

BURLINGTON CITY COUNCIL REGULAR SESSION NOVEMBER 19, 2014

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, November 19, 2014. Mayor Gene L. Merry called the meeting to order.

ROLL CALL: Mayor Gene L. Merry

Council Members present:

William C. Scott (President of Council) Jane M. Griffith Lewis Lenard
 R. Standley Luke (Stan) Forrest T. Rhodes Jerilyn Curtiss

Superintendents Present: Kevin Boyce (Parks) Alan Schneider (Electric)

Doug Jones (Chief of Police) Doug Mast (Street) Danny Hawkins (Water/Wastewater)

Also Present: Regina Kewley (City Clerk) Jimmy Hugunin (Zoning & Grants Clerk)
 Thomas F. Robrahn (City Attorney) Susan Stroh (Administrative Assistant)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Mark Chesney (Kansas Power Pool), Riley Morgan (Burlington Police Officer)

AGENDA: *Council Member Scott stated, "I move to approve the agenda as amended." Council Member Curtiss, "I second the motion." Motion unanimously carried.*

MINUTES: November 5, 2014: *Council Member Luke, "I move to accept the Draft Minutes of Council's regular session of November 5, 2014 as presented." Council Member Curtiss, "Second." Motion unanimously carried.*

ELECTRIC DEPARTMENT: Distribution Updates

General: Superintendent Schneider reported Distribution personnel have been doing daily work orders, line locates, customer service requests, and equipment repair. They put in a new service today on north 12th Street.

Training: Electric personnel are studying for their final exams for completion and advancement to the next level of the Apprenticeship Program.

Christmas Lights: The Electric Department is putting Christmas lights up and plan to have them done next week, before Thanksgiving.

Power Outages: Superintendent Schneider reported squirrels are responsible for three power outages in town since the last meeting of the Council.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Power Plant personnel are doing normal power plant maintenance and filling out required reports.

Bulk Storage Tanks: The 2015 annual registration for renewal of the bulk storage fuel tanks has been completed; and along with the annual fee, has been sent to KDHE.

Industrial Park Substation: Superintendent Schneider reported problems with the industrial park substation. The battery charger that maintains the DC power supply failed. They had to rent a charger from Ash Battery until they can ship a replacement. The replacement should be delivered in three to four weeks.

KMEA Conference: Superintendent Schneider attended the Kansas Municipal Energy Agency's Annual Conference in Wichita on the 6th and 7th of November.

KPP Rate Forum: Superintendent Schneider attended the Kansas Power Pool 2015 Annual Rate Forum in Hillsboro on the 13th of November.

PUBLIC COMMENTS: Mark Chesney, Kansas Power Pool

Mark Chesney, CEO and General Manager of KPP, said he had stopped in on his way to Kansas City, and had no prepared comments. He explained some of their objectives and expressed appreciation for City of Burlington's membership in KPP.

WATER DEPARTMENT: Distribution Update

General: Superintendent Hawkins reported his department has been busy. Due to winter weather setting in, personnel have had time to do internal cleaning and maintenance. They have also repaired water leaks.

Waterline Replacement Project & AMI installations on St. Lawrence: The Waterline Replacement Project has slowed due to the winter weather. Nine services were installed on St. Lawrence Street; and their goal is to have all services hooked up from 6th Street and St. Lawrence to 9th Street and St. Lawrence before the first of the year, weather permitting.

Chemical Treatment of Water: Superintendent Hawkins reported, "We have separated our coagulation at the front of the plant to help with winter temperatures. Randy Dye, from Brenntag Southwest, assisted us."

WATER DEPARTMENT: Water Production Update on Water Emergency Warning

The Water Plant has been running well. Superintendent Hawkins provided the Drought Water Emergency Update that will be published November 14th: Rain/Snow in County: 3" to 5"; Rain Forecast: Good chance this weekend; Pumped in past 7 days: 2,905,000 gallons of water; Daily Average: 415,000 gallons; Outlook: No new Restrictions. Neither the Governor nor the Kansas Water Office has lifted the water warning for Coffey County.

[2] CONTINUATION: November 19, 2014 Burlington City Council Meeting

WATER DEPARTMENT: Executive Session for Attorney/Client

Mayor Merry called for an executive session for Attorney/Client. *Council Member Curtiss stated, "I make a motion to enter into an Executive Session for Attorney/Client for ten minutes with the City Clerk, City Attorney, and Water/Wastewater Superintendent present." Council Member Lenard, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried. Council entered Executive Session at 6:10 p.m. and exited at 6:20 p.m.*

Mayor Merry suggested sending a notice to anyone who is within Landis+Gyr. Attorney Robrahn said, "Well, I'm hoping we're still within that, because it's ninety days." He addressed Superintendent Hawkins, "But your emails probably started with the concerns within that ninety days." Superintendent Hawkins replied, "Absolutely." Attorney Robrahn, "So, I would say we're still probably okay." Council Member Lenard commented, "There's also one in 15.3." Attorney Robrahn, "That's the notice." Mayor Merry, "Do we need some action?" Attorney Robrahn, "We can look at these notes on here another time." Mayor Merry thought Superintendent Hawkins has another meeting with Landis+Gyr. Council Member Curtiss said it is on Tuesday.

Attorney Robrahn advised, "You might want to give them notice that coincides with your meeting, so they know officially we're putting them on that list." Mayor Merry, "Is that your recommendation?" Attorney Robrahn, "Yes." Mayor Merry stated, "I don't know that it needs any action, we have the contract we've already approved." Attorney Robrahn, "Right. Is it okay for me to draft up the notice letter?" Superintendent Hawkins, "Rough draft, yes, it would be great." Mayor Merry asked, "Does everyone agree with Tom going ahead and doing that?" Everyone did. Superintendent Hawkins offered to talk with anyone who wants enlightenment on the situation.

STREET DEPARTMENT: Update

City Clerk Kewley gave Superintendent Mast's report. Street Department personnel did maintenance on equipment and did ice and snow control. They are replacing old street signs.

POLICE DEPARTMENT: Update

General: Chief Jones reported it has been normal calls for the Police Department, and they did not have any major concerns with the snow and ice.

Police Building Construction: Chief Jones said he let the Building Committee know he needs them to meet for about ten minutes after this council meeting.

POLICE DEPARTMENT: Nuisance Property, 504 S. 9th Street (Jason & April Grames)

Chief Jones provided an update on Jason and April Grames property at 504 S. 9th Street. At their hearing at the last meeting for condemnation, they had been given an extension until today. Chief Jones reported, "They called and wanted me to do the inspection of the house for them last Tuesday (November 11)." He referred to his report of November 19, 2014, which included before pictures (from August 25th) and the current pictures of November 19th; and stated, "They did make significant progress. My recommendation is that they be taken off the demolition list. I was in District Court for a hearing yesterday (Tuesday, November 18). The County Attorney was informed of my recommendation and was given copies of the photos on November 13."

Council Member Scott stated, "I move to accept Chief Jones recommendation to remove 504 S. 9th Street from the property condemn to demolish list, with the owners to understand improvements will be an ongoing task on their part." Council Member Griffith, "I second it." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties and cleaning public restrooms and buildings. Time is allowing for them to do extra cleaning in Kelley Hall and the 4-H Building. They mulched tree leaves in Kelley Park, have been trimming trees as weather permits, and have been doing vehicle and equipment maintenance. The sprinkler systems and public restrooms have been winterized and turned off. Parks personnel have been doing some snow and ice removal, and put up the holiday banners.

Sod Replacement Project (Caboose Park/Veterans Park) Superintendent Boyce reported Bones Landscape Company came last week and leveled the bricks at Veterans Park. The project for sod replacement and brick leveling to remove trip hazards is completed.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2014-20	<u>\$262,359.58</u>
b.	Payroll Ordinance	2014-24	<u>\$ 78,052.72</u>
	TOTAL		\$340,412.30

CLAIMS 2014-20: *Council Member Luke, "I move City of Burlington pay Claims Ordinance 2014-20 in the amount of \$262,359.58 for payment of city bills." Council Member Rhodes, "Second." Mayor Merry called for discussion. City Clerk Kewley explained, "One of our largest items tonight is for Kansas Pool for \$173,139.84. Abendroth Builders is for \$35,000. Hearing no further discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Claims Ordinance 2014-20 approved by vote of 6:0.*

PAYROLL 2014-24: *Council Member Scott stated, "I move City of Burlington pay Payroll Ordinance 2014-24 in the amount of \$78,052.72." Council Member Luke, "I Second it." Hearing no discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Payroll Ordinance 2014-24 approved by a vote of 6:0.*

[3] CONTINUATION: November 19, 2014 Burlington City Council Meeting

PLANNING & ZONING: Update

Planning Commission - Comprehensive Plan Update: Zoning Clerk Hugunin reported the Burlington Planning Commission finally had a quorum to meet and discuss updating the Comprehensive Plan for the City of Burlington.

Inventories: Zoning Clerk Hugunin distributed inventories both as hardcopies and electronic copies to each department for updating.

General: Zoning Clerk Hugunin submitted an application to the National Arbor Foundation for Tree City USA. He has also been working on permits and updating the city's website and Facebook.

OTHER COUNCIL BUSINESS: Christmas Gift Certificates for Board Members and Governing Body

City Clerk Kewley explained that for Christmas, City of Burlington has been giving gift certificates each year to Board Members and the Governing Body. The amount given is usually \$20, which can be approved or changed by a vote. **Mayor Merry called for a motion to approve. Council Member Luke made the motion, "I move to give a \$20 Chamber of Commerce gift certificate to each Board Member, City Attorney and City Council Member, and to the City Treasurer and the Mayor."** Hearing no discussion on the motion, Mayor Merry called for a vote. **Motion carried unanimously.**

OTHER COUNCIL BUSINESS: Christmas Gift for Employees - Day off with pay

City Clerk Kewley, "For the past several years, the Council has agreed to in lieu of giving gift certificates, to give a day off with pay to each employee. This year, Christmas is on Thursday, so I recommend giving Friday, December 26th as the gifted day. Any employee who has to work that day, can work with his supervisor to arrange to take another regularly scheduled work day. **Council Member Curtiss made the motion, "I move to give each City of Burlington employee the gift of an additional paid day off for Christmas, with the day off for this year to be Friday, December 26th."** Council Member Scott, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. **Motion carried unanimously.**

PERMITS: Permits issued by Zoning Clerk Hugunin:

Zoning/Building Permits:

2014--062, Michael Free, 315 N. 4th Street, for a Propane Tank

Mayor Merry commented that a permit is required to have a propane tank inside the city limits, and we'll probably see more of these.

LICENSE - 2014 Cereal Malt Beverage License

Mayor Merry called for a vote to approve a 2014 Cereal Malt Beverage License for the Wal-Mart Store. **Council Member Lenard made the motion, "I move to approve a 2014 Cereal Malt Beverage Licenses for Wal-Mart No 4353, 505 Housatonic Street."** Council Member Luke, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. **Motion carried unanimously.**

LEGAL DEPARTMENT: 716 Yuba Street - Demolition Deed

City Attorney Robrahn stated, "I have been working with Polly Epting (Coffey County Land & Title) on a Demolition Deed for 716 Yuba Street."

CITY CLERK'S OFFICE: Update

General: City Hall Staff have been preparing meter readings utility billing for this month; and have been handling calls and inquiries, handling work orders, and preparing meeting minutes, reports, vouchers for paying bills, and payroll.

Training - City Clerks Fall Conference: City Clerk Kewley reported, "I attended the Master Municipal Clerks Academy a couple of weeks ago. It was a very informative conference and was good networking. They had great speakers again."

Training - KPERS Workshop: City Clerk Kewley attended Kansas Public Employee Retirement System workshop last Wednesday, November 12. She said, "They discussed the new Tier 3 for the new employees coming on board as of January 1st of 2015. It's more or less a cash balance plan. The elements are on the side of a defined contribution plan, which of course is more risk between the employee and the employer."

"Another change that KPERS is doing is that they have changed their 457 defined contribution plan, and it is called Tandem 457. Also, their service provider used to be ING VOYA, and now it's changed to Great West Financial. Tomorrow morning at 9 o'clock, we are having a meeting for all the employees. KPERS representatives will be here to go over information with employees on the transition over with their funds. It's supposed to be a very smooth transition from what they now have to the new one. Keep in mind this is voluntary for employees. It's like a third leg for the retirement, so it's strictly the employees putting money into it, not the City."

AMI Meeting: City Clerk Kewley attended the Automated Meter Infrastructure (AMI) utility meeting last week at the Water Treatment Plant.

[4] CONTINUATION: November 19, 2014 Burlington City Council Meeting

Closing for Thanksgiving: City Hall will be closed on Thursday, November 27th for Thanksgiving and on Friday, the 28th. Employees have the option to take the day after Thanksgiving off as vacation time, comp time, without pay, or to work even though the office will be closed. Employees of the other departments have the choice also, as all the departments might not be closed down. This was approved by Council years ago, so no motion is needed.

MAYOR'S COMMENTS:

MT Wireless held Open House Mayor Merry said he went to the open house at MT Wireless today at their new location at 814 N. 4th Street. He stated, "They have a very nice building, and they're signing up customers." City Clerk Kewley stated, "As of yesterday, we signed up the Parks Department for internet service. They're coming this way with their fiberoptics."

Police Building Committee: Mayor Merry reminded the Building Committee about meeting for ten minutes after Council.

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Re-codification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program	GAAP – Infrastructure Capitalization Actuaries – GASB-45 Financial Program Software
ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA Fill Vacancy	Automatic Meter Infrastructure for Electric & Water (AMI) Natural Gas Industrial Park Substation - DC Power Supply
PARKS DEPARTMENT: Fair Board’s new Building WildBlue BBQ and Taste of Fall Festival 2015	City Dam West Wall Project (sidewalk/steps, etc.) LED Solar Lighting for Walking Trail
LEGAL DEPARTMENT: Municipal Court	Property Demolition Deeds/Agreements/etc.
PLANNING AND ZONING Quarterly Construction Valuation Report Comprehensive Development Plan – Update Industrial Park Lots	Work w/Chief on Nuisance Structure regulations Wal-Mart Express in Commerce Park Grant for LED Solar Lighting for Walking Trail
POLICE DEPARTMENT Nuisance Updates New PD Building-Construction Update	Personnel – Training Updates Nuisance Structures Demolition - Update
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Replacement Repairs on City Rights-of-Way	Rebuild/Repair Kennedy Street and 14 th Street Pavement Management System/Asset Management System
WATER & WASTEWATER DEPARTMENT: Neosho Riverbank Stabilization Water Plant Improvements–Efficiency John Redmond Reservoir – Dredging	Southwest Sewer Project Waterline Replacement Project Water Emergency - Warning (Update) Water Pressure Study SCADA System

Mayor Merry declared the meeting adjourned.

Approved by the Governing Body and signed by Regina R. Kewley, City Clerk