

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 11, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JANUARY 25, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 8, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

FEBRUARY 22, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 12, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Submitted By,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

APRIL 26, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Young asked if anyone has any thoughts about major increases for any of the other departments. Sisson said that none of the other departments have requested any major increases yet. Larry Coursen said that he thinks we have serious issues with the condition of the streets. The mayor said that he would like to start a plan to asphalt a certain number of blocks each year rather than chip and seal half the town each year. There was discussion about how many streets would be affected by the sewer project. Brown said that Jim Long usually brings a draft of the budget in July when he gives the audit report. Ira Allen said that any increases should be in the general fund so that it can be transferred to where it's needed. There was discussion about how to increase the general fund without increasing the mill levy. Brown said that Patty Hylton may have more reports for them at the next meeting regarding this matter.

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown,
City Clerk

APPROVED:_____

COU

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 10, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

SPECIAL COUNCIL MEETING

MAY 17, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

MAY 24, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JUNE 14, 2006

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

SPECIAL MEETING

JUNE 21, 2006

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:_____

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

JUNE 28, 2006

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

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

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

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

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

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

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

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

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

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

SCHOOL SPORTS POSTER: Mayor Young has been contacted by Cloyd McCurdy, WIN Publishing, about the city being on a poster for the Santa Fe Trail High School Fall/Winter sports poster. These are 2x3' color posters which will be placed in area businesses. This poster has been authorized by Dave Watkins, Athletic Director at SFT High School. After discussion, Rich Hamit moved to place a 2 1/2" x 4" ad on the poster for \$149.95. Bob Sisson seconded; motion carried 4-0.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____