

BURLINGTON CITY COUNCIL REGULAR SESSION AUGUST 5, 2015

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, August 5, 2015. Mayor Stan Luke called the meeting to order.

ROLL CALL: Stan Luke, Mayor

Council Members present:

Lewis Lenard
 Jane M. Griffith

Dallas Scothorn
 Thomas P. Tschantz

Jerilyn Curtiss
 Sharon Hall

Superintendents Present:

Kevin Boyce (Parks)
 Riley Morgan (Interim Chief of Police)

Alan Schneider (Electric)
 Danny Hawkins (Water/Wastewater)

Doug Mast (Street)

Also Present:

Regina Kewley (City Clerk)
 Thomas Robrahn (City Attorney)

Jimmy Hugunin (Zoning & Grants Clerk)
 Susan Stroh (Administrative Assistant)

Media Present: Mark Petterson (Coffey County Republican)

VISITORS: Arden and Kathy Payer (County Fair), Connie Tschantz, Terelle Mock (Attorney), Matt Simpson, Scott Scurlock, Doug Jones, and Police Department Personnel: Jay Szambecki, Jessica Stice, Randy Stuart, Becky Reeves, Britt Sigg; and Quillan Houser

AGENDA: *Council Member Curtiss stated, "I move to approve the amended agenda." Council Member Scothorn, "Second." Motion unanimously carried.*

MINUTES: July 15, 2015: *Council Member Lenard, "I move to accept the corrected Draft Minutes of Council's regular session of July 15, 2015 as presented." Council Member Curtiss, "Second it." Motion unanimously carried.*

APPOINTMENT: Vanessa Tatman - Request to hold outdoor movie at Kelley Park (Kelley Hall) 8-8-2015
No show.

APPOINTMENT: Arden Payer - Coffey County Fair (Appreciation to City Departments)

Arden Payer addressed Council, "Thank you for letting me do this. You know every year during the Fair, there are always last minute preparations to be done. I am here not for the Fair Board, but for my own personal relationship that happened at the Fair this year. There were some last minutes things that Alan Schneider came and helped me do; and it certainly improved the situation with some of our vendors. I really do appreciate that, and I want to give him a big 'Thank You' from me. Also, Kevin Boyce was just super to work with this year. I was in charge of the four bathrooms, which I know somebody's got to do it - I guess I was the prime candidate. Kevin showed me where things were, and helped me so I wouldn't need to bother him. I want to give these two guys a big 'Thank You' from me; and I really appreciate what they did for me. Thank you."

PUBLIC COMMENTS: None

APPOINTMENT 6:30 p.m.: Public Hearing for City Budget for 2016

Mayor Luke called for a motion to open the public hearing. *Council Member Lenard stated, "I move to authorize the Mayor to open the Public Hearing for the City Budget for 2016." Council Member Griffith, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.*

Mayor Luke declared, "The 2016 City Budget Hearing is open." He asked, "Is there any discussion from the floor?" Hearing none, he stated, "I will accept a motion to close the Public Hearing." *Council Member Lenard stated, "I move to close the Public Hearing." Council Member Scothorn, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.*

Mayor Luke stated, "Since there was no discussion with respect to the 2016 Budget, I will now accept a motion to adopt the Budget as presented." *Council Member Lenard stated, "I move to adopt the Budget of 2016 for the City of Burlington as presented." Council Member Griffith, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.* Mayor Luke declared, "The 2016 Budget for the City of Burlington has been approved."

ELECTRIC DEPARTMENT: Distribution Updates

General: Superintendent Schneider reported, "We have been doing daily work orders and line locates; and fulfilling customer service requests. We did do some preparations for the Fair at Kelley Park. With the rain today, we got some much needed equipment repairs done. The majority of our time has been spent trimming trees around town, and we've still got a ways to go."

Kelley Park - Victorian Lights: Superintendent Schneider stated, "Some may have noticed that down in the center of Kelley Park a dozen of the Victorian lights are out. Lightning struck one, and traveled through all the fixtures. If anyone asks how long the lights will be out of commission, you can tell them about four weeks. Those LED light fixtures are in such high demand that, although we tried to get them expedited and we hope to get them a little sooner, it will probably take the four weeks."

ELECTRIC DEPARTMENT: Power Plant/Production Update

General: Personnel completed required reports, and have been doing general Power Plant maintenance.

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Capability Testing: Superintendent Schneider reported, "We started capability testing for Kansas Power Pool. We did one test a couple days ago; we've got to perform another one tomorrow; then we have three units we have to test together, which we will do the first part of next week. Then the capability testing will be done."

WATER DEPARTMENT: Distribution Update

Waterline Replacement Project - Niagara Street (4th to 10th): Superintendent Hawkins reported, "We are still working on Niagara Street. That's where we've been concentrating all of our time; and we're really pleased we are now past the elementary school. The seeding season is coming around September 1st, and we will be stopping what we're doing to go back and dress up areas - till and seed. We've been working with the homeowners, letting them know that anything we tear up, we put back. Everybody in that area has been giving good reports, too."

Water leaks: Personnel have been repairing a few minor water leaks with services.

Fire Hydrant Flushing: Superintendent Hawkins stated, "We have been flushing fire hydrants. We will be doing a city-wide fire hydrant flush, but would like to wait at least until the second or third week of August because the hottest weather gives us the best chlorine residuals to get it into our water towers; and it helps with the community as well. It is a KDHE requirement."

Filter/Storage Building: Superintendent Hawkins provided an update on the old filter building, which is being transformed into a storage building, "Bob Salazar (Superior Masonry & Restoration) got the floor poured in the old filter building. He did a great job and it looks nice. He told me this morning the doors will be installed on Monday. Then we will be moving equipment over into the new storage building."

General: Personnel have been doing normal duties: reading meters, doing work orders, line locates, etc.

WATER DEPARTMENT: Water Production Update

Filter Pit - Actuator Replacement: Superintendent Hawkins reported, "At the Water Treatment Plant we've had a few actuators go bad in the filter pit area. We hired Tom Miller, with Mid-America Valve Company, to come in. His recommendation was to remove some of those actuators and replace them with new ones; so we're working with him to get that situation resolved. They (the actuators) are functioning, but we're going to work around that."

Recarb Basin - Cleanout: Superintendent Hawkins stated, "We did clean out our recarb basin, a large project we've been trying to get accomplished in between the demand of water and pumping."

WATER DEPARTMENT: Personnel - Justin King, Evaluation & Promotion

Superintendent Hawkins stated, "Justin King is one of our trainees, and this is his first annual evaluation. Justin has done a great job with us. I am really pleased with him. My recommendation is to move Justin from a trainee to a Non-Certified Water/Wastewater Operator, with his hourly pay moving from \$13.15 to \$15.23."

Council Member Tschantz stated, "I move to approve the Personnel Evaluation for Justin King as presented, and to move him from the position of Water/Wastewater Operator Trainee to Water/Wastewater Non-Certified Operator at the hourly salary of \$15.23." Council Member Griffith stated, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.

STREET DEPARTMENT: Update

Asphalt Project & Chip Seals: Superintendent Mast reported, "We have been doing tree trimming for our upcoming projects. The asphalt crew will be showing up before long; plus the County will be here to do our chip seals. We try to trim trees ahead of them so we won't be tearing those up while they're coming through."

Culverts: Superintendent Mast stated, "We've been replacing a few culverts. We put one in for the Water Department."

General: Street personnel did their normal preparations for the County Fair. They have also been patching potholes.

Bridge on Kennebec - Guardrails: Due to an accident that tore up some guardrails, the Street Department did repairs on a bridge on Kennebec.

Crosswalk Painting: Superintendent Mast stated, "We have been doing all of our crosswalks painting around town. We'll try to get that accomplished before school starts."

Re-building Streets / Grinding: Superintendent Mast said, "We had planned with the County for them to do our grinding while we were doing our street rebuilds. They usually come in and do our grinding for us; then we put recycled asphalt down; and they grind it again. The County's grinder is down, and they talk like they don't think they're going to fix it. We had figured it would cost around \$2,000 to have them do the grinding; and since they can't do it, we're going to either need to rent (a grinder) or hire somebody to do it. Rental is very expensive, about \$36,000 a month. I got ahold of Killough Construction to see what they would charge to come down and grind for us; and we're looking at around \$23,000 there. I talked with the Mayor and the Street Committee Chair, Jerilyn Curtiss. It would be my recommendation that we take money from the Infrastructure Fund to cover that

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cost this year; and then we're going to look at how we're going to handle this in the future. If the County isn't going to fix their machine, then we may have to change the way we're doing some things to make it cost-effective for us to rebuild streets."

Council Member Lenard asked about the cost for the County to repair their machine. Superintendent Mast replied, "They said repairs would be somewhere around \$40,000. The machine is twenty-some years old, and they've had three major breakdowns in the last couple of years; so I think they don't want to sink a lot more money into something that old. I don't know if they're going to replace it. I will keep in touch with them to keep informed what is going on."

Superintendent Mast continued, "It's a significant difference of what we're going to have price-wise this year. I talked with Jerilyn and the Mayor, and we are either going to have to reduce the amount of work we're doing or come up with some money to do the grinding this year. We came to the agreement that we would try to get the money this year, and then we'll re-evaluate based on how everything works out with the County next year." Mayor Luke said, "So we need approximately how many dollars from the fund?" Superintendent Mast, "Twenty-three thousand."

Council Member Curtiss stated, "I move to allot \$23,000 from Infrastructure Funds to finance the remaining street grinding for this year's street rebuilding." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.

POLICE DEPARTMENT: Update

Council Member Lenard provided the update for the Police Department.

Calls: Officers supported numerous calls, including one the other night at the hospital.

County Fair: In regards to the Fair, the Police Department received a lot of positive feedback on the parade route. The Fair Board was very appreciative of the support the Police Department was able to provide. It sounds like the plan is to continue this year's route in the future.

Demolition Derby: The derby went well without any incidents. The Coffey County Sheriff's Office was short of manpower, but did provide a couple of guys and a couple of ATVs; and Burlington's Officer Quillan Houser was on his bicycle.

Bicycle Patrol: [Bicycle Patrol Officers are required to be certified in the International Police Mountain Bike Association (IPMBA) basic police course.] Council Member Lenard reported that Bicycle Patrol Officer Quillan Houser completed his training in Emporia, and got an award for most improved. He added that Emporia has a pretty impressive program, and thanked Officer Houser for going to the training.

Municipal Court: The August court docket is pretty good sized. The Police Department is still working through the process of transferring files.

POLICE DEPARTMENT: Nuisance Properties

Nuisance Properties: Animal Control Officer Stice was working with Officer Charlton for a couple of days last week to make sure any properties that had not been documented were identified, and to make sure the status of the nuisances were current. Progress is being made at 5th and Potomac (Hess' at 718 S. 5th).

Mayor Luke said he had sent a letter to the County Commissioners asking them to waive the landfill fees for the two structure demolitions. They had received it and did waive the fees. Council Member Lenard reported that Administrative Assistant Stroh is drafting a letter of appreciation to the County Commissioners.

Police Department - Flagpole: Parks Department installed the Police Department's flagpole last Friday.

POLICE DEPARTMENT: Personnel - Resignations / Advertise to fill vacancies

Council Member Lenard stated, "We received three resignations from personnel. One was from Brandi Charlton; one from Randy Stuart; and one from Riley Morgan."

Council Member Lenard stated, "I move to advertise to fill the vacancies for Police Officers, with applications being accepted until the positions are filled." Council Member Scothorn, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.

POLICE DEPARTMENT: Structural Demolitions Bids (718 S. 5th and 928 Des Moines)

Council Member Lenard presented the only bid that was submitted for the 2015 Demolition Project, which was from Skillman Construction, as follows:

	Bid	Start Date	Completion
718 S. 5th St.	\$1,250.00	10 days from notice	2.5 days
928 Des Moines	<u>\$2,150.00</u>		3-4 days
Total Bid:	\$3,400.00	Total time: 6.5 days	Verbally verified.

Mayor Luke called for a motion. **Council Member Curtiss stated, "I make a motion to accept the bid from Burlington Construction as bona fide." Council Member Hall, "I'll second." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried.**

Council Member Lenard stated, "I move to award the contract for the 2015 Structure Demolition Project to Skillman Construction, LLC for their bid of \$3,400.00, which includes \$1,250 for 718 S. 5th Street; with the work to start within ten days of notice and completion of the entire project to be within 7 days of start, depending on the weather." Council Member Curtiss, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried. Mayor Luke directed, "We'll get notification to Skillman Construction."

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POLICE DEPARTMENT: Executive Session for Non-elected Personnel

Mayor Luke called for a ten-minute Executive Session for Non-elected Personnel with elected officials, City Clerk, Tom Robrahn, and Terelle Mock. *Council Member Lenard made the motion to enter into a ten-minute Executive Session for Non-elected Personnel with elected officials, City Clerk Kewley, City Attorney Robrahn, and Terelle Mock (Fisher Patterson Saylor & Smith). Council Member Tschantz, "Second."* Hearing no discussion, Mayor Luke called for a vote. *Motion unanimously carried.* Council entered Executive Session at 6:20 p.m. and exited at 6:30 p.m. Mayor Luke reconvened the council meeting and put action on hold because it was time to hold the City Budget Hearing.

Mayor's Appointment of Chief of Police: After the City Budget hearing, Mayor Luke stated, "As we discussed in our Executive Session, I am now making the appointment of Doug Jones as Chief of Police of the City of Burlington, effective immediately, at an annual salary of \$65,000." *Council Member Lenard stated, "I make the motion to ratify the Mayor's appointment of Chief of Police Douglas L. Jones, effective immediately at the annual salary of \$65,000." Council Member Scothorn, "I'll second the motion."* Hearing no discussion, Mayor Luke called for a vote. *Motion unanimously carried with a vote of 6:0.* City Clerk Kewley administered the Oath of Office to Douglas L. Jones, Chief of Police.

PARKS DEPARTMENT: Update

General: Parks personnel have been doing normal duties, cleaning public buildings and restrooms, mowing, spraying weeds, and watering trees and flowers.

BBQ & Fair - Cleanup: Parks Personnel cleaned up and put picnic tables and things away after the WildBlue BBQ and the Fair. Superintendent Boyce said that Arden Payer did a great job cleaning everything up after the Fair, so there wasn't that much left to be done.

Demolition Derby - Blocks: Superintendent Boyce said, "I emailed Mike Skillman about removal of the demo blocks. He hopes to get it done this coming weekend. With two and a half inches of rain, he may or may not get it done."

Nuisance Property Mowing: Superintendent Boyce said the Parks Department mowed three nuisance properties - the one at 229 Cross Street (old Dollar General) and two in the 900 block of Des Moines.

Flag Pole: Parks personnel installed the flagpole at the Police Department.

Hazard Tree Removal/Trenary Tree Care: Superintendent Boyce stated, "Last council meeting I reported the tree contractor would be here in a week and a half to two weeks; but when he gave me the quote, he had other quotes out at the same time. He got jobs before we approved his quote, so we got moved to August 17-18."

Fencing Projects: Superintendent Boyce reported he had contacted Midland Fence. The chain-link at the Parks Department is scheduled to be done first. Then when the contractor has time, the Dog Park on S. 2nd will be done. The contractor is planning to begin installing fence at the Parks Department next week; and the line locates have been called in.

FINANCE: Claims Ordinance & Payroll Ordinance

a.	Claims Ordinance 2015-15	\$210,701.23
b.	Payroll Ordinance 2015-16	\$ 74,328.54
	TOTAL	\$285,029.77

CLAIMS 2015-15: *Council Member Griffith, "I move City of Burlington pay Claims Ordinance 2015-15 in the amount of \$210,701.23 for payment of city bills." Council Member Tschantz, "Second."* Mayor Luke called for discussion. City Clerk Kewley stated, "Some of the items are: Burlington Construction for \$63,379.39; Riley Equipment Company Contracting for \$20,000; and Strawders & Daughters for \$2,066.55." Hearing no further discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. *All votes were in favor. Mayor Luke declared Claims Ordinance 2015-15 approved by vote of 6:0.*

PAYROLL 2015-16: *Council Member Lenard stated, "I move City of Burlington pay Payroll Ordinance 2015-16 in the amount of \$74,328.54." Council Member Griffith, "Second."* Hearing no discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. *All votes were in favor. Mayor Luke declared Payroll Ordinance 2015-16 approved by a vote of 6:0.*

PLANNING & ZONING: Update

General: Zoning Clerk Hugunin has been updating Facebook, the webpage, and permits. He is still working on maps of RV camping sites.

CPR & First Aid Training - Scheduling: Zoning Clerk Hugunin is working on scheduling employee CPR/First Aid training for late September or early October.

Selling Un-needed Equipment (update): Zoning Clerk Hugunin reported the last item from the purplewave.com auction will be picked up next week.

Land for Sale: There have been a couple of inquiries about possibly buying some property. Zoning Clerk Hugunin will go over maps with the superintendents.

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OTHER BUSINESS: n/a

PERMITS: Permits issued by Zoning Clerk Hugunin: None

LEGAL DEPARTMENT: Update

City Attorney Robrahn stated, "We had quite a few hours of legal advising this time around. The Mayor and I worked on a letter requesting Coffey County Commissioners to waive disposal fees on two nuisance properties."

CITY CLERK: Update

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

Delinquent Utilities: For August we will be sending only \$244.06 in delinquent utility accounts to the Kansas Set-off Program for collections.

CIC Financial Software: City Clerk Kewley reported, "Computer Information Concepts was onsite last week working on converting utility billing. We ran into some issues, so we delayed going live on the new software until the next billing cycle. I do want to apologize to the community. We were a couple days late getting our bills out, but we had to run on our old system. Hopefully, we're going to get it straightened out before the next bills are to be printed."

Finance Meeting 7-20-15: City Clerk Kewley said, "We had our Finance Committee meeting on July 20th and finished the budget for tonight."

Financials - 2nd Quarter: On the 2nd quarter financials that were handed out, City Clerk Kewley explained, "This is on our new software; so it is the same report even though it looks different. It is kind of overwhelming, so if you have any questions, please come to my office and I will go over them with you."

LKM Annual Conference (10/10-12/15): City Clerk Kewley stated, "I also want to remind the Governing Body that the 2015 Annual League of Kansas Municipalities Conference is October 10-12 in Topeka. Registration is open for that; so if you want to go, let me know. It is also in your Kansas Government Journal magazine as well."

KPP 2015 Fall Planning Retreat (9/11-12/15): City Clerk Kewley reported, "I passed out information on the Kansas Power Pool Fall Planning Retreat in Kansas City at the Legends on September 11th and 12th. Let us know if you are interested in attending that."

2016 City Budget - signing: City Clerk Kewley asked the Governing Body to sign three copies of the approved 2016 City Budget before they leave tonight.

FUTURE AGENDA ITEMS:

GENERAL City Debt – How to fund projects City Code Re-codification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program Downtown Revitalization (Committee) Audit 2014 presentation by Mize Houser & Company	GAAP – Infrastructure Capitalization Actuaries – GASB-45 Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings Police Officer Vacancies - Advertise until filled (8-6/2015 through ?) LKM Fall Conference and KPP Fall Planning Retreat
ELECTRIC DEPARTMENT: GIS system Emissions Standards Compliance/EPA Fill Vacancies (Leadman)	Automatic Meter Infrastructure for Electric (AMI) Natural Gas - 2nd Supplier Industrial Park Substation - DC Power Supply
PARKS DEPARTMENT: Dog Park - Planning / Fence / Etc. WildBlue BBQ and Taste of Fall Festival 2016 Kelley Park East Ballfield Drainage Hazard Tree Removal 2015 Kelley Park - Victorian Lights (repair from lightning strike)	RV Parking Pay Stations for Kelley Park and Drake Park Walking Trail - City Dam/Drake Park to Kelley Park Parks Department Fence Cancer Support Group - 4-H Building 4-23-2016
LEGAL DEPARTMENT: Municipal Court	Natural Gas - Franchise Agreement
PLANNING AND ZONING Quarterly Construction Valuation Report Comprehensive Development Plan – Update by end 2015 Industrial Park Lots - for Sale, etc. Disposition of Excess Property through purplewave.com Work w/PD on Nuisance Structure regulations	Grant for City Dam/Drake Park to Kelley Park Walking Trail Carport for behind City Hall MT Networks Fiberoptics - updates Planning Commission Members (Advertise for 3) CPR/First Aid Training for Employees - Schedule
POLICE DEPARTMENT Nuisance Updates Personnel – Training Updates	Nuisance Structures Demolition - Update Unclaimed and Abandoned Property - Disposition Bike Patrol Program (update)
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 2015 Asphalt Project Grinding of Streets in 2015 and Plans/Machine for 2016	Rebuild/Repair Kennedy Street and 14 th Street Pavement Management System/Asset Management System 2015 Curb & Gutter Project (Yuba between 6th & 7th) Mohawk Street Improvements between 14th & 15th) KDOT's N.Hwy 75 Project
WATER & WASTEWATER DEPARTMENT: Rural Water District #3 - Neosho Riverbank Stabilization Southwest Sewer Project Waterline Replacement Project SCADA System Pump Repairs in 2016 (Clearwell/River Intake) Fire Hydrant Static Testing Sewer Lagoons - Analysis by KRWA/funding for dredging	Valve, Meter, Vault: Water Tower Repair Water Plant Improvements–Efficiency John Redmond Reservoir – Dredging Clean Sewers Filters/Anthracite/Bacterial Testing Fire Hydrant Flushing Filter Pit - Actuators

Mayor Luke declared the meeting adjourned.

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