

MEMBERS PRESENT: Bruce Smith, Jim Gates, Ira Allen, David Gerisch, Rich Hamit (left The meeting at 8:15 PM). Mayor Jack Young absent.

OTHERS PRESENT: Doug Helmke, Max Friesen, Marian Massoth, Patty Hylton, Ed Harmison, Bob Call, Everette Dannar, Cheryl Brown

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

MINUTES / WARRANTS: Ira Allen made a motion, seconded by Jim Gates, to approve the minutes of the June 24th minutes as written. Motion carried 4-0 (Gerisch not present at this time).

Jim Gates moved to approve all warrants presented for payment. Ira Allen seconded; motion carried 4-0.

WELLHEAD PROTECTION PLAN: Doug Helmke, Kansas Rural Water Association, was present to discuss his findings and recommendations for an official protection plan for the city's water supply. Helmke said that the water supply is very safe, and the protection plan is fairly simple. The committee to oversee this plan consists of Helmke, Bruce Smith, Bob Call, and Mayor Young. Helmke pointed out certain sections of the plan that are mandatory such as reviewing the plan annually for necessary revisions. Helmke did say that the city needs to adopt an emergency water supply plan before the state will give final approval to the wellhead protection plan. Helmke said he would meet with Bob Call to draft such a plan for Overbrook. Helmke told the council that the benefits of having an official Wellhead Protection Plan, including the emergency plan, include scoring points when applying for grants.

Ira Allen made a motion, seconded by Jim Gates, to approve the plan as prepared. Motion carried 5-0.

PROPERTY DEVELOPMENT: Max Friesen came before the council to discuss future plans for his property on the east side of the city lake and on the north side of Hwy 56. Friesen would like the city to consider including this area when planning for future utility services. He told the council that he foresees population growth due to increased businesses in the Forbes Field area of Topeka. Friesen said that he would like some indication from the council about his being able to hook on to city water and sewer before he hires an engineer. Friesen said that his plans are to include a road that would connect Hwy 56 to the development by the cemetery. Friesen said that he's talking about 12-15 building sites altogether. His plan is to ask that all the property be annexed, including north of Hwy 56. Friesen told the council that he didn't expect an answer right away, but wanted the council to start considering the matter. Friesen also reminded the council that he has offered to donate property for another lagoon. Marian Massoth said that she doesn't know if KDHE would approve another lagoon system, but she does know that the test limits would be stricter than they are now. Bruce Smith said that an engineering study would determine the need for another lagoon system.

WATER/SEWER REPORT: Marian Massoth informed the council that she has accepted a position with KDHE in the water section. Vic Robbins will be representing King & Associates Engineering for the city. Massoth said that she is working on completing all the necessary paperwork for the Wastewater Project, and will be here on July 16th for the bid opening.

Massoth said that the business involved with installing a pre-treatment tank is willing to pursue the matter. Some excavation work needs to be done to determine the correct size of pipe, etc. She will check with Donna Crawford regarding any requirements from the grant side of the project.

Massoth would like to check into slip-lining any sections of defective sewer line rather than replacing them. She will check with KDHE to see if this is acceptable with them, and do some research on the actual procedure. She also mentioned a process called "strong sealing" manholes that need rehabilitated. Random sampling of pH needs to be done when the manholes and sewer lines are inspected.

The council expressed their thanks to Massoth for her work, and wished her good luck in her new job.

PLANNING COMMISSION: Jim Gates made a motion, seconded by Rich Hamit, to accept Glyn Day's resignation from the Planning Commission. Motion carried 5-0. Jim Gates made a motion, seconded by David Gerisch, to approve Yolanda Dickinson to serve the remaining term of Glyn Day on the Planning Commission. Motion carried 5-0.

TIMESHEETS: There was discussion about possible timesheet formats presented by Rich Hamit and Ira Allen. Smith said that he would like to see odometer readings included to keep track of the city vehicles. Hamit said he would try to have a finished sample for the next regular meeting.

POOL REPORT: Rich Hamit said that the water heater at the pool has been repaired, and they will be getting a new net for the pole. He said that the south diving board has been roped off because it's too slick. Bob Call will have Buddy Rogers check to see if another coat of Vortex is needed. There was discussion about the number of long-distance calls made from the pool. Most of the calls were under a minute, but it took several pages of the phone bill to list them. Hamit said he would talk to Rachael about the matter.

LAW REPORT: Chief Harmison reviewed his written report for the council. He told the council that the incident involving a dog bite was serious. He will be making a 2005 budget presentation later in the meeting. Harmison told the council that they have learned about a program that will allow them to exchange their weapons for ones that are capable of having a site pattern. They will be assisted by the county attorney's office.

Harmison told the council that an individual charged with arson and attempted murder earlier in the year has been sentenced to 86 months in prison. The case didn't go to trial due to the case presented by the police department to the county attorney and the defense attorney.

Harmison also asked if 70% of the fuel tax refund could be put into the Law fund. The clerk said she had asked the treasurer to put 100% of the refund into the Law fund. Harmison said that the Receipts Journal shows it went into the General Fund. Hylton apologized for the mistake, and said she would transfer the deposit.

MAINTENANCE REPORT: Bob Call told the council that there'd been a fire in the fuse box located in the bathroom of City Hall. Due to the clerk and Call hearing the noise, damage was

contained to the area around the box. The electrician said that the box was over-amped and under-wired. Everything has been replaced.

Call said that the dump truck has had the new bed installed by Craig's Welding. He also said that there's a leaky valve by the Housing Authority apartments.

Well #1 is down. Smith suggested that Call have it videoed if possible.

Jim Gates said that Ed Butterfield told him that Westar will install a pole up to 200' off the highway at the city lake at no charge. Bob Call said he would talk to Butterfield and do some measuring. This would allow the aerator to have a much closer connection.

Everette Dannar has given a bid of \$100 to build a grate for the storm drain by the co-op. The council agreed by consensus to approve the bid from Dannar.

Call asked if the council wants him to get some small-size gravel for the walkway by Casey's. The council told him to check into the cost, and order some if the price is reasonable.

Call was asked to check into replacing the culvert in the cul-de-sac on Oak Street Court.

Bruce Smith remarked that there are several faded stop signs that need replaced. Call was also asked to remove the northbound stop sign on Ash at the intersection of Market. Max Friesen said that he's noticed that the storm drain in front of city hall needs to be cleaned out.

TREASURER'S REPORT: Patty Hylton reviewed some of the financial reports with the council. She will have to transfer about \$15,000 from General to the Bond & Interest fund before the next payment is due in October. Part of this money is from the local sales tax. The General fund will also have to make up any shortages in the Pool fund, but Hylton will leave the report as is so the council can see the monthly status. Hylton expressed her concern about a low balance in the Water/Sewer fund.

CLERK'S REPORT: Cheryl Brown said that she is considering other forms of storing back-up's for the accounting and utility billing as a result of the recent fire. We were very fortunate that it happened during the daytime when someone was here. One possibility is a direct hook-up with NCS, the company from which we bought our computers. The data is actually sent directly to a location in Kansas City, and files can be retrieved from them as necessary. This would cost about \$50/month. The alternative is to remove the backup discs from the building and store them elsewhere. Ira Allen suggested using another computer in another location for file storage, but locating a secure place would be difficult. Brown said she would do some more research on the matter.

COUNCILMEMBER COMMENTS: Ira Allen said that citizens using the limb disposal need to use the main pile, and not the road leading to it. Allen also stated that in his opinion, there's been a problem with attendance since changing to Thursday night council meetings, and he would ask for a vote to change it back to Wednesday's if this keeps up. Smith said that this would need to be discussed again when everyone is present.

FAIR COVERAGE: Chief Harmison stated that his budget won't allow for extra officers to cover during the fair, and this is not a safe situation in his judgment. He told the council that they need to decide how to pay for more coverage. Jim Gates asked if this was considered when the current budget was prepared. Harmison replied that the budget he's operating under is not the one that he prepared. Allen said that some expenses for employee benefits are now being taken from the Law fund instead of the General fund and these were not included when the budget was adopted. Harmison said that 10% of his budget ended up going to expenses that have not been taken from the Law fund in the past. There was discussion about talking to the fair board regarding funding extra coverage. Harmison said that his coverage will be for the city rather than the fair.

BUDGET PRESENTATION: Chief Harmison stated that he is directing this to the elected council members. He will be asking for what he thinks is necessary to keep the community safe. The case load is down at the present time. He reviewed several cases worked in the past several years. Harmison also stated that he has not had one citizen come up to him to complain about the mill levy increase for the Police department in this budget. He also stated that comments in recent meetings have been about the law enforcement being one of the best things about Overbrook. Harmison stated that his proposed budget will require another increase in the mill levy. He stated that the overtime he's budgeted will be necessary in case of emergencies, but his hope is that this money will be used to build a reserve. Harmison also stated the need for part-timer's. He stated that he is covering Sunday's himself due to lack of funds for part-time coverage. He said that the citizens expect coverage on weekends as well as during the week. Harmison also expressed the need to replace the 1996 police car driven by Officer Dannar soon, as well as the increased cost of gasoline. He also expressed the cost of the required 40 hours of training for himself and Dannar on an annual basis. Harmison said that there are ways to cut back, but he's concerned about the results of doing that in manpower. He also has considered the increase in the city's share of the Kansas Police retirement for 2005, and also the cost of health insurance. The total amount being requested by Harmison is \$124,000 to cover all these areas. He again stated that the current budget is not the one he helped prepare for 2004.

Patty Hylton said that according to Jim Long, the city will get an increase of \$3,276 increase in tax revenue without raising the tax to be levied. Harmison said that his proposed budget would require a 3-mill tax increase. He stated that he feels that the police department is well respected in the community, and that they are doing a good job. He realizes that this budget is asking for a lot of money, but feels that it's reasonable compared to other cities in the county. He also pointed out that growth in the city requires more services. Harmison then gave the council some budget information from some other towns for comparison. There was discussion about these budgets.

Harmison said that the money he's asking for is partly based on preparedness for major emergencies. Hylton then asked Harmison if he'd be willing to give any surplus funds back to the General fund if needed. He said he would with the stipulation that it come back to the Law fund if needed.

Jim Gates asked if the fair board has ever been approached about providing their own security or helping fund the police department's coverage. Smith suggested that someone from the governing body, along with Harmison, visit with the fair board about this matter. Ira Allen said that the fair board has had increases in their insurance costs the past few years, and that may prevent them from helping with funding security. Dannar stated that more visible badges keep a lot of things from happening, and he'd be concerned if the coverage isn't adequate.

Harmison said that his budget for part-time help doesn't include other special events, such as street dances or school-sponsored events.

Brown reminded the council that the budget hearing notice, with the final figures, has to be published by August 5th, which means it has to be sent to the paper no later than August 2nd, but would prefer to publish on July 29th.

Hylton gave the council some information from Jim Long, auditor, on what he recommends to start building a reserve for the city. She also stated that she is in favor of keeping the same tax levy as 2004. Harmison then said that the police department puts \$22,000 - \$25,000 into the General fund through the fines collected by the court. He said that there was \$3800 left after court expenses last year, but it can't be put into his fund per state law. Harmison ended his presentation again with the reminder that his concern is with the safety of the community, and that the elected officials need to keep that in mind when deciding what is best for Overbrook. Harmison said he would have a written presentation for the council to consider at the next meeting.

A special meeting was tentatively scheduled for July 12th after the annexation hearing. The clerk will notify Mayor Young and Rich Hamit about the meeting.

MISCELLANEOUS: Bruce Smith reviewed his figures on the water/sewer funds, and brought up raising the rates for these services to help pay for the water and sewer improvement projects. After considering several different rates, Jim Gates made a motion, seconded by Ira Allen, to raise the water and sewer rates as follows:

Water -- \$12.00/ first 1,000 gallons, \$6.50/each additional 1,000 gallons

Sewer -- \$ 6.00/ first 1,000 gallons, \$2.00/each additional 1,000 gallons

The rate change will be in effect after publication, and in force with the September billing. Motion carried 4-0 (Hamit had left the meeting earlier). Brown said she would have the necessary ordinances prepared at the next regular meeting.

Ed Harmison asked if it would be profitable for the city to do their own trash removal. The clerk said this had been discussed, but never pursued due to the start-up expense, and also the insurance costs. Ira Allen also pointed out that the city would have to buy the necessary dumpsters. Smith said that more research would have to be done on this matter.

Smith also mentioned that he thinks that spending \$6,000/year on animal control is a luxury. He would recommend going back to having maintenance and the police department handle animal calls on an as-needed basis. Gates said that it seems like there's just as many dogs at large as before. Chief Harmison said he didn't agree with Gates, to which Gates replied maybe it was just in his neighborhood. There was more discussion, but no action was taken. Bob Call said that he didn't really want to go back to this, but he or Harmison have to handle calls in the daytime now as Tomlinson only is available evenings and week-ends. Harmison said that Tomlinson also patrols the city lake to check for license violations. He suggested cutting back on his hours and mileage. Ira Allen said that this would shift more work to Bob Call, and he has enough to do with just a part-time helper.

There being no further business before the council, Jim Gates moved to adjourn. David Gerisch seconded; motion carried 4-0. The meeting adjourned at 10:12 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

7-22-04