

CITY OF OVERBROOK

MINUTES

REGULAR COUNCIL MEETING

AUGUST 27, 2003

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

OTHERS PRESENT: Marian Massoth, Ed Harmison, Everette Dannar, Mark Tomlinson,
Cheryl Brown.

The meeting was called to order by Mayor Young. Roll was called by the clerk; a quorum was present.

MINUTES: Jim Gates made a motion, seconded by Bruce Smith, to approve the minutes of the August 13, 2003 meeting as written. Motion carried 4-0. Bruce Smith made a motion, seconded by Jim Gates, to approve the minutes of the August 21, 2003 special meeting as written. Motion carried 4-0.

WARRANTS: There were no warrants to consider, but Cheryl Brown asked the council about making a donation to Officer Ted Miller's wife's memorial fund. Council agreed by consensus to donate \$25.00.

COMPREHENSIVE PLAN: The council is still reviewing the comprehensive plan from the city of Lyndon. There will be a session regarding planning and zoning during the League of Municipalities convention in October. The mayor asked that the council consider attending as many sessions of the convention as possible. The cost of attending all the sessions and events is \$175 per person.

EASEMENT AGREEMENT: Ira Allen asked exactly what is the purpose of the easement agreement with Max Friesen. The easement agreement approved by the council specifies that the existing easement pertains only to existing waterlines, and not to all of Friesen's property. Friesen had asked that this be done to satisfy county zoning regulations. While this has always been the city's understanding of the easement, it was made official for legal purposes.

OSHA MATERIALS: The clerk explained that the notice from Aspen Publishing had to do with training materials that Jennifer Hardesty had received. According to her, the material was not ordered by her, and as it wasn't ordered by the clerk, the material was returned per their instructions. Hardesty has received a notice from the company threatening to turn the matter over to a collection agency. Brown then stated that she has returned all the material, and the matter should be settled. She will call Aspen Publishing if another notice is received.

SISSON'S CLAIM: Ira Allen suggested having the City Attorney write a letter to the judge who issued the opinion that Bob Sisson is entitled to unemployment benefits stating that the council dismissed Sisson because of his doctor's recommendation, and that Sisson was unable to operate city equipment. They understand that this will not affect the judge's opinion, but would like this to be on record.

CLINIC: Mayor Young read the letter of thanks from the Save the Clinic committee. Smith asked if there's been any activity regarding this matter. Jim Gates said that the committee is supposed to be meeting soon, and some interest has been indicated from another group.

MISC: The mayor reported that the locks have been re-keyed on all doors in the city building, and new padlocks have been put on the maintenance shed and pump house. He wanted to establish who should have keys. After discussion, the council agreed by consensus that Mark Tomlinson and the police department have keys to the maintenance shed and the following people have keys to City Hall: Mayor Young, Rich Hamit, Bob Call, Chief Harmison, Officer Dannar, Judge Jones, Clerk Coursen, Patty Hylton, and Clerk Brown.

Mark Tomlinson requested that he be told when he is to stop mowing at the city lake rather than his having to find out by asking. The mayor said that this can be arranged in the future. Marian Massoth said that trees shouldn't be allowed to grow on the dam, and the mayor said he would have Bob Call take care of this. Jim Gates commented that if the city lake falls under city maintenance, then it should be up to Bob Call to either do the upkeep or ask for help.

GRANT SURVEY RESULTS: The clerk reported that Donna Crawford, Governmental Assistance Services, has told her that after counting the survey results several times, that with a 84.77% return rate the result is a 53.06% Low-To-Moderate income ratio. A 80%-return is necessary, and the LMI ration has to be at least 51%. At this point, the city should meet requirements to apply for Community Development Block Grants. The next step is to hire someone to prepare the grant application, and then someone to administer the grant when awarded. Bruce Smith made a motion, seconded by Jim Gates, to hire Governmental Assistance Services to prepare the grant application at a cost of \$5450.00. Motion carried 5-0. The possibility of including this fee in the grant was discussed. Crawford will re-submit the application until it has been awarded at no additional cost.

WATER/SEWER REPORT: Marian Massoth said that a request has been made for the required meeting with Department of Commerce officials, and that some city personnel will be expected to attend. Everything that's done counts as points towards the city's getting the grant. We are applying for this grant to pay for half of the wastewater improvements being required by the state. The clerk reminded the council that the survey results are valid for three years in applying for future grants. The mayor, Jim Gates, and Ira Allen agreed to attend the meeting with Massoth and Donna Crawford.

The mayor asked Massoth if KDHE has ideas on how to enforce legal hook-ups to the sewer system. She said there are state regulations, but she's not sure about the enforcement part of them. Allen asked if we have a specific plan for the sewer improvements. Massoth said that everything is included in the Wastewater Facility Plan. This plan has been prepared with phases of work to be done. Allen then asked if what's being proposed will handle future growth. Massoth said that the improvements are to comply with state regulations for the current population needs. There was discussion about the costs involved with adding new cells to the existing lagoons, or building new lagoons in another location. Mayor Young said that no money has been spent on the sewer system for some time. Smith said that the last major improvements were made in 1988. The mayor then said that it was suggested in a previous meeting that a moratorium be put on future building due to the sewer capabilities. Smith said he didn't feel that there was that many building sites in the city to make much difference, but that this should be considered when annexing more land. The mayor asked Massoth her opinion of what would justify changing from lagoons to a treatment plant. Massoth said that probably wouldn't be necessary until the population is around 2,000.

SPRINT FRANCHISE: Bruce Smith made a motion, seconded by Jim Gates, to approve the new agreement with Sprint which updates the definition of gross receipts that applies the

current franchise fee percentage rate to all services now included which will increase the city's franchise fee remittance starting in January, 2004. Motion carried 5-0.

AUDIT CONTRACT: Bruce Smith moved to accept the agreement with Bogner & Long to do the 2003 audit for a price of \$4,050. Jim Gates seconded; motion carried 5-0. This is the same fee they charged for the 2002 audit.

CITY OFFICER REPORTS: The council agreed by concensus that the city officers should not be required to give reports at the second monthly meeting unless requested to do so, or if they have something that can't wait until the next regular meeting.

COUNCILMEMBER COMMENTS: Jim Gates stated that he is very excited about qualifying for grants. Ira Allen recommends that we consider applying for another grant as soon as possible to be used for purchasing land for the purpose of building another lagoon cell. Applying for a grant to pay for the Comprehensive Plan was discussed.

Bruce Smith said that Pomona is selling a couple of pieces of equipment that the city might want to consider as they are used for street maintenance. Jim Gates said he would check into why they are selling it. Ira Allen mentioned the possibility of other used equipment. Gates then said that it wouldn't be feasible to buy equipment unless you have qualified people to use it.

Rich Hamit reported that the pool will be closing on Saturday, August 30th. The clerk said that she should have final figures on revenue, expenses and water usage at the next meeting. The mayor also asked Hamit to see if Rachael can come to the next meeting.

Ira Allen asked what the difference is between the KDHE and the KRWA. He was told that the Kansas Dept of Health & Environment is the state agency that determines the regulations we have to meet, and that Kansas Rural Water Association is an association of rural water districts and cities who have chosen to belong to that group. KRWA assists their members with different procedures.

EXECUTIVE SESSION: Rich Hamit made a motion, seconded by Bruce Smith, to recess the meeting from 8:35 pm to 8:40 pm to discuss matters not related to elected personnel. Motion carried; meeting was recessed. Mayor Young opened the meeting at 8:40 pm. No action was taken at this time.

There being no further business before the council, Jim Gates moved to adjourn. Ira Allen seconded; meeting was adjourned at 8:45 pm.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: 9-10-2003