

MEMBERS PRESENT: Ira Allen, Jim Gates, Bruce Smith, Rich Hamit, Mayor Jack Young, David Gerisch (7:10 pm).

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

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

MINUTES / WARRANTS: Ira Allen made a motion, seconded by Bruce Smith, to approve the minutes of the July 12, 2004 meeting as written. Motion carried 4-0. Bruce Smith made a motion, seconded by Ira Allen, to approve the minutes of the July 22, 2004 special meeting as written. Motion carried 4-0.

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

MISC: Mayor Young read a letter of appreciation for the improvements made at Jones Park this past year written by the Overbrook Ball Association. The mayor said that most of the credit should go to the maintenance department and also to Clyde Martin for donating his time installing shingles on the concession stand roof. The council agreed by concensus to give Martin a free city lake permit for the 2005 season.

WASTEWATER IMPROVEMENT PROJECT: Mayor Young asked the council to review a letter from Habib Ghali, KDHE, in which Ghali stated his observations and comments regarding the plans and specifications submitted by the City. Bruce Smith had questions about some of Ghali's recommendations. The mayor was concerned about his comments regarding future wastewater treatment needs. The governing body has assumed that the project will restore the capacity to the original design to accommodate 1200 residents. After more discussion, the council agreed that they should request Habib Ghali attend a council meeting rather than respond by letter so that these matters can be discussed in the presence of the engineer. It was suggested that Vic Robbins contact Ghali. Mayor Young said that he would talk to Vic Robbins about this matter.

TIME SHEETS: Rich Hamit said that he doesn't have a final sample to consider yet, so the matter was tabled.

PARKING LOT DRAINAGE: Bruce Smith said he recommends combining this project with the drainage off the school building this fall. The council agreed to have Mark Green, City of Topeka, come to a meeting to discuss the matter. Smith said he would contact Green.

LAW REPORT: Chief Ed Harmison reviewed his written report to the council. Harmison said that the fair didn't cause too many extra problems. He thanked Bob Call for his work regarding the fair parade route signs and barriers. Harmison has asked the city attorney to check into an ordinance regulating brakes on large trucks. Signs would be posted at each city limit to inform drivers of the regulations. Jim Gates asked where most of the violations in 20 m.p.h. zones are being written. Harmison said probably on main street (Maple). Harmison said that the business district has been set at 20 m.p.h. by ordinance, and he's instructed his officers that they should be writing more tickets.

**MAINTENANCE REPORT:** Bob Call said he's been locating manholes for the sewer inspection project. The street work should be done the end of August. School crosswalks have been painted. Call said that the dump truck has a leak in the hydraulic tank. The council agreed by consensus to approve having it fixed or replaced if it can be done for \$500 or less.

Call said that Steve King is complaining about people "flying by" since the stop sign at Market and Ash was removed.

Call said that someone from KDHE was here recently due to the manhole on Sharon Gunter's property overflowing. Gunter called them. Call said that he explained that the city is in the process of improving the wastewater system, and was told that each incident needs to be reported. Call was also advised to try to improve this situation, if possible.

A temporary disposal site for waste as a result of the sewer cleaning has been built on the lagoon property.

There was discussion about the damage to the "Welcome to Overbrook" rock by the pool. Chief Harmison said that when he got there, the girl that had backed into it had stayed at the scene, and he has the accident report done except for a dollar amount. He'll turn it in as soon as he gets a figure. The rock will probably need replaced rather than repaired.

Call said that OSHA was here to inspect, and made a few recommendations to improve safety.

The water heater at the pool has been flushed again and hopefully will last the rest of this season. Mayor Young asked Call if he could do some flushing in his neighborhood as he's had some recent complaints. Hamit said he's been having the same problem.

**EXEC SESSION:** Bruce Smith made a motion, seconded by Ira Allen, to go into executive session to discuss matters not related to elected personnel. Motion carried; session started at 7:50 PM. The mayor called the meeting back to order at 7:56 PM. No action was taken at this time.

**2005 BUDGET HEARING:** Mayor Young called the 2005 Budget Hearing to order at 8:00 PM. The clerk told the council that what they wanted to designate a Contingency Fund cannot be done by state statute. So Jim Long, Bogner & Long, has named it the "Equipment Reserve" fund. This money can be spent for the purchase or repair of any kind of equipment. There was discussion about just putting the \$10,000 back into the General Fund, but the mayor stated his concern about that making it easier to spend. His main objective for setting this amount aside is to start building a reserve. Cheryl Brown called Jim Long, and was told (by speaker phone) that the fund cannot be called just "Reserve", and that Equipment Reserve was the broadest definition available.

Patty Hylton was asked to give her report as part of the budget hearing. She told the council that the proposed budget is pretty tight in the General, Water/Sewer, and Law fund but any funds not spent this year would help. She has tried to include a reserve line in each of the funds to be used for various things, such as employee benefits if necessary. Hylton said that the rate increases for water and sewer should help that fund, but with payments and reimbursements for the projects coming in and out it's hard to come up with good estimates.

Ed Harmison asked why the box for overtime in the Law Fund is blank. Hylton said that this was recommended by Jim Long. Harmison said that some of the figures on Hylton's report don't match with what has been discussed. He said that the purchase of a new car as discussed by the council previously needs to be designated somewhere in his fund. Hylton said that is covered in the Reserve for Auto Purchase line. Smith asked if this had been discussed for a definite time at a meeting when he was absent. Harmison said that he intended for this to be included in the budget. Hylton said that the amounts for each line item can be discussed and changed after the total fund amounts are set by the budget.

The mayor again stated that he would prefer leaving the \$10,000 in a reserve fund rather than try to "save" it within any of the other funds. The fund doesn't have any mills levied to be the source of revenue, but rather transfers from other funds. Jim Gates made a motion, seconded by Bruce Smith, to approve the 2005 budget as prepared. Motion carried 5-0. The hearing was closed by the mayor.

**SEWER DAMAGE CLAIM:** Carl Anderson was present to tell the council that he hasn't heard anything from the city's insurance agent in regards to damage to his property as a result of the city's main backing up. Anderson was concerned about the adjustor coming when Anderson might not be available. Ira Allen said that he would be notified a few days in advance, and that he should be hearing from them soon. Anderson just wanted to make sure that the city is aware of his situation. Mayor Young said that Employer's Mutual has been notified, and we should be hearing from them soon. Anderson thanked the council for their time.

**CLERK'S REPORT:** Cheryl Brown reminded the council of the pre-construction meeting on Monday, August 16<sup>th</sup> at 10 AM. She also told the council that the city channel computer may need a new modem. She also asked about doing something for Ed Harmison due to the loss of his step-father. The council agreed by concensus to donate \$25 to the memorial of choice.

**COUNCILMEMBER COMMENTS:** Rich Hamit said the diving boards are slick again, and we may need to do something different next year.

Hamit also said he is really disappointed that all the people who approached him about the proposed budget did not show up tonight. They had indicated that they were opposed to it. The mayor stated that Councilman Gates attends lots of council meetings in other towns and has noticed that Overbrook has the fewest people attending regular council meetings. Mayor Young stated that this could be taken as approval for how things are being done, and left it at that.

**EXECUTIVE SESSION:** Bruce Smith made a motion, seconded by David Gerisch, to go into executive session for 5 minutes to discuss matters not related to elected personnel. Motion carried; meeting was recessed from 9:25 until 9:30 PM. The mayor called the meeting back to order; no action taken.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 4-1. Adjourned at 9:35 PM.

Respectfully,

Cheryl L. Brown, City Clerk

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

8-26-04