

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

JULY 9, 2003

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

OTHERS PRESENT: Beth Pankratz, Joyce Metzger, John Pankratz, Marian Massoth, Vicky Robbins, Ed Harmison, Bob Call, Cheryl Brown.

Mayor Young called the meeting to order at 7:00 PM. Roll was called by the clerk to establish that a quorum was present.

MINUTES / WARRANTS: After discussion about signs at the tree-limb dump, Jim Gates made a motion, seconded by Ira Allen, to approve the minutes of the previous meeting as written. Motion carried 4-0.

Bruce Smith moved to pay all warrants; Jim Gates seconded. Motion carried 4-0.

SAVE THE CLINIC: Beth Pankratz came before the council to give an update on the group's progress, and to ask the city to abate the utility billing for the Kansas Medical Clinic. This would include fees for water, sewer, and trash pickup. The clerk said this would probably amount to approximately \$50 per month. Pankratz reported that \$28,325.00 has been raised as of today. Jim Gates made a motion, seconded by Bruce Smith, that the city waive the water, sewer, and trash billing for the next six months, to be reviewed for possible extension. Motion carried 4-0. Pankratz expressed optimism about the amount of money raised being a positive influence on the clinic remaining open for the next six months. The mayor said that the city will send a letter to the clinic informing them of the council decision.

ZONING REQUEST: There was discussion regarding the Planning Commission's recommendation for re-zoning property as requested by Ron Zeckser and H. Hurst Coffman, Attorney for Velma J. Vann. The original request was to re-zone the entire piece of property from Residential Single Family to Commercial. During the hearing, Sharon Gunter who owns the adjacent property on the north presented her concerns. After consideration of these concerns, the Planning Commission recommends that the north part of the Vann/Zeckser property remain zoned for Residential and re-zone the south part of the property to Commercial. The clerk reminded the council that they cannot take any action at this meeting, but must wait 14 days for formal written protests. The clerk also said that she has received a revised legal description that would determine the exact area to be zoned Commercial.

SEWER HOOK-UP INSPECTIONS: Bruce Smith recommended that more research be done before residents are given official notice of inspections, especially regarding how the inspections would be done. He indicated that he would check with the League of Municipalities and also Kansas Rural Water Association about the legal aspects of inspecting.

CURFEW/BOUNDARY ORDINANCE: Chief Harmison said that the city attorney is working on amending the curfew ordinance for action at the next meeting. Harmison also told the council that while Michael Coffman was talking to him about updating the boundary ordinance, Coffman asked why the cemetery has never been annexed into the city. Bruce Smith said that it was a half-mile away from town until annexations during the past 10 years or so.

Rich Hamit asked if Chief Harmison could check into an ordinance that would limit the time for shooting fireworks next year.

COMPREHENSIVE PLAN: The clerk has received a copy of Lyndon's Comprehensive Plan for reference. The mayor stated that he has been made aware that the governing body hasn't given the Planning Commission adequate direction for what is expected of them, so would like the council to be more involved.

The council agreed by consensus to have a working session on July 22, 2003 at 5:00 PM to address the 2004 budget and also review the Lyndon comprehensive plan.

TIMESHEETS: The council agreed that while the concept of using a timesheet is valid, they would be willing to change the format. Ira Allen recommended that the timesheet show not only the hours worked, but also how many vacation and sick leave hours are included in the total number of hours paid. The clerk reported that she has a separate form that she records vacation and sick leave earned, used, and the balance at the end of each month. Chief Harmison also said that they have been filling out a form stating when and for what reason time-off is taken. The main idea for having the timesheet is to have a better idea of how many regular hours and overtime hours are being worked, and the reason for overtime hours. The fact that the current monthly pay period doesn't work with a 7-day work cycle was discussed. Changing the pay period was discussed. The mayor asked what would have to be done to change the pay period to coincide with a 40-hour work week. The clerk said she would have to talk to the auditor about this matter. Mayor Young said that he would like to see something put into place that would be more standardized in the event something happened to the one presently doing the payroll. The matter was tabled until more research can be done.

Compensated time was discussed. Bruce Smith said that "comp time" is paid time-off to compensate for overtime worked. This is the employer's choice, up to a certain limit of hours at which point the employee has to be paid monetarily rather than given time off from work. This time is figured at a time-and-a-half rate, the same as overtime pay, so one hour of overtime would result in one and a half hours of time off.

8:00 P.M. - Kansas Water Pollution Control Revolving Fund Loan Hearing: The mayor called the hearing to order. He stated that the city is considering this to make necessary improvements to the wastewater system that have been mandated by the Department of Health and Environment. As there were no citizens present to comment, the hearing was closed.

The mayor stated that he is irritated that there are no citizens present when a \$408,000 loan is being discussed.

WATER/SEWER REPORT: Marian Massoth said that we haven't received the report from the Fort Scott inspection, and have not gotten the results of the testing done upstream and downstream from the meat processing plant.

Massoth told the council that the North Osage 4-H club might be interested in helping with the Trails' project. She was told to contact Roger Harmon for ways to help.

LAW REPORT: Chief Harmison reviewed his report for the council, including a break-down of cases. He reported the year-to-date total of fine money deposited is \$10,075. He has ordered 2 new tires for the 2001 patrolcar. Harmison has contacted the tree trimmer, and that will be done next Tuesday. He asked the council to consider adopting an ordinance that would be specifically for the area by the lagoons where we allow people to leave tree limbs and brush. He will look into setting hours for the use of fireworks, and also requiring a license to sell them. He also suggested passing an ordinance that would include the walking trail as well as the lake. Harmison also presented the council with a fine and court-cost schedule comparing the county and some other cities. There was discussion about raising these fees to be comparable to the other locations. The council agreed that the judge should be asked to come to a meeting to discuss fines and court costs.

TREASURER'S REPORT: Max Friesen reported that the balances appear to be in pretty good shape at this time. Friesen suggested that since there is quite a bit of money in the Special Highway fund, that resealing the streets be given. Friesen also suggested that a certain percentage of Bob Call's wages be taken from Special Highway as part of his job is street repair. The clerk said that it would be a small percentage, but she would look into making that change. Friesen also wondered if the City Lake permit fees should be increased. The council said that the current fees are in line with what other cities charge, and they would prefer not to raise them at this time.

MAINTENANCE REPORT: Bob Call told the council that he has ordered some signs and poles. He asked if the council would have a problem with his re-working some of the poles that have been bent or twisted so that they can be used again. The council agreed by consensus for him to proceed. Call said that he has replaced some of the signs that Chief Harmison had requested, and also has put up some new signs regarding the bicycles and skateboards on sidewalks.

Call said that we will have two phone numbers for the new water tower telemetry system. The tower and the rural water pumping station have to be able to communicate with each other, so this will be an additional monthly expense for two basic services.

He said that he's gotten new blades for the mower. He also told the council that he's been working on inventory for water/sewer repair supplies.

There was discussion about where the new mower should be used. It was decided that it should only be used at the ball diamonds, and previously mowed areas around the lake. The council agreed by consensus to have Bob Call tell Mark Tomlinson, or others, what areas are to be mowed with the new mower.

Bob Call was asked if he has any questions or concerns about his job at this point. Call said that he would need help if the property just east of the fairgrounds is developed in the future. The council assured him that help would be provided.

EXEC SESSION: Bruce Smith made a motion, seconded by Rich Hamit, to recess the meeting for 10 min (9:07 pm - 9:17 pm) to discuss matters not related to elected personnel. Motion carried. Mayor Young opened the meeting at 9:17 PM; with no action being taken.

CLERK'S REPORT: Cheryl Brown reported that the auditor will be here on July 23, 2003, and will also have a proposed 2004 budget to be discussed. Brown also said that she will be on vacation the week of July 14th. She also said that the latest letter from the Dept of Human Resources indicates that Bob Sisson's request for unemployment insurance has been denied. Sisson still has the option to appeal, so the matter may not be settled.

Brown said she still doesn't have all the information specifically for the city's situation, but would like the council to consider approving switching to the Sprint DSL if all the city's needs can be addressed. Bruce Smith made a motion, seconded by Ira Allen, to allow the clerk to pursue getting Sprint DSL providing it will be satisfactory for both City Hall and the Police Department. Motion carried 4-0.

Mayor Young indicated he would be interested in attending the League Municipal Leadership seminar in Emporia on July 26th that covers meetings, conflict resolutions, policy development, and planning. The city would pay the \$75 cost.

COUNCILMEMBER COMMENTS: Ira Allen reported that according to the Kansas Government Journal, Overbrook has the lowest mill levy in Osage County, and thinks that raising the mill levy needs to be seriously considered when preparing the 2004 budget. Mayor Young said that he agrees, but wants the council to consider actual dollars needed to fund the departments, and not necessarily how many mills that is or what other cities are doing. Allen agreed, but wanted the record to show that we have the lowest mill levy, and not the highest in

the county. Allen also said that he has received a letter of complaint regarding the police department, but would prefer discussing the matter at the next meeting with Chief Harmison and the officer in attendance.

Rich Hamit presented a pool report which indicates things are going well so far. The vending machine people have told Hamit that they are very pleased with the sales, and are interested in contracting for next year. He did say there is a problem with accessibility with the one's inside the bathhouse. Removing part of the concrete wall to allow for use without the kids going into the bathhouse might be a good idea for next year. The clerk had a question about the policy for closing early due to numbers of swimmers. Hamit said he was told they are closing the pool if there aren't at least 10 swimmers in the first hour and a half. The clerk said that she's had several phone calls from people in mid-afternoon wanting to know why the pool is closed early. Jim Gates said someone told him that they had to leave when the FastLane kids came, and then had to re-pay when they came back. Hamit said he would check into that before next year. He also said that the pool is still losing water, but not sure where.

MISC: Bruce Smith made a motion, seconded by Ira Allen, to go into executive session for 5 minutes to discuss non-elected personnel. Motion carried; meeting recessed at 9:43 PM. Mayor Young opened the meeting at 9:50 PM.

There being no further business before the council, Jim Gates made a motion to adjourn the meeting. Bruce Smith seconded; motion carried. The meeting adjourned at 9:51 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: _____

7-23-03