

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

OTHERS PRESENT: Charles Hamner, Donna Crawford, Michael Coffman, Marian Massoth, Patty Hylton, Ed Harmison, Everette Dannar, Bob Call, Mark Tomlinson, Cheryl Brown

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

MINUTES / WARRANTS: Jim Gates made a motion, seconded by Ira Allen, to approve the minutes of the September 24th meeting as written. Motion carried 5-0.

Jim Gates asked if the cost of the check valves installed at the wells will be added to the waterline loan. Marian Massoth told the council that KDHE will not approve the additional expense for the check valves or the new chlorinators, only the cost of the telemetry system. Jim Gates made a motion, seconded by Bruce Smith, to pay all warrants presented. Motion carried 5-0.

REVOLVING FUND LOAN: Donna Crawford, Governmental Assistance Services, was present to report on the necessary requirements to complete the application for a CDBG (Community Development Block Grant). The first item is an ordinance authorizing the City of Overbrook to enter into a loan agreement with Kansas Dept of Health and Environment. This needs to be done before we submit our application for the grant as it will give the city points towards being awarded the grant. Bruce Smith made a motion, seconded by Jim Gates, to adopt Ordinance No 258 to authorize the revolving fund loan from KDHE in the amount of \$300,000 for the purpose of bringing the city's sewer system into compliance with state regulations. Motion carried 5-0.

Marian Massoth expressed gratitude to Donna Crawford for her efforts in getting all the necessary documents signed and delivered in order to help the city get the grant application processed. Crawford said she has enjoyed working with all involved, and pointed out how much has been accomplished in a short time.

Massoth reported that the company installing the telemetry system between the water tower and rural water pumping station wants the phone lines checked again. They keep saying that there's nothing wrong with their product. The council expressed some concern about the service from this company after the system is completely installed.

Massoth presented a change order to extend the contract date for the waterline project due to the telemetry problems. The council asked Massoth to relay their concerns about the maintenance when she next meets with them. Bob Call said he would contact Sprint and try to set up a time to recheck the phone lines. Massoth said that the Pedrotti tech should be there, too.

LEGAL MATTERS: Michael Coffman told the council that he is still waiting on some results from another ordinance before recommending one to deal with curfews.

Coffman said that he hasn't heard from the Cemetery Board regarding annexing the cemetery property before we update the boundary ordinance.

Coffman then reported on the matter of inspecting drains to find those that are illegally hooked into the wastewater system. He told the council how this matter has been handled in

other towns, especially Independence, Ks. Coffman told the council that two things are definite--first, public education about why compliance is necessary and how the city plans to accomplish this and secondly, that this will take time and quite a lot of manpower.

There was discussion about the city's existing ordinance and how it hasn't been enforced adequately. Coffman said that "grandfathering" was not an option since the state regulations have to be enforced.

Coffman said the first thing to be addressed is educating the public about how the city will go about the inspecting. He recommends two ordinances. The first one would address the regulating of public and private sewers and drains, the connection of such sewers and drains, and provide penalties for violations. Coffman gave the council a model ordinance provided by KDHE for their consideration. He said that having public meetings would be a good idea. The council discussed doing a direct mailing and highlight the topic of the meetings to encourage good attendance. Coffman recommended that the letter state what has been done, and what must be done to be in compliance with state regulations. Before these meetings are scheduled, the council must come up with the details of inspections, fees, etc. The council also needs to decide who will be responsible for the inspecting, and what their qualifications need to be. The bookwork required to keep track of all the information was also discussed. Coffman emphasized the importance of educating the residents before any action is started to avoid confusion, and also having a standard for who's qualified to do the inspecting.

Coffman recommends that the city adopt an updated personnel policy manual that would address background checks and drug-screening in addition to all other matters presently covered. He advised that any testing policy be non-discriminatory. Ira Allen said that he was thinking of anyone who operates city equipment, firearms, etc. Coffman said that a program that randomly selects when the testing is to be done and to whom should be satisfactory, and that a particular employee can only be designated when drug use is suspected. Everette Dannar said that employees where he was previously employed were randomly tested, and also if they were involved in an accident. The council agreed to check with the League for sample personnel policies and ordinances. Mayor Young asked what happens to current employees if there are changes in the policy. Coffman said that while the process for hiring employees would not affect current employees, other changes would apply to all employees since this is "An Employment At Will" state, and that policies can be changed as the council acts. The matter was tabled until more information is available.

MISC: Mayor Young stated that he has been informed by several young ladies in our community that may not sign up to play ball again due to a coach's behavior. They've complained about being belittled, sworn at, practiced very little and they're discouraged because of this. While the council has no direct authority over coaching behavior, they did agree that they should address the ball association concerning this. Jim Gates said that some people have been "requested" by the league not to coach or umpire. Contacting the Flint Hills league was discussed.

FLOWER SHOP BILLING: Bruce Smith reported that while the set up for the water meters at the flower shop and the watershed needs to be addressed, the watershed meter shows usage of 4300 gallons during the past 20 months. After discussing the matter, Bruce Smith made a motion to write off \$330 of the current water/sewer bill for flower shop and pay the G & G bill for repairs, and install a separate meter for the watershed office. The flower shop would still be responsible for the trash charges for these months. Jim Gates seconded the motion; motion carried 5-0. Mark Tomlinson said he would inform the flower shop of the council's decision.

LAW REPORT: Chief Ed Harmison reviewed his written report for the council. He reported that repairs to the 2001 Ford were covered by warranty. Harmison said they spent the

remainder of the 2003 law grant on a telescopic lens and a night-vision device for Dannar's patrolcar. The expense for their recent training was paid for by the county attorney's office at a savings of almost \$400 to the city. Harmison has applied for the 2004 Law grant in the amount of \$6,399 with the city paying for 10% if awarded. He will probably hear the results sometime next month. Harmison said that as of the end of August, the police department has spent \$6,806 less than in 2002.

MAINTENANCE REPORT: Bob Call reported that the fire hydrant by the Wright building is leaking and needs to be replaced. He said there's one on Cedar that also leaks. He estimates the cost of a new one is approximately \$1000. Bruce Smith said that his water district may have a spare one that the city could use, and then replace it after the first of the year. Call was told to pursue getting them replaced.

He told the council that the water valve at 7th & Oak is still leaking, so he may have to dig it up and replace it. The council told him to work with Goodyear and try to pick a time when school is not in session.

Call said that the new service for Erickson's has been installed, the bathrooms at the ballpark have been winterized, well #2 has been pulled but he hasn't heard from Patchen's on the problem yet, he's still waiting on McKee's to come winterize the pool, and he will be taking his Wastewater Operator's test on December 18th. Call asked what the council wanted him to do about sealing cracks in streets. He has talked to someone about renting a machine for \$97/day, but isn't sure how well it will work. Rich Hamit said he's seen machines that use an epoxy rather than tar. Call was told to do some more checking. There was discussion about the definition of what size the crack would have to be to be sealed. Call is to check with the county about the matter. Bruce Smith asked Call if he would dig a hole for PRIDE by the pool when they decide on the exact location for the "Welcome to Overbrook" stone.

TREASURER'S REPORT: Patty Hylton reviewed the report she prepared about estimated expenses and revenues for the remainder of the year. The report shows each of the funds, with the Law fund and the Bond fund having estimated negative balances. There may be enough in the General fund to transfer into these funds to avoid having year-end negative's. Hylton reminded the council that these figures are based on 2002 revenues and expenses, but there should be enough in the General fund to transfer to avoid having negative balances at the end of the year, providing there are no major unexpected expenses in the next 3 months. Cheryl Brown reported that the pool would actually have a positive balance of \$153 this year, compared to a negative \$7000 balance in 2002. She did say that all the utilities were taken from the general fund this year which helped. The council was encouraged by the report, but realized that spending still needs to be kept to a minimum. Hylton also reported that we are set up to report project expenses electronically in the future which should cut down the time between issuing warrants and being reimbursed.

CLERK'S REPORT: Cheryl Brown reminded the council of the League's session on Planning and Zoning this coming Saturday. She also said that the meeting regarding the grant is on Tuesday, October 14th at 4 PM.

Brown said that she hasn't heard anything about the computer for the city cable channel as yet. Ira Allen said he would talk to Derrick Weigel tomorrow.

COUNCILMEMBER COMMENTS: David Gerisch said he would like to attend the League session about personnel policies but would have to check his work schedule before picking a date. He also said that he has talked to his neighbor, Mike Blood, who works for Kelly Compliance, about prices for the drug testing. He will have more information later.

Ira Allen suggested that the members attending the seminar this weekend carpool.

Bruce Smith asked if the council would authorize sending a letter to Rod Geisler regarding the addition of another lagoon. The council agreed by concensus to write the letter.

MAYOR'S REPORT: Mayor Young said that he had attended the Harvest Fest, and thought it was successful. Everette Dannar said that the location for the sale of beer had been changed from what was mentioned at the council meeting. The clerk said that the license stated the location given when they actually paid for the license.

MISC: Bob Call asked about the city's policy of installing culverts, including the gravel. Smith said that this has been done for a long time, but doesn't think there's anything in writing to support it. The council agreed by concensus for Bob Call to tell people that they need to come to the council before he can install the culvert, and that they will need to be responsible for the gravel from now on.

Mark Tomlinson asked if some Saturock could be put around the dog pen as he's had trouble with some dogs being able to dig out of the pen. Call said he would look into how much asphalt he has.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; motion carried 5-0. Mayor Young adjourned the meeting at 9:08 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED:

10-22-2003