

BURLINGTON CITY COUNCIL REGULAR SESSION APRIL 1, 2015

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, April 1, 2015. 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 Mast (Street)

Riley Morgan (Police Adm. Officer)

Danny Hawkins (Water/Wastewater)

Also Present: Regina Kewley (City Clerk)

Jimmy Hugunin (Zoning & Grants Clerk)

Thomas Robrahn (City Attorney)

Susan Stroh (Administrative Assistant)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: None

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

MINUTES: March 18, 2015: *Council Member Luke, "I move to accept the Draft Minutes of Council's regular session of March 18, 2015 as presented." Council Member Scott, "Second." Motion unanimously carried.*

PUBLIC COMMENTS: None

APPOINTMENT: None

ELECTRIC DEPARTMENT: Distribution Updates

General: Superintendent Schneider reported that along with the daily work orders and plenty of locates, Distribution crews installed new service at 1005 Cumberland and performed some line maintenance. They also did some work at the Rock Creek crossing at the Kennebec Street bridge and over by Huff'S Gardens (Juniatta Street) to clear the right-of-way there. They set a utility pole at Max Hess' property at 718 S. 5th Street so he could move forward with what he needs to do.

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Superintendent Schneider stated, "Production personnel are still doing required reports."

Generator #6 Repairs: Superintendent Schneider reported, "Since last council, the main focus has been repair of Generator #6 by Wheeler World, Inc. It is going well and they could easily have it back together by the end of the week."

WATER DEPARTMENT: Distribution Update

Waterline Replacement: St. Lawrence from 9th to 10th: Superintendent Hawkins reported, "The bacterial samples were sent to KDHE and came back negative; so we went in and finished St. Lawrence Street as far as the last services so everybody is tied in on St. Lawrence Street. In the last few days, we've been really trying to get the seeding done and are hoping we will get some rain."

General: Personnel have been installing a few water meter services and doing a few sewer taps. They have also been working on the dump truck, putting in a starter and new lights, to keep it going. They have also been doing normal duties and lots of line locates, mainly for MT wireless.

WATER DEPARTMENT: Water Production Update

General: Water Plant personnel are doing monthly reports and regular plant maintenance.

Drought Emergency Update: Superintendent Hawkins reported, "The Water Plant has been running really well. We love warm water and hope it keeps warming up - it's good for us. We are still seeing an increase in water usage even though we are still in the water warning. We're averaging roughly 580,000 gallons per day now. Hopefully, we will get some spring rains. There are no new restrictions from the Kansas Water Office."

Boxes: Council Member Griffith asked, "On the sewer, are those boxes in the corner of the yards permanent?" Mayor Merry answered, "It's a control box. Yes, it's a permanent deal. That's what they work out of, it's a working box for the MT Wireless fiber optics."

STREET DEPARTMENT: Update

Street Sweeping: Superintendent Mast reported, "We've been trying to get all the streets in town swept from the winter snow and ice control we did. We should finish that this week."

General: Street personnel have been working on salt spreader frames at the shop. They worked on a couple of alleys and replaced a few culverts. Where they reworked 9th Street last year, they bladed and rolled the street while there was a little moisture on the ground.

[2] CONTINUATION: April 1, 2015 Burlington City Council Meeting

Street Sweeper: Superintendent Mast said, "Mark Davidson and I went to Wichita to look at a different type of street sweeper. We are looking at trying to budget a new street sweeper next year, so we are looking at what is available and get ideas and a budget amount."

POLICE DEPARTMENT: Update

New Police Building - Sign: Police Administrative Officer Morgan reported, "Burlington Construction has made good progress with the sign for outside of the Police Department. They've got the columns poured and in a couple of weeks they will start putting the stone on the columns."

Animal Shelter: Administrative Officer Morgan stated, "About a month ago, there had been about twenty animals in the shelter. Since then, she's (Animal Control Officer Stice) got the number down to two, and they are going to go to Rescue in the next week or so. We will take advantage of the time the shelter is empty install flooring she purchased with donation dollars. It will take a lot of cleaning and prep time, so we are going to take advantage of the time and get that completed."

General: It has been normal calls, routine calls for service for the Police Department. Administrative Officer Morgan, "We've been doing a lot of preparation for the upcoming audit we will have over the next three months."

POLICE DEPARTMENT: Nuisance Property

Nuisances - general: There has been a great response on the 10-day letters and communications that Officer Charlton has had with different property owners. There is only one that she will need to do more follow-up with.

Nuisance Structures/Demolitions (update): Property owners of the remaining on-going nuisance structures have a May 1st deadline and will be discussed at the May 5th meeting of council. (Rice, 216 N. 3rd; Darnell, 928 Des Moines; and Mann, 606 Hudson)

Nuisance Structure/Demolition - 211 Neosho (update): Parks Superintendent Boyce said a couple citizens had asked him where we are with the demolition and cleanup of 211 Neosho Street where Skillman Construction is working. They think it is more of a nuisance now than when they started. (formerly Jeff Chandler's property)

Administrative Officer Morgan explained, "If I understand that whole situation correctly, ownership of the property changed hands since we took initial action. To get back involved, we would need to start the process over with the new owner. I believe they've (Skillman Construction) gotten busy in other areas. I would say it does need attention quickly; but we can get back involved and go through the current owners."

Police Committee Meeting after Council: Council Member Scott stated, "We need to have a very short Police Committee meeting right after this meeting to set the parameters for the interviews. They are on April 7th, starting at 9 o'clock." (at 303 Neosho)

PARKS DEPARTMENT: Update

Turning Water On: Superintendent Boyce reported, "We've been cleaning buildings and restrooms. We have been opening up the seasonal restrooms. City Dam (Drake Park) restrooms and RV spots have the water on. The rock restroom in Kelley Park is open. We are not going to turn on RV hookups in Kelley Park. I met with Danny and Alan (Water and Electric Superintendents) and we will re-work that. Two of the five water hydrants are not working; so we'll replace water hydrants - and the electrical hookups also because when they have the WildBlue Barbeque, they want additional electrical hookups. This way each one (RV) will have a spot with their own utilities. We also turned on the sprinklers at Caboose Park and Veterans Park, and seeded some small areas."

Dog Park on S. 2nd Street (update): Superintendent Boyce said, "We worked on a plan for the Dog Park, and met with the fence builders. They will get quotes back to me on that, along with the Parks Department fence."

PARKS DEPARTMENT: Flower Quotes

Superintendent Boyce presented the Flower Quotes for 2015 and stated, "My recommendation would be to go with Hess Greenhouse for their low quote of \$975.00."

Quotes received: Hess Greenhouse: \$975.00; Huff's Gardens: \$1,552.00; Arnold's Greenhouse: \$2,523.00

Council Member Curtiss moved to accept the quote from Hess Greenhouse for flowers for the Parks Department Beautification Project, not to exceed \$975.00." Council Member Griffith, "Second." Mayor Merry called for discussion. Superintendent Boyce stated, "That will be for eighteen of the cement pots. Eight that will be downtown, eight along the highway, one at my shop, and another one. There are sixteen hanging baskets - eight downtown and eight at the Kelley Park gazebo." **Hearing no further discussion, Mayor Merry called for a vote. Motion unanimously carried.**

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance	2015-07	<u>\$245,564.08</u>
b.	Payroll Ordinance	2015-07	<u>\$ 77,622.13</u>
	TOTAL		\$323,186.21

CLAIMS 2015-07: Council Member Luke, "I move City of Burlington pay Claims Ordinance 2015-07 in the amount of \$245,564.08 for payment of city bills." Council Member Rhodes, "Second." Mayor Merry called for discussion. City Clerk Kewley reported, "A couple of larger expenditures for tonight are Blue Cross/Blue Shield for \$21,483.10 for the monthly insurance premium, and TrustPoint Insurance is \$182,318 which entails our yearly renewal policy. I would like to say I am very pleased with it this year. We have a 2% decrease in our policy overall. One of the big things with our Workman's Compensation policy, our MOD went

[3] CONTINUATION: April 1, 2015 Burlington City Council Meeting

from a .77 to a .74; and that's huge for our city because it is like a rating on pricing. They say we are doing a real good job on safety. It is good to hear that."

Hearing no further discussion, Mayor Merry instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Claims Ordinance 2015-07 approved by vote of 6:0.

PAYROLL 2015-07: Council Member Scott stated, "I move City of Burlington pay Payroll Ordinance 2015-07 in the amount of \$77,622.13." Council Member Luke, "Second." Hearing no discussion, Mayor Merry instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Merry declared Payroll Ordinance 2015-07 approved by a vote of 6:0.

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been working on several permits, updating Facebook and the webpage.

Tree Board - Tree City USA; Arbor Day: Zoning Clerk Hugunin reported he and Superintendent Boyce attended the National Arbor Foundation Tree City USA Awards Ceremony in Topeka on Wednesday and Thursday. Burlington's Arbor Day Celebration will be at 5:30 in Oak Park on Thursday, April 23rd. It will not be on a Friday night as in the past, it will be on Thursday night.

PERMITS: Permits issued by Zoning Clerk Hugunin:

2015-010 Thomas F. Robrahn - 1421 12th Lane - Shop

2015-011 Thomas & Michelle Hugunin - 822 Potomac - Work Shop

2015-012 John L. Conkle - 516 N. 11th - Garage

RESOLUTION 2015-04, Approving Second Amendment to the Agreement Creating the KPP

Mayor Merry asked, "Tom, have you reviewed this?" City Attorney Robrahn stated, "I reviewed the agreement document and it looks fine; and we have proposed resolutions and it looks good in form."

Council Member Luke moved to adopt Resolution 2015-04, Approving the Second Amendment to the Agreement Creating the Kansas Power Pool, and authorizing the Mayor to sign said Agreement. Council Member Lenard, "Second." Hearing no discussion, Mayor Merry called for a vote. All votes were in favor. Mayor Merry declared Resolution 2015-04 approved by a vote of 6:0.

RESOLUTION 2015-05, Approving Second Amendment to the KPP Operating Agreement

Mayor Merry asked, "Tom, have you reviewed these?" City Attorney Robrahn stated, "I reviewed the agreement document and it looks fine; and we have proposed resolutions and it looks good in form."

Council Member Luke moved to adopt Resolution 2015-05, Approving the Second Amendment to the Kansas Power Pool Operating Agreement, and authorizing the Mayor to sign said Agreement. Council Member Lenard, "Second." Hearing no discussion, Mayor Merry called for a vote. All votes were in favor. Mayor Merry declared Resolution 2015-04 approved by a vote of 6:0.

LEGAL DEPARTMENT: Update

Attorney Robrahn, "Obviously it is what we just talked about. I studied Kansas Power Pool agreements and resolutions for the 2nd amendment and past resolutions. Philip Wright says Municipal Court is going along fine."

CITY CLERK'S OFFICE: Update

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

Delinquent Utilities - Kansas Set-off: We have only sent one delinquent utility account, in the amount of \$29.41, to send to the Kansas Set-off Program for collection.

Sewer Charge Calculated for 2015: City Clerk Kewley reported, "This month we are calculating the new sewer charge. It is calculated on the water usage for December, January, and February and sets the sewer billing charge for the next twelve months."

Audit of 2014: The City's auditors, Mize Houser & Company, were supposed to be here May 7th and 8th, but it has been rescheduled for them to be onsite May 14th and 15th to do our 2014 Audit.

MT Networks Fiberoptics Project: City Clerk Kewley stated, "The other day I visited with Robert McDonald of MT Networks. He gave me an update on what is going on in reference to all of our buildings getting fiberoptics. So far, we know City Hall and the Water Department are going to be on the route. However, the Electric Department, Street Department, and Police Department are not on the route. MT Networks has a contract with Coffey County and they are on a deadline of June 2016; so they will need to head out of town and come back to us in the spring of 2016. So, the Electric, Street, and Police Departments will be put on hold and MT Networks will visit with us next spring. They said if they don't use up all their rain days for the County project, they may be able to get back with us earlier, possibly in the fall." Administrative Officer Morgan said, "We are fine. The service we have now is adequate." City Clerk Kewley thought the Electric and Street Departments are doing okay, too.

[4] CONTINUATION: April 1, 2015 Burlington City Council Meeting

CITY CLERK’S OFFICE: Executive Session for Attorney/Client Relations

Mayor Merry called for an Executive Session for Attorney/Client Relations. *Council Member Luke made the motion for the Governing Body to enter into a ten-minute Executive Session for Attorney/Client relations with City Attorney Robrahn, City Clerk Kewley, and Electric Superintendent Schneider present. Council Member Lenard, "Second." Hearing no discussion, Mayor Merry called for a vote. Motion unanimously carried.* Mayor Merry said there would only be one motion after the executive session and therefore excused the superintendents from the rest of the council meeting. *Council entered Executive Session at 6:20 p.m. and exited at 6:30 p.m.*

Council Member Luke stated, "I move that City of Burlington enter into the Arbitration Agreement dated March 27, 2015 with Charloma, Inc." Council Member Lenard, "Second." Hearing no discussion on the motion, Mayor Merry called for a vote. Motion unanimously carried by a vote of 6:0.

REPORT BY CITY OFFICER (1)

Council Member Lenard said that in connection with communication in the newspaper, someone in his area had asked him, 'What does the Council feel is not transparent about our Council's actions?' Council Member Lenard said he thinks we are completely open. Council Member Curtiss said, "We can't talk about personnel issues." Council Member Scott said, "The State is clear on open meetings and the rules and regs with that, and I think we follow that to the letter."

REPORT BY CITY OFFICER (2)

Council Member Griffith then said, "I had some people approach me about they don't see as many policemen on the streets. Do we have less policemen now?" Council Member Scott, "Yes." Council Member Griffith, "That's what I told them. I told them I thought we were probably down." Council Member Scott explained, "We'll get back up to strength. We're one short right now." Council Member Griffith, "Thank you."

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Re-codification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program Vacancy - Police Records Clerk MT Wireless - Fiberoptics to City Buildings	GAAP – Infrastructure Capitalization Actuaries – GASB-45 Financial Program Software (CIC) Joint Remodel Project with Chamber for 305A Neosho Vacancy - Chief of Police Election - Spring 2015
ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA Fill Vacancies (Leadman) Generator #6 Maintenance Update	Automatic Meter Infrastructure for Electric (AMI) Natural Gas - 2nd Supplier 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 Dog Park - Planning / Fence / Etc. Kelley Park - RV Parking: Water and Electric updates	RV Parking Pay Stations for Kelley Park and Drake Park Kelley Hall - space vacated by PD Chain Link Fence for Parks Department Walking Trail - City Dam/Drake Park to Kelley Park
LEGAL DEPARTMENT: Municipal Court Natural Gas - Franchise Agreement	Property Demolition Deeds/Agreements/etc.
PLANNING AND ZONING Quarterly Construction Valuation Report Comprehensive Development Plan – Update by end 2015 Industrial Park Lots Planning Commission- Rezone 616 S. 6th (Z-2015-001)	Work w/PD Admn. Officer on Nuisance Structure regulations Grant for City Dam/Drake Park to Kelley Park Walking Trail Arbor Day Celebration 2015 Carport for behind City Hall
POLICE DEPARTMENT Nuisance Updates Advertise for Police Chief Police Building - New Sign Animal Shelter - Improvements/Floor Mat	Personnel – Training Updates Nuisance Structures Demolition - Update Unclaimed and Abandoned Property - Disposition
STREET DEPARTMENT: Heather Street - Concrete Panels Sidewalk Replacement Repairs on City Rights-of-Way Equipment - Purchase Small Milling Machine for Sidewalks, etc. Street Sweeper in 2016	Rebuild/Repair Kennedy Street and 14 th Street Pavement Management System/Asset Management System 2015 Curb & Gutter Project
WATER & WASTEWATER DEPARTMENT: Rural Water District #3 - Valve, Meter, Vault: Neosho Riverbank Stabilization Waterline Replacement Project Water Emergency - Warning (Update) Fire Hydrant Static Testing	Water Tower Repair Water Plant Improvements–Efficiency John Redmond Reservoir – Dredging CCR/WQR Rpt. & Water Violation

Mayor Merry declared the meeting adjourned.

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