

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JANUARY 28, 2004

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Respectfully submitted,

Cheryl Brown, City Clerk

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

2/11/04