

[2] CONTINUATION: January 7, 2015 Burlington City Council Meeting

WATER DEPARTMENT: Distribution Update

General: Superintendent Hawkins reported, "We've had a few small water leaks to repair. We've been doing maintenance on vehicles and equipment, reading meters, and doing other normal duties. We've been going around to our pump stations doing general maintenance and cleaning out the check valves because a lot of time rags and such things get hung up on them."

Permitting and Documentation: Superintendent Hawkins stated, "I want to thank Sue (Administrative Assistant Stroh). Sue has helped me a lot lately, especially with permitting, FCC communications, stuff at the end of the year. We've been trying to get all the permits and other documents updated and filed so we will have everything ready so when the State comes to inspect the Water Treatment, we will have it ready to show."

WATER DEPARTMENT: Water Production Update

Clearwell and River Pumps - Current Repair and Repairs in 2016: Superintendent Hawkins reported, "The Plant is running well. We did have JCI come in. They did harmonic balancing on our clearwell pumps and our river pumps; and everything is checking out good. The only thing we have an issue with and will probably budget for in 2016 is that our cages on the bottoms of the river pumps are getting bad. So, we're going to try to determine whether to take a dive team in and do the actual installation, or find out what the cost would be to pull the piping up and then reattach the cages to the bottom. We'll weigh the balance and determine which way will be the least costly and most convenient for us."

Drought Emergency Update: Daily Average water production is 442,000 gallons, which is nothing out of the ordinary. We haven't received any notification from the Kansas Water Office to take us out of the drought.

STREET DEPARTMENT: Update

General: Street personnel have been working on equipment, doing snow and ice control, and working on signs. Superintendent Mast has completed Street Department inventory and will give it to Zoning Clerk Huguinin.

Pavement Management: Superintendent Mast reported, "I had a meeting with Norm Bowers yesterday about our street plans for this year. We'll probably have at least one more meeting before we finalize the plan."

POLICE DEPARTMENT: Update

Case Load - Update: Chief Jones stated, "Just a point of curiosity. Sheriff's Dispatch assigns us a case number for everything we do: traffic stops, calls, or anything. In 2012, we had 2,424; in 2013, we had 2,715; and last year, we had 3,294 which was an increase of well over 500 cases. Our call load is continually increasing."

Police Move to new Building: Chief Jones reported that on the afternoon of December 31st, New Years Eve, Rob Henderson (Police Records Clerk), the computer, etc. were moved from the former police office in the back area of Kelley Hall to the new Police building across the street at 616 S. 3rd Street. They have been moving things in, setting them up, and working out of the new building since, and are really enjoying it.

Police Building Committee: Chief Jones requested to meet with the Police Building Committee for a short time after the council meeting about signage and associated costs.

POLICE DEPARTMENT: 2014 Structure Demolition - Nuisance Property Update

301 N. 12th Street (Bailey) and 718 S. 5th Street (Hess): Chief Jones stated, "I knew Mrs. Darnell would be here. I was hoping Cynthia Bailey would be here. I do not know where Max and Rose Hess are at with their property, but their extension is also expired tonight." He will be getting in touch with some people on these nuisances within the next couple of days.

Mayor Merry asked what he planned to do about the Bailey nuisance. Chief Jones said, "I will get from her what her story is. I will either offer her the opportunity to come back and talk to council about an extension, or we will proceed." Council Member Curtiss, "The same way with Hess?" Chief Jones, "The same way with Hess." Council Member Scott inquired, "Would it be possible to grant the Chief the authority to make a decision, or do we have to?" City Clerk Kewley explained that we also have to do a resolution to condemn a property before we can begin demolition of structures on it, so they would need to come back to council. Mayor Merry said that we can authorize him to go out and negotiate the deal, but a resolution will need to be done if the property owner does not abate the nuisance himself/herself. Chief Jones, "I can do it." Mayor Merry, "I think you've got that authority anyway."

211 Neosho (Chandler) Chief Jones reported, "I did have occasion to talk to Jeff Chandler on Monday about the old Country Critters building. He talked with Mike Skillman (Skillman Construction), and very promptly got back in touch with me. The holdup now is the extreme weather. They don't want to damage things, but Mike said he would get started demolishing that building either this weekend or this coming week. Jeff was going to try to come in and update the council, but obviously he didn't make it."

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POLICE DEPARTMENT: Demolition of Nuisance Structure 216 N. 3rd Street - Bids

Chief Jones said, "The bids for demolition of 216 N. 3rd were due on Monday at 2 o'clock. We received three bids. I recommend Council accept these bids as bona fide."

Schmidt Excavating, LLC....\$10,750 Scotty Wilson Enterprises, Inc....\$28,000 Zook Excavating....\$17,500

Council Member Scott made the motion to accept the bids presented by Police Chief Jones for the Demolition of Structure(s) at 216 N. 3rd Street as bona fide. Council Member Curtiss, "I second the motion." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

Chief Jones stated, "There is quite a little bit of spread in the dollar amounts. Scotty Wilson Enterprises out of Tecumseh is the highest bid; Zook Excavating was lower; and Schmidt Excavating is the lowest at \$10,750. I think the other two bids were considerably higher because of the warning clause we included in the bid package, 'Contractor will be solely responsible for any and all damages to adjoining / adjacent properties. Another building is directly to the south, which the building to be demolished is leaning into, and a residence 40 feet directly to the west.' One of the contractors visited with me and actually intended to visit with the adjoining property owner as well. I think that is part of the reason for the spread; but I would recommend the low bid of Schmidt Excavating LLC for \$10,750."

Council Member Griffith moved to accept the bid from Schmidt Excavating LLC, not to exceed \$10,750.00, for Demolition of Structure(s) at 216 N. 3rd Street, as being in the best interest of the City. Council Member Luke, "Second." Mayor Merry called for discussion. Chief Jones said, "I did visit with two of the three contractors about where to take the concrete and cinder blocks with no rebar or wiring in it. I think we've got that worked out to where we can let them add that to our riverbank riprap. It will considerably cut down on landfill fees." City Clerk Kewley, "We did talk with Attorney Robrahn about contents inside the building, like a tool box and car bodies. Tom had recommended we take that out and take it to the Street Department or somewhere to store it until we can contact the owner to come and get it. We shouldn't just let the contractors take off with the property." Superintendent Mast said they don't have a lot of room at the Street Department, and suggested storing it inside the locked fence area at the Parks Department. He said they could help as long as they wouldn't be held responsible for any damage. Superintendent Hawkins offered the use of the telehandler, skid loader, and forklift. Mayor Merry said, "I think Tom is going to try to get in touch with the property owner." Chief Jones explained that the Demolition Contract states, 'Salvageable materials shall become the sole property of the Demolisher upon completion of the contractual requirements.' So, the contractor can do whatever he wants to with it.

Council Member Curtiss asked when the contractor plans to start the demolition. Chief Jones replied, "We haven't discussed that part yet." Superintendent Mast commented, "If that is what he was thinking if he gets the bid, he's going to be able to have that? We'd better check that out." Chief Jones explained, "Mike Schmidt and I talked and Mr. Zook and I talked about any salvageable material; and I told them what the standard wording of the contract usually is." Mayor Merry, "I think I'd give them (the owner) one more opportunity to get anything they want out of there, and then leave it up to the contractor. I don't see anything outside the structure of much value." Chief Jones, "Well, with us having accepted the bid from a demolition contractor, I would not want to create a conflict of interest with any of the property. I'd be leery of getting the City involved on that - trying to salvage something." Mayor Merry, "We wouldn't be salvaging anything. I think Tom was talking about holding it for the property owner to come and get it. It would probably be there for twenty years; I would say let it go with the contractor." Chief Jones, "I would be more concerned with it taking up space in that lot." Mayor Merry, "But, we need to try to contact them one more time and give them the opportunity. Tell them if they don't get it, contractor will take it." Chief Jones, "I'll let them know."

Hearing no further discussion on the motion, Mayor Merry called for a vote on the motion which is: Council Member Griffith moved to accept the bid from Schmidt Excavating LLC, not to exceed \$10,750.00, for Demolition of Structure(s) at 216 N. 3rd Street, as being in the best interest of the City." Council Member Luke, "Second." Motion unanimously carried.

PARKS DEPARTMENT: Update

General: Parks personnel have been cleaning public buildings, restrooms and doing equipment maintenance, snow and ice removal, trimming trees and cleaning up as weather permits, working on 2015 Goals and 2014 Accomplishments, and completed the annual inventory.

Caboose Park Restrooms: Parks personnel have been working on the petitions in the restrooms at Caboose Park; and the men's is complete.

FINANCE: Building Restoration Loan for 318 Neosho (China Buffet), James Higgins

City Clerk Kewley, referring to James Higgins Building Restoration Loan Application for 318 Neosho Street, explained, "Mr. Higgins has applied for a Building Restoration Loan for \$10,000. He originally took a loan out in April of 2014, and has paid it off. The store front ended up being more costly than he anticipated, so he has applied for this second loan for that same address, 318 Neosho. I contacted the members of the Decision Making Authority, and they are all okay with it; so I need a motion to approve this loan." Mayor Merry commented, "It meets the new qualification for the \$10,000 loan." City Clerk Kewley said, "It does. It includes a Promissory Note and a Mortgage for five years."

Council Member Scott moved to accept the Decision Making Authority's recommendation and approve James Higgins' Building Restoration Loan Application for 318 Neosho Street in the amount of \$10,000. Council Member Griffith, "Second." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

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FINANCE: Claims Ordinance & Payroll Ordinance

a. Claims Ordinance	2015-01	<u>\$339,383.64</u>
b. Payroll Ordinance	2015-01	<u>\$ 73,087.44</u>
	TOTAL	\$412,471.08

CLAIMS 2015-01: Council Member Luke, "I move City of Burlington pay Claims Ordinance 2015-01 in the amount of \$339,383.64 for payment of city bills." Council Member Lenard, "Second." Mayor Merry called for discussion. City Clerk Kewley explained, "One of our larger items tonight is to the Kansas State Treasurer for our General Obligation Bond for our sewer project, in the amount of \$250,921.47. We are also paying \$21,219.80 to HD Supplies. **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 2015-01 approved by vote of 6:0.**

PAYROLL 2015-01: Council Member Scott stated, "I move City of Burlington pay Payroll Ordinance 2015-01 in the amount of \$73,087.44." 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 2015-01 approved by a vote of 6:0.

FINANCE: Delinquent Utility Account Charge-offs for 2013

City Clerk Kewley, referring to the agenda attachment '2013 Utility Billing Charge-Offs', stated, "This year, for 2013 we will be charging off \$4,560.26. In 2013 for 2012 we charged-off \$7,449.57; and in 2012 for 2011, we charged-off \$13,064.28. We have dramatically cut the amount of delinquent utility accounts that we charge off each year. I do need a motion to charge these off." She explained that charging-off the delinquent accounts is done to remove the accounts from our computer system, but we still continue to collect as much as we possibly can - through the Kansas Set-off Program and by collecting when a debtor wants to get utilities turned on.

Council Member Luke moved to approve the Utility Billing Charge-Offs of 2013 delinquent accounts. Council Member Lenard, "Second." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.

PLANNING & ZONING - Comprehensive Development Plan Extension to 12/31/2015 - Ordinance 834

Zoning Clerk Hugunin explained that October 23, 2014, the Burlington Planning Commission held the Public Hearing to extend the City's Comprehensive Development Plan. There were no visitors at the meeting. He said, "Basically, we're working on getting the Comprehensive Plan updated, but first we need to extend the Plan. Bickley Foster had thought it expired in 2015, but it doesn't, so we went a few months without the Plan. Extending it until the end of the year will give us plenty of time to do updating of maps and State statutes." (Ordinance 793 extended the Comprehensive Development Plan for the Burlington Area, Kansas: 2000-2010 to January 1, 2014.)

Council Member Curtiss moved to adopt Ordinance 834, to accept the Burlington Planning Commission Plan Adoption Resolution and to extend City of Burlington Comprehensive Development Plan to December 31, 2015; thereby amending Ordinance 680 which created the Plan, and Repealing Ordinance 793, a previous amendment. Council Member Rhodes gave the second. Hearing no discussion, Mayor Merry directed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Ordinance 834 adopted by vote of 6:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin continued to work on inventories for the departments, update Facebook and the webpage, and update building permits from last year. He also resolved some computer issues, worked on his Goals & Accomplishments, attended a legislative session at the courthouse today, and is waiting on approval of the Tree City USA application.

Email Problems: Zoning Clerk Hugunin reported, "We did the move to the new email server, and it seemed to go very smoothly - until today. Apparently, only City Hall cannot get or send email, so we are working to resolve that."

PERMITS: Permits issued by Zoning Clerk Hugunin: None

CITY CLERK'S OFFICE: Update

General: City Hall Staff have been busy with customers paying their utility bills. They have also been handling normal calls and inquiries, work orders, and preparing meeting minutes, reports, vouchers for paying bills, and payroll.

Delinquent Utility Accounts to Kansas Set-off: For January we will be sending \$1,205.22 in delinquent utility accounts for collection through the Kansas Set-off Program. I believe the Kansas Set-off Program has been very beneficial to the City and has helped us substantially reduce our charge-offs.

2015 Budget: City Clerk Kewley finished keying in the 2015 Budget figures to line items.

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City Sales Tax Report: City Clerk Kewley said, "I handed out the Sales Tax Report for the last three years."

Dog Tags: The 2015 dog tags are due this month.

Goals and Accomplishments: Goals for 2015 and Accomplishments in 2014 are being prepared for all the departments.

Election: City Clerk Kewley stated, "I want to remind everyone that we do have a filing deadline for candidacy for the City elections, by noon on Tuesday, January 27th. We do have three who have filed as of today: Gene Merry for Mayor, Stan Luke for Mayor, and Forrest Rhodes for Council Member Ward 1 Position 1."

Closed January 19 - King Day: City offices will be closed Monday, January 19 for Martin Luther King, Jr. Day.

MAYOR'S COMMENTS: Thank you

Mayor Merry expressed appreciation to the City for the plant that was sent to his sister's funeral.

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 Goals 2015 / Accomplishments 2014
ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA Fill Vacancies (Apprentice) (Leadman)	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 Spring Demolition Derby 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 by end 2015 Industrial Park Lots	Work w/Chief on Nuisance Structure regulations Grant for LED Solar Lighting for Walking Trail
POLICE DEPARTMENT Nuisance Updates New PD Building-- moving into it	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 Pump Repairs in 2016 (Clearwell/River Intake)

Mayor Merry declared the meeting adjourned.

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