said she would like to have more "old" pictures to put on the website.

**WATER/SEWER REPORT:** Mayor Young reviewed the written report from Vic Robbins due to his absence at the last meeting. The report covered mapping sewer and water lines by Kansas Rural Water Association, corrective actions as a result of the sewer hook-up inspections, progress with replacing water lines with the balance of the waterline loan, and his progress with the sewer rehabilitation plan for KDHE.

The bid from D&D Excavating for waterline replacement was discussed. Ira Allen moved to approve Tag#1 and Tag#2 for \$36,020.00 using the remaining loan proceeds and Special Highway funds. Larry Courson seconded; motion carried 5-0.

The sewer inspection for Steve Cross's residence was discussed. Cross was upset because he thought someone inspected his house without his being there. That was not the case as an inspection was never done. The council agreed by consensus that Dean Beckman should contact Cross and do the inspection as soon as possible.

**RETIREMENT FUND:** Cheryl Brown presented the council with the difference in the amounts paid by the city for the police retirement (KPF) and that of Bob Call and Brown (KPERS). She had based the amounts on 2004 W-2's. After a brief discussion, Bob Sisson made a motion, seconded by Rich Hamit, to pay Call and Brown an amount equal to what their retirement benefits would have been at the same higher rate as Harmison and Dannar as an adjustment. This will be a one-time payment while other options are evaluated in the future. Motion carried 5-0.

**DRAINAGE ISSUES:** Bob Call said that he has someone coming to give him some ideas about ways to handle the water drainage from the grade school to Locust Street. Mac Barnett hasn't returned any plans, so the matter was tabled.

**LIBRARY ROOF:** Bob Call said that he has a couple of roofing companies coming to inspect the library roof and possible give bids. Ira Allen suggested Call talk to First Security Bank to get the name of the roofer they used recently.

**ANIMAL CONTROL:** The mayor presented a timesheet of Mark Tomlinson's as a way to review his hours and mileage without his patrolling the city lake. More information will be presented at the next meeting.

**SIDEWALK:** The council agreed by consensus that as sidewalks are the property owners responsibilities, that the city won't have a sidewalk built on the corner of 7<sup>th</sup> & Maple across from the pool.

**POLICY FOR EMPLOYEE BUYING/SELLING:** After discussion, Bob Sisson moved that any city-owned property valued at \$100 or more be put out on bids, with the council deciding the value. Bruce Smith seconded; motion carried 5-0.

**SEWER REPORT:** Vic Robbins arrived at the meeting at this time. Bob Sisson asked if Robbins thinks the city can use the balance of the waterline loan money, then use Special Highway money to pay for the necessary asphalt work. Robbins said he thinks the city can, but he'll talk to KDHE to make sure.

Robbins said that about 15 manholes of the total 135 weren't inspected earlier. We may not have to excavate them, but that would be the best way to inspect them. Robbins will look at the tapes to see how well they show up. Robbins said he's sent the sewer line maps back to KRWA with corrections. There was some discussion about what KRWA is supposed to be providing the city per the original agreement. The clerk said she would look through all the grant/KDHE files to find the contract.

Robbins said that having Dean Beckman doing the follow-up inspections on the sewer hook-up's will be satisfactory as long as Robbins can go over what is an acceptable repair. The mayor said no one has talked to Beckman at this time, but someone will soon.

COUNCILMEMBER COMMENTS: Bruce Smith said he and Ira Allen had attended a meeting with Pomona Lake Water Project recently. He said that the Overbrook participation has been scaled down from the original plan. Smith gave everyone some information about the different options for the city. The council will discuss this further after studying the material. Ira Allen said that while the city has ample water supply at this time, future needs need to be considered. Smith said that if the city isn't included from the beginning, the city may not be able to join in the group at a later time.

Ira Allen recommended that all the members read a couple of articles in the Government Journal that apply to legal matters.

Rich Hamit reported that a water line had broken at the pool, but was fixed quickly by Mark McCain. Hamit asked if something can be done about the drainage grate by the barbershop. Call said it had been replaced once, but would check into something stronger.

CLERK'S REPORT: Cheryl Brown reported that the 2004 Consumer Confidence Report will be mailed tomorrow. Brown will be on vacation the week of July 18<sup>th</sup>, and Lila Hamit will be working that week. She also said that she needs to be gone August 15<sup>th</sup> & 16<sup>th</sup> and would like permission to close the office if a replacement can't be found. Mayor Young said he couldn't see any reason why the office can't be closed with advance notice.

Ira Allen said he would miss the next council meeting while on vacation.

MAYOR'S REPORT: The mayor asked about the sidewalks being poured at the city lake. He just wanted to make sure that this is being covered by the Trail's Project grant, and not being paid for out of city funds. He also said that a large hole was discovered in the alley behind Kansas State Bank, and he asked the council for a decision on who should pay for the repair. Young said that apparently there had been a cistern there at one time. G&G Excavating made the repairs. After some discussion, Rich Hamit moved to pay G&G Excavating. Bob Sisson seconded; motion carried 5-0.

The mayor said that Wilma Sicks called him to say that she's had her sump pump changed to comply with the ordinance, and so has her neighbor. Now her neighbor's sump pump is draining into her yard. Mayor Young just wanted the council to be aware that there may be more phone calls like this. He advised Mrs. Sicks to talk to her neighbor.

There being no further business before the council, Bob Sisson moved to adjourn. Larry Coursen seconded; meeting was adjourned at 8:40 PM.

Respectfully,

Cheryl L. Brown  
City Clerk

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



CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JUNE 8, 2005

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

OTHERS PRESENT: Mike DeBernadin, Joni Hudson, Pat Martin, Mac Barnett, Pat Neil, Jr., Mike Dickerson, Bruce Sisson, Patty Hylton, Bob Call, Ed Harmison (7:50 pm), Everette Dannar (8:50 pm), Cheryl Brown.

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

MINUTES / WARRANTS: Bob Sisson moved to approve the minutes of the May 25, 2005 meeting as written. Ira Allen seconded; motion carried 5-0. Ira Allen made a motion, seconded by Bruce Smith, to pay all warrants presented. Motion carried 5-0.

POOL REPORT: Joni Hudson told the council that there had been an electrical problem at the pool, but that it's been fixed. Hudson said that the maintenance duties are being recorded. She told the council that everything seems to be going just fine.

FIREWORKS: Pat Martin asked permission to sell fireworks again this year from June 27<sup>th</sup> through July 4<sup>th</sup> from 10 AM to 10 PM each day. Rich Hamit moved to allow the fireworks sales, with Bruce Smith seconding. Motion carried 5-0.

GALAXY CABLEVISION: Mike DeBernadin told the council that two more channels can be added to the city service, but this would probably mean a rate-increase. The increase would depend on the cost Galaxy pays to their provider. Discussion about what channels to be added was held. Rich Hamit asked DeBernadin to give some idea of what channels are available as it would be hard to find out what every person in town would choose.

DeBernadin said he's learned from their engineers that the reason service isn't being provided to Meadowbrook II is that it would require Galaxy to extend their main line which stops just south of Hwy 56 and Oak Street. All the town is serviced from this point, but the system isn't capable of further extension without adding to the main line. This of course would mean a sizable investment by Galaxy with a 137 month projected cost-recovery time. At this time, out of approximately 350 homes, only 144 are Galaxy subscribers. Mayor Young stated that more people might subscribe if more channels are offered. DeBernadin again stated that Galaxy could offer more services if there were more customers. Both sides admitted to these facts. DeBernadin again told the council that the best time for Galaxy to provide service to new subdivisions at the same time that other utilities are installed. He also said that the franchise agreement is based on the existing boundaries, and annexing can alter the original agreement.

DeBernadin reminded the council that the language in the contract allows the city to present problems with Galaxy at any time without waiting for a specific review time, and the city is able to contact other providers during the contract time. Larry Coursen made a motion, seconded by Bruce Smith, to agree to a 10-year contract with Galaxy Cablevision. Motion carried 5-0. DeBernadin said that existing channels can be changed, depending on their contract obligations with those companies. Ira Allen asked him to provide a list of possible channels to be considered. The contract extension will be Ordinance No. 281 which won't be official until published in the city newspaper.

WATER/SEWER REPORT: Vic Robbins was not able to be present, but Cheryl Brown asked the council for clarification on who is to do the re-inspections of homes in violation of the sewer hook-up's. The council agreed that Dean Beckman was hired to do the re-inspections. Mayor Young asked what letter was sent to the resident at 305 W. Santa Fe Trail. The clerk said it was the one sent to those in violation of having a sump pump connected to the sewer system. The resident wasn't aware of his property being inspected, and since Vic Robbins has the reports, the council was unable to get more details at this time. The mayor said that the residence has a sump pump that drains to open air, but he would check the original report by Beckman.

MISC: Rich Hamit said he's still working on job evaluations, etc from the League.

**CITY WEBSITE:** After a brief discussion, Rich Hamit moved to approve having Beth Sisson developing a website for the city using the "starter host" option for an approximate cost of \$150/year with Beth Sisson maintaining it for 6 months at no charge to the city. Bruce Smith seconded; motion carried 5-0. The clerk reminded the council that the option can be upgraded to provide more services at any time. Brown said she would notify Sisson, and the others who submitted proposals of the council decision.

**TREE REMOVAL:** Bob Call said he has two bids for removing a tree by the west lift station. One from Peterson is for \$700 and one from McBurney for \$350. Bruce Smith moved to hire McBurney to remove the tree and stump for \$350. Ira Allen seconded; motion carried 5-0.

**WATER DRAINAGE BY SCHOOL:** There was discussion about solutions to the water run-off from the grade school down to Locust Street. Bob Call was asked to get some estimates on constructing some kind of ditch to divert the flow of water.

**DRAINAGE ISSUES:** Mac Barnett, owner of Overbrook Home Center, came before the council to ask about drainage problems created by runoff. He has some ideas, and wanted to get council approval before doing anything. The council asked Barnett to bring a drawing of his plans before giving final approval. Barnett agreed to do so.

**MAINTENANCE REPORT:** Bob Call said he got the report on the old meter from the Laundromat. The city has replaced the meter at city expense so the council agreed that the matter is closed as there were no major definite results from the meter testing. Call said that the city's meter at the rural water pump station was off more than the Laundromat meter. Ira Allen asked that a letter with a copy of the report be sent to the Martin's.

Call said that he's done some tarring on the library roof, but he thinks it needs more repairs than he's able to do. Bruce Smith said Call needs to check the attic also. There was discussion about when it was last roofed. The mayor suggested having someone who specializes in roofing look at it.

Call said that the electrical problem at the pool was the result of not having the right amps for the size of the motor. Apparently, the original motor was replaced with a bigger motor at some time, but the electrical box was left the same. Call was also concerned because no one working at the pool seemed to know just how long the pump had been down. Hamit said that this problem should be taken care of after his meeting with them earlier today. It was agreed that Call would show the employees how to do the backflushing, etc again just to be certain that they know how to do it correctly. Hamit said he would like to be there too if possible.

Call told the council that he hasn't found a dump truck yet, but is still looking. He talked to someone from Chanute, but has to wait until they are "checked out".

Call asked about the retirement fund for him and the clerk. The mayor said that the person recommended by Brian Luther has never contacted the city. Call said that he and the clerk would be willing to take a one-time payment until the council makes a decision. Brown said she would have the figures on the difference between KPERs and KPF at the next meeting.

Call gave the council some prices on a skid loader and some attachments. There was discussion about trading in the backhoe as it's 20 years old. A skid loader with all the necessary attachments would be around \$52,000. The mayor said we also need to consider an addition to the shop in order to keep all the equipment under cover. Ira Allen also asked if a concrete floor in the shop would be a good idea, and Call said yes. All these items need to be considered when preparing the budget for the next few years. Call said he would get some more prices on different models. Sisson said that he thinks that putting some money in equipment to take care of the town needs to be done. The mayor told Call to keep reminding them about these items. Hamit asked if Call could put an exhaust fan in the pool pump house because of the fumes from the chemicals.

**LAW REPORT:** Chief Harmison reviewed his written report for the council. This included a child being bitten by a dog. Harmison and Danner attended an M-Squad school in Lawrence. They've been working the unlicensed dog problem pretty hard.

**TREASURER'S REPORT:** Patty Hylton reviewed her financial reports for the council. She's prepared some additional reports to be considered when preparing the 2006 budget, and will have more details next month. Jim Long will have a proposed budget when he comes with the audit report in July, so these reports need to be studied before then. Hylton said she needs to get more detailed with salaries and payroll taxes.

Hylton reported that the ending cash balance for May was \$172,845.58 which is good. She said that any unexpected out-of-pocket expenses for the Wastewater project might have to come out of the Water/Sewer fund until we're reimbursed. She also said that there will be a good-sized bond payment due around September 1<sup>st</sup> which will be partially made from the General Fund. Hylton said she's sent in the paper work for around \$34,000 of reimbursement from the Wastewater project.

**COUNCILMEMBER COMMENTS:** Bruce Smith told the council that he's talked to the engineer for the Pomona Lake Water project about our scaling back to about 1/3 of the original cost to keep the city in the participants class, but without as much expense.

Bob Sisson made a motion to pay mileage to animal control only for trips to Carbondale and not for patrolling. There was discussion about the hours approved for animal control when he was hired. The clerk said the job was for up to 40 hours/month and mileage. Larry Coursen seconded the motion. Ira Allen said he thought it was wrong to ask a man to use his vehicle to police the town for dogs and not pay him mileage. Bruce Smith questioned how productive patrolling the town for dogs is by driving up and down the streets. Chief Harmison said that the report he gave the council last meeting showed that Tomlinson had picked up 9 or 10 dogs and hasn't had a problem with them since. He also said that postal employees are being paid 46 cents/mile and the city pays 36 cents/mile. The mayor asked for a vote on the motion made by Sisson. Motion failed 0-5. Bob Sisson said that the report at the last meeting didn't give information about who the dogs belonged to or if warning tickets were given or what. The mayor asked Chief Harmison if Tomlinson keeps logs of what dogs get picked up. Harmison said that he posts them on the City Hall door. Brown said that's only done for the animals that get taken to Carbondale. Harmison then said that he's told Tomlinson that he needs more information noted on the logs about all the dogs he picks up regardless of whether he returns them to the owner or takes them to Carbondale. Bruce Smith suggested that the patrolling be reduced which would save time for actual calls. The council agreed that Tomlinson should cut his patrolling to half, and they will review the matter at a later time.

Sisson said he'd gotten several calls from people who were upset about someone coming to their door after 9 pm about dog tags. Harmison said he'd approved going to houses up until 10 PM if there were lights on in the house. Sisson said that he'd also gotten a report about a barking dog in his neighborhood, and he told them that they needed to make a formal complaint. Sisson said that the dog is a German Shepherd behind Rae Johnson's house. Chief Harmison said he would like to talk to them personally, so Sisson should have them call the police department. Brown said that this is the same dog in the complaint that she gave Harmison a few days ago. Harmison said that he had talked to Michael Blood who owns the dog, and he said that the dog only barks when someone is behind his house.

Larry Coursen wanted to discuss the matter of one of the police cars being driven out of town again. Coursen made a motion to stop the car from being driven out of town; Bob Sisson seconded the motion. Ira Allen said that he thinks it's wrong to take the car away from the officer who lives out of town. Chief Harmison said that this has been discussed several times before, and he hopes the vote tonight will be the end of it. The man doesn't abuse the car; he takes excellent care of it. When he's (Harmison) outside the city Dannar can go directly to a call instead of driving to Overbrook to get a car. It's not a unique to have law enforcement officers living outside the city where they're employed and having access to a patrolcar. Harmison said he hasn't had to file a case with the Osage County Attorney this year as everything is taken care of here. Bruce Smith said that he considers it part of the pay-package. Harmison said that he feels Dannar is dedicated to the city and can't see taking it away from Dannar. Sisson said that maybe because he and Coursen are new on the council, people have told them that they didn't think the car should be going out of town, and especially the new car. Harmison said it was his decision to let Dannar have the new car as he believes in taking care of people who work under him. Dannar did the leg work on shopping for the car, and saved the city money by not adding any extra's. Sisson then said that while he admires Harmison's concern for his department, the council should have something to say about the matter. Harmison said that, up until now, the council has given him control of the police department and if there's a problem they address him. The council does not run the police department, he does. The problems are addressed to him. Ira Allen said that he wants the matter settled since it has been brought up a couple of times since Sisson and Coursen came on the council. Coursen said that part of his concern was due to past overtime for the police department and the extra expense for their retirement fund. Harmison said that while the city may be buying a new car every 3-4 years, it's to replace one that's 7 or 8 years old. Harmison said he would like to see the city have a policy on matters such as driving a police car out of town, so that new council members would have something to use as guidelines. The mayor asked for a vote on the motion. The motion failed 2-3 with Smith, Allen and Hamit voting no.

**TRAIL PROJECT:** Mayor Young said that while the Trail's project has \$31,000 of grant money remaining, he will be against the city doing anything that will cost money. He said this because there's

been problems with getting volunteer labor and having a definite plan for finishing the job. The clerk said that the grant money is only available until August 31<sup>st</sup>.

MISC: Chief Harmison asked that the city do some more work on the sidewalk at the corner of Maple and 7<sup>th</sup> for safety purposes. The matter was tabled until some measurements can be taken. Harmison asked if he can have Peterson come in and trim tree branches as he has the past couple of years. The council agreed by concensus.

MAYOR'S REPORT: The mayor asked the council to think about establishing a policy for doing business with or buying from or selling to employees or hiring employees outside of their regular duties. Ira Allen asked if this had to do with the skateboard ramps, and the mayor said that it does. The mayor said that to be fair to everybody, the city needs a policy about doing business with employees to be fair to everyone. Ira Allen said the simple solution is to put everything out on bids.

COMMENTS: Pat Neil, Jr said that the last agreement with the city and him was for him to do things as he can afford it, and that he also has some medical problems to deal with. Neil said that the city should take care of their messes. Neil said he feels that the matter is nit-picking, and he knows of other places that should be brought up like the stuff behind NAPA. Mayor Young said he'd check the minutes, and if they say that Neil would be allowed to do things as he can afford them, the matter would be settled. Neil then said that the city can do whatever they want, because he can't afford to do more than what's he's done. Neil then said that if necessary, he will get a lawyer because he feels he's being harassed. He also wanted to see the ordinances that he was cited on. He asked if he still needs to come to court next week. The mayor said that Neil should make his court appearance.

MISC: Gary Arbitraugh from KRWA stopped in to see if there were any questions about his report on the meter. There was a short discussion about the normal ranges for water meters.

EXEC SESSION: Bruce Smith moved to go into executive session for 5 minutes to discuss matters not related to elected personnel. Rich Hamit seconded; meeting was recessed from 9:05 until 9:10 PM.

There being no further business before the council, Larry Coursen moved to adjourn the meeting. Rich Hamit seconded; meeting adjourned at 9:12 PM.

Respectfully submitted,

Cheryl L Brown

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