

DG IA 5-0

CITY OF OVERBROOK

MINUTES

REGULAR MEETING

NOVEMBER 12, 2003

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

OTHERS PRESENT: Max Friesen, Charles Hamner, Patty Hylton, Ed Harmisor, Everette Dannar, Bob Call, Mark Tomlinson, Cheryl Brown.

Mayor Young called the council meeting to order at 7:00 PM. The clerk called the roll; quorum present.

MINUTES/ WARRANTS: Ira Allen made a motion, seconded by Jim Gates, to approve the minutes of the October 22nd meeting with changes in the wording in the discussion of the Planning commission. Motion carried 4-0.

Jim Gates made a motion, seconded by Ira Allen, to pay all warrants presented. Motion carried 4-0.

PRESENTATION: Mayor Young presented a plaque and gift to honor Friesen's service to the city for almost 50 years as either councilmember or City Treasurer. Friesen resigned as treasurer in August, 2003. Friesen said that it takes everybody working together for a city to grow, and hopes that what he's done for the city has been for the good of the city.

DRAIN TUBE: Mayor Young said that he'd been contacted by Dave Watkins who's recently had a new house built on Trail Drive. Watkins was under the impression that G & G Excavating was installing the driveway drain tube for the city, and is asking for reimbursement for part or all of the expense. Rich Hamit stated that his opinion, following a previous meeting, was that the city isn't responsible for installing drain tubes unless the property owner came before the council. Ira Allen said his understanding was that the city would install the tube, with the individual paying for the tube and gravel. There was discussion about the city's involvement in this process. Bob Call questioned why the city was expected to even do the installation of the tube. Jim Gates suggested paying for half of the expenses in this case since requiring the property owner to come before the council is a new procedure. Call did tell Watkins that he needed to come to the council. Rich Hamit made a motion, seconded by Jim Gates, to deny reimbursement to Watkins. Motion carried 4-0. Rich Hamit made a motion, seconded by Ira Allen, to no longer install drain tubes which means that the entire procedure will be the responsibility of the property owner. Motion carried 4-0.

SEWER HOOK-UPS: The clerk had made copies of an ordinance and policies from the city of Independence. The mayor asked that the council review the material for discussion at the next meeting.

MISC: There was no report on changes in the curfew, boundary, or personnel policy ordinances as Michael Coffman was not present with his recommendations.

CITY CABLE CHANNEL: Cheryl Brown presented the council with a proposal from Derrick Weigel of Network Computing Solutions to put the required video card into the Compaq computer now being used for accounting, and replacing it with a new unit rather than putting the new unit in the cable building. He submitted two prices--\$870.50 for this with Windows XP HOME edition, or \$940.50 with Windows XP Professional edition operating system. After a lengthy discussion about the need to upgrade the accounting computer in the near future, Jim Gates made a motion, seconded by Ira Allen, to approve the second option at a cost of \$940.50. Motion carried 4-0. Brown said she would talk to Weigel about dividing the billing into 2 payments.

KPERS TRANSFER: The clerk presented Resolution No 60 which authorizes the police department to transfer from KPERS to Kansas Police and Firemen retirement fund. This can only be done once a year, with the paperwork due by December 1st. Hamit brought up the fact that while the employee's share goes from 4% to 7%, the employer's share will go from 3.22% to 16% the first year. The employer's rate after the first year will depend on the legislature. The clerk had prepared a report showing that, based on 2002 salaries, the difference would go from \$1905 to \$9470. Ira Allen asked Chief Harmison what the benefit to them would be. Harmison said it basically separates police officers and firemen from other employees, mostly due to the fact they retire after a shorter time. Jim Gates asked if this increase had been figured into the 2004 budget, and the answer was no. Ira Allen said it might mean rather than a raise on the in-hand side, part of it might come in the way of this benefit. Chief Harmison asked for an executive session to discuss personal numbers. Jim Gates made a motion, seconded by Ira Allen, to recess the meeting to discuss matters not related to elected personnel for 10 minutes. Motion carried; meeting recessed at 7:40 PM.

Mayor Young opened the meeting at 7:50 PM. Ira Allen made a motion, seconded by David Gerisch, to adopt Resolution No 60 to authorize the police department transfer affiliation from KPERS to KP&F. Motion carried 4-0. There was no further discussion of funding.

WATER/SEWER REPORT: Marian Massoth reported that the problems with the telemetry system appear to be corrected, and the system should be working. Mayor Young recommended that a special switch be installed on the system that will prevent future problems. Massoth said she would contact the company about the matter, and that she's preparing an operation and maintenance manual that should cover this too. There's also a manual that came with the telemetry system. She also said that some re-wiring needs to be done at the rural water pump. Bob Call said that Anno said they would take care of that on Friday.

Massoth said that they've checked the new waterline, and there's been some settling which Anno said they would fix. She said that the riser about 2 miles west of the wells has been cut off, and needs to be replaced. It appears that someone had cut it off, and replaced the cap. She recommends installing some kind of a marker. Bob Call said they should make sure all of them have markers.

Massoth said that she's working on the plans for the wastewater improvement plans.

Mayor Young asked if King's Engineering or Massoth have been involved with developing a comprehensive plan. Massoth said King's doesn't do that type of planning. She said that she would check into some other firms.

Ira Allen reported that the city of Topeka has "adopted" Overbrook as a project. Mark Green, with the Water Pollution Control Division was here, and is on the January 28th agenda to discuss what this means.

NEW BUILDING: Mayor Young brought up considering issuing a temporary moratorium on any new construction in the city until we learn about the grant results and make the necessary sewer improvements. The mayor said that while he wouldn't like to do this, he is concerned about adding more services at the present time. There was discussion about how this would be enforced. Ira Allen stated that he's not in favor of penalizing anyone moving into the community because the previous councils didn't correct these problems. Jim Gates said that his concern is that this would discourage growth, so it would be better to get the problems fixed. Allen then said that after we make the improvements to get the city in compliance, the city should come up with a plan to take care of and encourage future growth. The mayor said that we'll need a plan, but also need to have the right system in place. Chief Harmison said that as a citizen, he thinks that decisions should wait until after Mark Green from Topeka comes to a council meeting.

While on the subject of plans, the mayor asked the council for permission to replace members on the Planning Commission who cannot or will not be willing to put in the time and effort to help develop a comprehensive plan. Ira Allen asked if the mayor has visited with the existing members. Mayor Young said he had not, but they haven't contacted him either. Allen recommended that the mayor visit with the members, and afterwards if they're not willing to give the time the council would consider replacing them. The clerk mentioned that she has a problem with the members responding to her letters and phone calls whenever hearings have been requested. This is a problem since there are legal requirements for the time between the publication date and the hearing date. The mayor said that he would talk to the commission. Ira Allen said that they need to have replacements in mind.

The mayor commended Ira Allen on his outline to form a comprehensive plan for the city. He also noted that Lyndon had a Project Manager who was separate from the council and Planning Commission. There was discussion about who might be qualified to serve as a Project Manager. Ira Allen said that if we have to hire someone to do mailings and correspondence to get everything done, that person could be the Project Manager. They would need to be an organized person who could keep everything going in the right direction. This person could also take minutes of the Planning Commission meetings, etc. There was discussion about all the people and groups that were involved in developing Lyndon's comprehensive plan. Contact people for local clubs and organizations were discussed.

The most effective ways to get people to attend town-hall type meetings. Ira Allen suggested scheduling a town meeting, and putting the notice in the local papers explaining the reason, and then plan a pot-luck and work-session after that. Hopefully, the people who attend the first meeting would tell others in their clubs, churches, and organizations that would help attendance at following meetings. The mayor asked to be put on the agenda for the next PRIDE meeting.

MISC: Ira Allen asked if we have the necessary information about No-Fund Warrants. The mayor said we know the procedure, but not all the details. He is hopeful that we will be able to make it through to the end of the year without having to issue any.

Allen also asked about the bids for sealing the cracks in the streets. Jim Gates reported that he had received a bid from C.P.M. The price of a pallet of material is \$4200 (instead of \$3000 quoted at the demo), and he thinks it will take

2-2.5 pallets. There was discussion about having the funds available to do this before the end of the year. The council agreed by consensus to table the matter until after the first of 2004.

MISC: Max Friesen came back to thank the council again as he had opened the binoculars given to him along with the plaque.

LAW REPORT: Chief Harmison reviewed his written report for the council. He also told the council that the county attorney's office had paid for the expenses of their last training seminar. There were 16 citations issued in October. Ira Allen asked if most of the citations written for speeds over 20 m.p.h. were written on Maple. Harmison said they were issued in the school zones. Harmison said that court fines have totaled \$16,829 so far this year.

Harmison reported that he has submitted the application for the 2004 grant in which he requested 8 radios, a foot-print lifter, and a new radar unit. The 8 radios were approved.

He told the council that there will be a toy-run consisting of anywhere from 15-100 motorcycles in town this coming Saturday. He's made some plans for their parking.

Harmison asked the council to start thinking about a new ordinance for the city lake. He would like to have definite hours set rather than the present times based on sunrise and sunset as these times change from day to day.

Harmison also recommended that the mayor and council have ID cards in the event they would need access back into town during a disaster where outside agencies might be involved. He told the council that he had planted trees donated by PRIDE at the city lake, and the fairgrounds.

MAINTENANCE REPORT: Bob Call reported that there's been 4 waterline breaks, the pool is winterized, the 50,000 water tower has been inspected and will be repainted later, the sewer line just west of Shirley's Cafe collapsed and will need to be replaced soon, Ed Butterfield will help put up the Christmas lights, a new fire hydrant has been ordered, the wells have been winterized and the heat turned on, the "buffalo" has been placed by the pool, and he's planning to get some training from the City of Topeka on the sewer pumping stations. Call said that he had to have some brale repairs done on the dump truck. He also said that the new meter has been installed at the watershed office. Ira Allen mentioned that Mark Green, with the City of Topeka, had some good ideas about improving things around the lagoons.

Rich Hamit asked if the fire hydrant by city hall being used during the fire at 407 Walnut had caused any of the water breaks. Call said no, but it was about an hour and a half before he got the call to start the water. Harmison said that he had been told that they didn't have anyone to dispatch.

Jim Gates said that he's been hearing good comments about the work Call is doing.

TREASURER'S REPORT: Patty Hylton reviewed the bank reconciliation, fund reports, and receipts journal with the council. Hylton said that while there are no problems with violating budget limits, some of the funds now show a negative balance which hopefully can be balanced at the end of the year. The clerk reported that the first 2004 tax levy won't come until around the 20th of January. The mayor said that to avoid low year-end funds in the future, he would like to start on the 2005 budget right after the first of 2004, and the 2006 budget right after that.

CLERK'S REPORT: Cheryl Brown asked how the council wanted to schedule the second meetings in November and December to avoid conflict with holidays. The change would need to be done by ordinance. Jim Gates moved that the council meet just one time in November. Rich Hamit seconded; motion carried 3-1, with Allen voting against. Rich Hamit made a motion, seconded by David Gerisch, to have the second December meeting on the 29th. Motion carried 4-0.

COUNCILMEMBER COMMENTS: Jim Gates wanted to thank Mayor Young for speaking at a recent Rotary meeting.

Ira Allen said that when you have things that need to be done, you need to set a time to start and a time to finish or you'll never get them accomplished, even if you have to extend the time limits. He thought is that we need to get the comprehensive plan started which the mayor did tonight and we can set a finishing time of November, 2004. Allen also stated that he would like to start working on a new personnel manual sometime in December to be done in June, 2004. He also said he'd like to start a 5-yr budget in January, 2004 and have it done by June, 2004. Allen said he realizes that this is a lot of planning and work, but it needs to be done. David Gerisch is going to be attending a KLM seminar on personnel matters, so should have some good information from that.

Rich Hamit asked if the chimney has been repaired. Brown said they haven't done it yet. Ira Allen said that he thinks Martin's will get to it next week. Hamit asked about the long-distance bill on the water tower telemetry phone. The clerk said that they just learned how it was done, and she hasn't talked to Sprint yet. Chief Harmison wanted to know the details of the matter as there may be criminal charges as a result.

Ira Allen said that the council should use the comments and energy from all the citizens who come to the meetings to share information or to ask for something or just to state their opinions on matters.

MAYOR'S REPORT: Mayor Young said that any disagreements between the members of the governing body should be only around the council table, and not go beyond this room. The mayor said that everyone should feel free to state their opinions during the meetings without hard feelings afterwards.

MISC: Chief Harmison said that the tornado sirens need new batteries right after the first of the year. The council agreed by concensus.

There being no further business before the council, Jim Gates made a motion to adjourn. David Gerisch seconded; meeting adjourned at 9:53 PM.

Respectfully submitted,

Cheryl L. Brown
City Clerk

APPROVED: 12-10-03