

**MEMBERS PRESENT:** Bruce Smith, Rich Hamit, Jason Florance, Jim Gates, David Gerisch, Mayor Jack Young.

**OTHERS PRESENT:** Stephen & Kay Jones, JoAnn Lemberger, Rickie Slechta, Pat Martin, Sheila Dale, Carolyn Meerian, Charles Hamner, Ira Allen, JA Cordts, Derrick Dahl, Doug Stallbaumer, Del & Cindy Wymore, Carolyn Gaston, Bob Sisson, Ed Harmison, Everette Dannar, Max Friesen, Cheryl Brown.

The regular council meeting was called to order by Mayor Young at 7:30 P.M. Roll was called by the clerk; there was a quorum present.

**MINUTES/WARRANTS:** Rich Hamit made a motion, seconded by Jim Gates, to approve the minutes of the October meeting as written. Motion carried 5-0.

Jim Gates made a motion to pay all warrants presented, second by Jason Florance. Motion carried 5-0.

**TELEPHONE FRANCHISE:** Carolyn Gaston, representative for Sprint Telephone, was present for the first of three readings of an ordinance that would renew the current franchise contract for a period of one year. Stephen Jones, city attorney, has reviewed the ordinance and agrees that because of future legislative action, this would be an acceptable contract. Gaston then proceeded to read the ordinance. Gaston stated that this ordinance is identical to what the current contract stipulates. Sheila Dale asked if there would be some way that the new contract could include coverage for the fire department that would lessen or delete the \$200 month that they are currently paying. Gaston said that normally these type of agreements are not included in the franchise agreements. She also said that she could not negotiate this matter into the contract, but that maybe something could be done through the legal departments representing the fire department and Sprint. Gaston said she would be back for the December meeting for the second reading.

**ENTERPRISE FACILITATION:** Doug Stallbaumer was present to report on how this program came into being, and also to discuss what must be done in order for Osage County to qualify for the grant. The basic idea is the belief that the business leaders are already in the community, but might need help in developing their ideas, and in the marketing of products. One of the goals is to keep people in their own towns rather than commuting to other towns for employment.

The state of Kansas through the Department of Commerce and Housing, believes that this program will work, and is willing to fund 66% of the cost for 3 pilot projects in the state. Stallbaumer wants Osage County to be one of the 3 projects. He explained the steps necessary to apply for the project funding. The project is county-wide so the financial cooperation of all towns is necessary. Each towns share is based on the amount of county tax levy the town receives. Overbrook's share for 2002 would be \$2604. The county will also be responsible for a share of the financing.

A steering committee will have to be formed to do the actual paperwork for the application. One person would be selected as chairperson. Stallbaumer then discussed what would be needed if Osage County is chosen for one of the pilot projects. This would include

Nov 14, 2001

housing, etc for the facilitation trainers. This person would become an employee of the county, and would remain in the community as a resident.

After listening to the presentation, Jim Gates made a motion to adopt Resolution No. 46 which states the support, financially and community-wise, for establishing the Enterprise Facilitation programs. Bruce Smith seconded the motion; it carried 5-0.

**WATER/SEWER REPORT:** Marian Massoth reported that she has drafted a letter to KDHE requesting an extension for our final report since we have had to change labs that do the testing on wastewater samples. The council agreed by concensus to have Massoth send the letter. She also reported that doing the manhole inspection as part of the sewer smoke testing revealed several areas needing repairs. She has talked to Kansas Rural Water Association about possible solutions and the cost of these solutions. She said that the wastewater seems to be just fine, except during periods of wet weather. Mayor Young asked how the city can get sump pumps disconnected from the sewer lines. Massoth said that the city ordinance prohibits perimeter drains and sump pumps being connected to the city sewer lines.

Massoth presented the council a copy of the final loan application that was submitted to the Kansas Public Water Supply. The proposed expenses are as follows: construction costs--\$135,000, engineering design--\$7500, construction engineering--\$1500, inspection--\$5000, resident cost--\$2000, contingencies - \$5,000, legal & abstracting-\$3,000, and \$0 for soils investigations. The Loan Origination Fee will be \$397.50, making the total loan amount \$159,397.50 as proposed. The current schedule would be completing the project plan by February, 2002 to be followed by submitting plans to KDHE, opening bids, bid awarding, and the start of construction in June, 2002.

**PLANNING COMMISSION:** Mayor Young presented the following appointees to the new Planning Commission: Bruce Cole, Joyce Dillon, Ira Allen, Cliff O'Bryhim, and Glyn Day. Rich Hamit made a motion, seconded by Jim Gates to appoint the above mentioned residents to serve as follows: Positions 2 & 4 to serve 1 year, Positions 1, 3, 5 to serve 2 years, with all positions to serve for three (3) year terms thereafter. Motion carried 5-0. There is nothing in the ordinance limiting how many terms a person may serve, but the council has the right to develop procedures to remove a commission member at any point in the future. City Attorney Stephen Jones said he would get in touch with the commission regarding bylaws, etc. The commission will have to elect a chairperson and clerk, and then start the process of putting together recommendations for new zoning regulations.

**JOB DESCRIPTIONS:** Mayor Young asked that the council set a time for a working meeting to review job descriptions for all city employees. November 30th at 4:30 P.M. at City Hall was the time scheduled. Jason Florance stated that he would probably not be able to attend.

**ADA CHANGES:** Cheryl Brown said that she had talked to Mary Holloway, and since our bathroom is not a public facility due to having to go through the bathroom to get to the Police Evidence storage room, Holloway recommended making changes to the front entrance only. Bob Sisson said that he is waiting on bids for a ramp. The matter was tabled until we get the bid.

**LAW REPORT:** Chief Ed Harmison reviewed his written report in detail for the council and mayor. Mark Tomlinson, evening and weekend animal control officer, put in 30 hours in October. He is furnishing his personal truck, with the city paying mileage and the magnetic

signs. Chief Harmison said that Ted Miller has passed KLETC training. He will need to be paid two weeks salary in the future.

Harmison said that Charles Simmons' daughter has written asking for an extension of 2 weeks on the clean up of his property on Sycamore. Chief Harmison explained what this would mean in terms of dates. Bruce Smith made a motion, seconded by Jim Gates, to grant an extension until November 28, 2001. Motion carried 5-0.

Chief Harmison reported that one more "junk" vehicle has been removed. Harmison stated his concern about not having any regulations or fees for the city lake. The mayor said that Leonard Jirek will be at the December meeting to discuss these issues. Harmison asked that "No Hunting/No Guns" signs be placed at the lake and also at the lagoons on each side of the properties. Mayor Young stated that a rural resident is planning on attending the next fire department meeting to discuss the old cars parked on the lagoon property. Jim Gates asked what Harmison means when he reports that the police department assists another agency. Harmison said that it could mean helping SRS with children, etc.

Chief Harmison reported that he had spoken to the owners of the building at 327 Maple about the condition of the north wall. Rickie Slechta, the present tenant of the building, stated that there are several things that need repaired. Mayor Young asked Harmison to put some pressure on the owners, possibly from a health and safety viewpoint. Harmison said that we would probably need a structural engineer to inspect it before taking legal steps.

Officer Dannar reported that the yellow lines on Maple have already benefitted the department due to having an established single lane of traffic. Rich Hamit asked if the county painting white stripes will cause problems. The mayor said they were probably guidelines for snow removal.

Chief Harmison asked permission to buy shirts for the police department again this year at a cost of \$15 each for 10 officers. Jim Gates made a motion, seconded by Jason Florance, to approve the purchase of the shirts. Motion carried 5-0.

**RECESS:** Mayor Young recessed the meeting for five minutes for personal reasons.

The meeting was called back to order by the mayor.

**TREASURER REPORT:** Max Friesen reported that the city appears to be in satisfactory shape to finish the year, in spite of low balances. He said that the water fund did better this past month.

**MAINTENANCE REPORT:** Bob Sisson said the new automatic pumping system is due to be installed December 21st. He also said that the maintenance truck had to have a new clutch pressure plate installed. The mechanic recommends replacing the clutch at some point.

Sisson said that 2 of the wells have problems. No 3 has the pump out, but there should be some warranty left on it. No 4 needs new pipe, pump, motor, and checkvalve. There's no warranty on No 4.

Sisson said that he'd received a phone call from Rulon Hurst regarding a house that's going to be in the Meadowbrook II addition. Sisson told him he would need to talk to Max Friesen about the matter.

Mayor Young said several people have asked him about how the city will leave snow when its being plowed. The council recommended that it not be left on sidewalks. The city may have to push it to the end of the street after the county goes through. The city will probably have no control over when or how the county does snow removal on Maple. Mayor Young asked Sisson to talk to the county about their plan.

Rich Hamit asked if the city has had very many complaints about "brown" water lately. Sisson said that except for right after a break, the water seems to be doing very well.

**CLERK'S REPORT:** Cheryl Brown said that the Data Technologies technician will be here on Thursday to install the Windows-based version of the utility billing software.

She also said the city received a letter from KDHE regarding a checklist for water system security. Brown reported that the City of Overbrook has been approved for the Trails' Project by the Department of Wildlife & Parks in the amount of \$43,000.00 but we have to wait to actually start the work.

Brown asked if she could take vacation on the Friday after Thanksgiving which would mean closing the office. Jim Gates made a motion, seconded by Jason Florance, to approve closing City Hall on November 23rd. Motion carried 5-0.

**FLAGS:** Mayor Young asked if the city could replace some of the flags supplied by the Sons of the American Legion due to weather damage. The flags were displayed after the September 11th terrorist attack for several weeks. They need 10 flags at a cost of approximately \$350. They won't need them until next year. Bruce Smith made a motion, seconded by David Gerisch, to replace 10 flags. Motion carried 5-0.

**MISC:** The mayor asked what should be done with the "Don't Overlook Overbrook" sign that PRIDE put up several years ago. Everette Dannar said he would look at it to see if it can be repaired to be put at another location.

**COUNCILMEMBER REPORTS:** Jim Gates said that he knows of another city that has received several thousand dollars in grants, and was given the name of Donna Crawford, with Governmental Assistance, who helps with getting grants. Gates was asked to contact her about coming to the December meeting.

David Gerisch thanked the maintenance department for the work done at 705 Walnut around the water meter. Sisson said that there would be some more done when the weather permits.

Rich Hamit asked what was going on with the city channel, #36. The clerk said that everything has been loaded, but she's having trouble with the phone connection so the host computer doesn't respond.

**MAYOR'S REPORT:** Young asked who owns the new cellular tower. Dannar said that no one has anything on the tower at this time. He thinks someone built it, but has never done anything with it.

Mayor Young encouraged more people to get involved with the Enterprise Facilitation project. Rickie Slechta said that while this could be a good thing, she wonders where new businesses would locate in Overbrook as most of the existing buildings are occupied. The mayor said that we have to look at the whole county at this time.

There being no further business before the council, Jim Gates moved to adjourn. Rich Hamit seconded; the meeting adjourned at 10:15 P.M.

Respectfully submitted,  
Cheryl L. Brown

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

12-12-01