

**BURLINGTON CITY COUNCIL REGULAR SESSION FEBRUARY 17, 2016**

City of Burlington Governing Body met in Regular Session at City Hall, 301 Neosho Street, Burlington, Kansas at 6:00 p.m. Wednesday, February 17, 2016. 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)  
 Doug Jones Chief of Police)

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

Doug Mast (Street)

**Also Present:**

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

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

**Media Present:** Mark Petterson

**VISITORS:** Dennis Polson

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

**MINUTES: February 3, 2016:** *Council Member Griffith moved to accept the Draft Minutes of the regular session of February 3, 2016 as presented. Council Member Scothorn, "Second" Motion unanimously carried.*

**APPOINTMENTS:** None

**PUBLIC COMMENTS:** None

**ELECTRIC DEPARTMENT: Distribution Updates**

***General:*** Superintendent Schneider reported, "We are doing daily work orders, line locates and customer service requests. The men have been doing some equipment maintenance changing out some hydraulic hoses on our little bucket truck because it was starting to leak a little."

***Distribution System Mapping:*** Superintendent Schneider reported, "We have been verifying our distribution system and are marking changes made since our last mapping update was done, so we can update our grid maps. Then we will be recertifying our Arc Flash Study, which is due this year."

**ELECTRIC DEPARTMENT: Power Plant/Production Update**

Superintendent Schneider reported, "We are still doing required reports, and the guys are still doing generator maintenance. They have been closing in the sides of the old abandoned radiator frame at the old part of the plant to make a small storage area out of it."

**ELECTRIC DEPARTMENT: Equipment - Bucket Truck needed**

Superintendent Schneider stated, "We've been visiting for a couple of years about replacing our 1985 model bucket truck. Although it has been a good truck and it passes our electrical certification every year, we have been spending a lot of time maintaining it. I would like permission to move forward with writing specifications and go out for bids for a new forty-foot bucket truck. It would be like the little service truck we have, only it would have a material handler on it so we can hang transformers with it. We did put it in the budget for 2016."

***Council Member Tschantz stated, "I move to authorize Superintendent Schneider to go out for bids for a forty-foot bucket truck for the Electric Department." Council Member Griffith, "Second." Mayor Luke called for discussion.***

Council Member Lenard inquired, "Similar to what we do with vehicles we bought for the Police Department, is there any consideration? I know Westar will take some trucks and put them on purplewave.com; and some of them aren't in bad condition. Are there any opportunities to buy new versus used, or is this just a good move?" Superintendent Schneider replied, "Personally, I think this is the best; especially for as long as we keep these trucks. This one is 1985 model; our next one is a 2002 model, and the next is a 2005 model. We keep these trucks around for a long time. What we've done in the past - and one thing I'm going to do in this process as well, is check into demonstration models. A lot of times there are demo models that have a lot of cost savings, so I'm going to see if that will work for us." Council Member Scothorn inquired, "How much do we have budgeted for it?" Superintendent Schneider, "We have \$130,000 budgeted for it."

**Hearing no additional discussion, Mayor Luke called for a vote on the motion which was: Council Member Tschantz stated, "I move to authorize Superintendent Schneider to go out for bids for a forty-foot bucket truck for the Electric Department." Council Member Griffith, "Second." Motion unanimously carried; 6:0.** Mayor Luke told Superintendent Schneider, "Go ahead and write the specs and go out for bids." Superintendent Schneider replied, "Thank you."

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**Light replaced above City Hall's back door:** Mayor Luke asked if there were any questions for Superintendent Schneider. Council Member Tschantz stated, "I would like to make a comment, Mr. Mayor. Alan, thank you for replacing the light outside the back door for the ladies. When it is dark outside, that looks nice." Superintendent Schneider, "It was no trouble. Hopefully, that will put the light where we need it."

**WATER DEPARTMENT: Distribution Update**

**General:** Personnel have been doing normal duties: work orders, line locates and other general duties like reading meters, doing rereads, and customer requests. They repaired a water leak at 12th and Alleghany.

**Personnel - Training:** Superintendent Hawkins reported, "We attended the KMU Safety Training for the month, and also the Employees Benefits Meeting. Several of our Operators have been going to Kansas Rural Water Association meetings to obtain their hours required by the State of Kansas every year."

**Water Replacement Project - Update:** Superintendent Hawkins reported, "We will be installing new water meter services between 9th and Niagara and 10th and Niagara. We're just finishing up that last block for the Waterline Replacement Project there. We are scheduled to start that this coming Monday."

**WATER DEPARTMENT: Production Update**

**Water Treatment Plant - SCADA System:** [SCADA is the Supervisory Control and Data Acquisition System.] Superintendent Hawkins stated, "We have been spending a lot of time in the Water Treatment Plant. The last few weeks have not been the greatest. The SCADA System in the Plant went down on Monday. We asked R. W. Vaught with technical support to come in and get the Plant up and going. He came and has been working on it, and just sent me a text that he is getting ready to leave for the day. We are running on our backup system right now. Thankfully, we did budget for the SCADA replacement for this year. We are having to get ready in the next thirty days to totally replace our SCADA system in the Water Plant."

**Filters:** Superintendent Hawkins stated, "We did get a filter evaluation done with Tonka. Based on the analysis on the filter media, Dave Milke's recommendation was that we need to replace the sand. I was instructed that generally the sand should look like a cornflake substance; and then after years and years of agitation it begins to look like little cigars, which causes the filter bed to tighten up. So, his recommendation was that we need to replace the filter media. We did ask Tonka what it would cost to do that; and they quoted \$85,008.00. I asked about the cost if we were to purchase the material and do the work ourselves; and he said it would be \$30,000. Obviously, that is the direction we're going to go. We have already assessed that, and we're going to go ahead and get the anthracite, sand, and diffuser heads so we can get it installed before we get into the really high demands of summer. It is preventative maintenance that will help us get some of our revenues back; we won't be doing as many backwashes, so we will save water and revenue."

**Water Plant - High-Service Pump - Problems:** Superintendent Hawkins reported, "On top of the SCADA System problems, one of our high-service pumps quit working. JCI is coming tomorrow to pick the pump up to rebuild it; so we will be running on one high-service pump. I want everyone to be aware that we do need to do an assessment of the Water Treatment Plant. Although we've been very proactive over the last three or four years with getting the Water Plant up to speed, the equipment is wearing out - not to mention that it is almost twelve years old. So over the next few months, we will be assessing all the valves, equipment, pumps, and accessories. I will keep the Water Committee in the loop and informed of what we discover in the next few months."

**STREET DEPARTMENT: Update**

**Street Rebuilding Preparations/Culverts:** Superintendent Mast reported, "We have been installing some culverts. To get ready to do rebuilds on roads this year, we're trying to replace some old culverts that are underneath those roads ahead of time."

**General:** Street Department personnel are getting ready to clean out a ditch and install a culvert where a new house was built. They fixed a washed out area on Cleveland Street, took down a hazard tree, and did general maintenance on equipment and the Street Shop.

**STREET DEPARTMENT: Sidewalk Replacement Application 2016-01, 119 N. 3rd Street**

Superintendent Mast, concerning Gene Merry's Sidewalk Replacement Application, said that instead of the frontage of the lot(s) being 581 feet as stated, it should have been 83 feet because we measure in linear feet - not square feet. He said, "I've looked at the sidewalk. It does need replaced. We're actually planning a project for our crews to replace the curb and gutter in that same area; and I don't have any problem with the sidewalk application except to change the footage to 83 feet."

***Council Member Curtiss stated, "I move to approve Gene Merry's Sidewalk Cost Share Application 2016-01 for the north side of Avalon Salon at 119 N. 3rd Street, with the frontage being changed to 83 linear feet, and with the City of Burlington paying the cost share amount of \$10 per linear foot." Council Member Lenard, "Second." Hearing no discussion, Mayor Luke called for a vote. Motion carried unanimously, 6:0.***

Council Member Scothorn inquired, "How often do we get these?" Superintendent Mast, "It varies from year to year. The Sidewalk Cost-Share Program is offered every year for everybody to take advantage of. We try to encourage it to be used especially in the residential areas where people have problems; and we have an annual budget of \$10,000 for the Program. Once we reach that \$10,000, we shut it off for the remainder of the year."

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**POLICE DEPARTMENT: Update**

**General:** Chief Jones reported, "Officers have been staying active. It has been pretty much normal calls. I have been in contact with our new officer, Alex Kough on almost a daily basis. His two week notice at his current job is up tomorrow. He was considering taking a week or so to move to Burlington and start work on the 29th; however, he has reconsidered and will start this coming Monday, February 22nd."

**KHP Vehicle - purchase authorized 2-03-2016:** Chief Jones stated, "The Kansas Highway Patrol car you authorized last meeting, we are still waiting on. KHP is actually going to put a brand new windshield in it for us. These Highway Patrol cars get a lot of windshield time on the interstates at higher speeds and get a lot of pitting and sanding; so they're not only putting new tires on it, we're getting a brand new windshield on this one as well." (Note: This was also a 2014 Dodge Charge, like purchased in January.)

**Training - Kansas Pipeline Association:** Chief Jones reported, "I attended the Kansas Pipeline Association training yesterday. I had not been to a pipeline training in several years, so that was actually pretty interesting."

**Nuisance Property: Larry Hargreaves, (314 Neosho) - Danielle Birk's building/window covering:** Chief Jones reported, "Doc (Dr. Hargreaves) is not here, but he did come in and visit with Jimmy (Zoning Clerk Hugunin) and with Tom (City Attorney Robrahn) about one of the second story windows in the downtown business district. On each of the council tables, there is a set of pictures of the windows in questions. Under the city Ordinance 8-202, it talks about conditions that have a blighting influence on adjoining properties, but 8-207 under Enforcement Standards, states 'When conditions consist of quality and appearance not commiserate with the character of the neighborhood such belief must be supported by evidence of a level of maintenance significantly below the rest of the neighborhood.' As you can see in the pictures, we've got a variety up there (*of coverings of upper story windows*) - we've got the one window covered in plastic, we've got windows covered with unpainted boards/unpainted plywood, and windows covered with painted plywood. Quite frankly, Jimmy and I were talking about this quite a bit today, and we're not sure what is the best way to proceed. What is the Council's desire on something like this?"

Zoning Clerk Hugunin said, "I called Danielle and left her a voice mail, so she should call me back tomorrow. When we had the other issues on the back side of the building, she had talked about getting the windows replaced on up there on the front, and I believe on the back side, too; but I haven't heard anything from her." Mayor Luke inquired, "The other issue in the back, though, has been taken care of?" Zoning Clerk Hugunin replied, "Yes, all that has been taken care of - the drainage and that awning. That is cleaned up and looks pretty good back there."

Council Member Lenard said, "We have programs that can assist them if they want to use them. We could kind of educate them and hold them accountable if they..." Zoning Clerk Hugunin, "She is aware of that program." City Clerk Kewley said Danielle Birk has used the Building Restoration Loan Program before, so is aware of it.

Council Member Scothorn inquired, "Is that the only one we're concerned about, or are we concerned about all of them?" Zoning Clerk Hugunin, "That's the only one (window) that Dr. Hargreaves brought to issue." Chief Jones said, "The other windows have been in that condition for quite a while. The Eagles building is a perfect example of that. If we were to go after this one, exactly who do we go after?"

Council Member Tschantz stated, "My question about this is, where do we start and where do we end? He is complaining about these three windows right here next to his shop; while, other windows you have shown here are above the Mexican restaurant (Across the Borders) and above the Eagles. So, are we going to make her fix these, and then are we going to go after the others and make them fix their windows?" Council Member Griffith, "Aren't the others covered up with..." Chief Jones, "They're covered up with some type of board right now." Council Member Tschantz, "And they're painted. Yes." Chief Jones, "Not all of them." City Clerk Kewley, "And we would need to do ours at the back here, too." Chief Jones, "This isn't a broken window. This isn't a public safety issue concerning falling broken glass like we've dealt with in the past. It was covered over with plastic. It's just been quite a while since that was done; and anytime you have plastic exposed to the weather, it is just a matter of time before it deteriorates, rips, and looks even worse." Zoning Clerk Hugunin, "We've had plastic covering windows downtown for longer than that has been covered."

Council Member Griffith asked, "What are the rules? What are we guided by?" Chief Jones explained, "City Council can make a finding as to whether this is detrimental to property values, or a blight on the area - however it's desired to be phrased; and through either informal contacts like what we've started trying to do or even formal Council action, can order the property owner to repair or abate the condition." He added, "If we choose to go with the formal route, then there is a somewhat lengthy process we do have to go through." Council Member Griffith, "I'm sitting here looking at the old Pioneer Building. They've got it boarded up and painted. I don't mind that - it looks like it's taken care of."

Chief Jones, "Dr. Hargreaves' complaint mainly had to do with the appearance of the plastic covered window. As far as I'm aware, he didn't say anything about the windows that are boarded over." Mayor Luke, "He was just concerned with the one with plastic." Chief Jones, "Yes." Zoning Clerk Hugunin, "What he told me in my office today was he had some clients pull up and they joked about how bad the building looked." Council Member

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Tschantz, "Personally, when he called me this morning, I went driving around. I came in and talked to Gina (City Clerk) about it; and I honestly didn't notice the boarded up windows and plastic until Mr. Hugunin and I went out there. How many of every hundred people are going to see that actually unless it is pointed out to them?"

Chief Jones said, "If you want us to try to continue to deal with (Danielle on an informal basis, there's no guarantee we'll get anything accomplished, but it's Council's direction - whatever you want us to do." Council Member Lenard, "What is the best way to proceed at this point?" Council Member Griffith, "The plywood is going to be much more protective. I mean, are we asking them to spend thousands of dollars doing that?" Mayor Luke, "Not to replace the plastic. Even if it's painted plywood, you're only looking at a quart of paint as far as dollars and cents are concerned." Zoning Clerk Hugunin, "Mr. Hargreaves sent an email, and I gave a copy to Doug (Chief Jones); and I think he's more concerned with it having glass, not plywood or plastic." Chief Jones, "But if we make her put a replacement pane of glass in, what do we do about the rest of them?" Council Member Curtiss, "Right, then you're setting a precedence." Zoning Clerk Hugunin, "We've got lots of buildings with wood covers on windows." Council Member Lenard suggested, "Maybe the approach to take is to make the windows (frames without glass panes) consistent whether it be plastic all the way across, plywood all the way across, or whatever the covering is." Council Member Tschantz, "If we make it plywood all the way across, it's going to have to be painted to look like the rest of them." Council Member Lenard, "We want conformity." Council Member Griffith, "We're concerned about the windows looking kept up."

**Mayor Luke to Zoning Clerk Hugunin, "I would suggest that you continue to work with the same format we have, and make it a 'consistent' front to the building."** Zoning Clerk Hugunin, "Okay. I will try to contact her in the morning." **Mayor Luke continued, "I would strongly suggest she consider painting the plywood. See how she's going with her other project of actually replacing the glass; and let us know at the next meeting whether you've had quality communication and response."** Zoning Clerk Hugunin, "Okay. The last time I communicated with her about the back of the building, I know she said she had quotes on four windows up there." Council Member Lenard, "It probably wouldn't hurt to let all the other building owners know we have a program in place and they have the option to use it." (*The Building Restoration Loan Program is advertised so the public should be aware of it. It has been advertised in the newspaper and is on our website, and a handout is on the counter at City Hall.*)

**POLICE DEPARTMENT: SADD'S Mock Disaster at Kelley Park Grandstands, April 12, 2016**

Chief Jones stated, "Every other year the SADD group (Students Against Destructive Decisions) at the High School, along with Emergency Services at the city, county, and state level, does a Mock Disaster at the Kelley Park Grandstands. This is the year to do the Mock Disaster again; and we're requesting permission to use the Kelley Park Grandstands and the area in front of the Grandstands for the Mock Disaster on Tuesday, the 12th of April. We will set the cars up the evening before; but basically, the event will be from 9 a.m. to 10 a.m. on Tuesday." **Council Member Lenard stated, "I move to approve Police Chief Jones' request to authorize the BHS Students Against Destructive Decisions (SADD) and the Emergency Services to hold the Mock Disaster at the Kelley Park Grandstands on the morning of Tuesday, April 12, 2016."** **Council Member Tschantz, "I'll second."** Hearing no discussion, Mayor Luke called for a vote. **Motion unanimously carried, 6:0.**

**PARKS DEPARTMENT: Update**

**General:** Parks personnel have been doing normal duties, cleaning public buildings and public restrooms, and building and equipment maintenance. They also attended the Employee Benefits Meeting

**Kelley Park - Trim Hedges:** Superintendent Boyce reported, "Every year we trim the little suckers from the hedge row along the south side of Kelley Park."

**Brush Pile has been burned:** Parks personnel burned the brush pile from when they trimmed brush off Rock Creek behind the City Hall.

**New Tractor and Mower:** Paperwork was done for purchasing the new tractor and mower. The tractor will be picked up tomorrow in Ottawa.

**Happy Tails Dog Park - Parking:** Superintendent Boyce reported, "We have started digging the dirt out between the Dog Park and 2nd Street pavement to put gravel parking in there. Once that north section is done, we'll move south of the two trees and the water hydrant and we'll do another section for gravel parking there."

**FINANCE: Claims Ordinance & Payroll Ordinance**

a.	Claims Ordinance	2016-04	\$488,521.01
b.	Payroll Ordinance	2016-03	\$ 77,482.10
	TOTAL		\$566,003.11

**CLAIMS 2016-04:** **Council Member Lenard, "I move City of Burlington pay Claims Ordinance 2016-04 in the amount of \$488,521.01 for payment of city bills."** **Council Member Scothorn, "Second."** **Mayor Luke called for discussion.** City Clerk Kewley stated, "Larger items tonight are: Kansas Power Pool, \$191,740.08; Brenntag, \$5,377.16; and McConnell Machinery, \$32,449." **Hearing no additional discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Claims Ordinance 2016-04 approved by unanimous vote, 6:0.**

**PAYROLL 2016-03:** **Council Member Tschantz stated, "I move City of Burlington pay Payroll Ordinance 2016-03 in the amount of \$77,482.10."** **Council Member Hall, "Second."** **Hearing no further discussion, Mayor Luke instructed City Clerk Kewley to poll Council for a vote. All votes were in favor. Mayor Luke declared Payroll Ordinance 2016-03 approved by unanimous vote, 6:0.**

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**PLANNING & ZONING: Update**

**General:** Zoning Clerk Hugunin has been updating Facebook and the webpage, setting up the email for the new Police Officer, working on permits, inventory, and Arbor Day plans.

**Industrial Park #1/Reserve #1 - Property Sale to Raymers (update):** Zoning Clerk Hugunin said, "I'm still working with Tom (Attorney Robrahn) on Rick and Nancy Raymer's land purchase there. Tom is working on some easement issues they had questions about. Tom will be able to explain it." City Attorney Robrahn said he would talk about it later in his Legal Department update. Zoning Clerk Hugunin continued, "They wanted to know what they were buying; so I went out there with some white flags and kind of marked it out. Like I told them, it is not accurate. I am not a surveyor, but it's close enough to kind of see what the property lines are; but if they want to know accurately, they'll need to get a surveyor to get property line pins set for them."

**City Hall's new Telephone System Installation:** Zoning Clerk Hugunin stated, "I spent a lot of time putting the new phone system in. I want to thank Alan (Electric Superintendent) for coming down and helping with that. It seems like it took about six days. Somehow when we were done, it worked. It's a little different than the old system, but I think everybody is starting to get the hang of it now. It's a lot newer - a lot more up-to-date." City Clerk Kewley stated, "We converted over from CenturyLink to MT Networks, so we're now on fiberoptics." Zoning Clerk Hugunin, "Yes, we're totally on MT Networks now. I think everybody, except for the City Clerk has their voicemail set up."

**Water Treatment Plant - Computer Issues:** Zoning Clerk Hugunin reported, "I went to the Water Plant on Monday to try to put Danny's (Superintendent Hawkins') computer on life support before Mr. Vaught got here, and couldn't do it, so we just pulled the plug. There was no saving it." Superintendent Hawkins said Jimmy was trying to help him, but it just didn't work.

**OTHER BUSINESS - Goals & Accomplishments**

City Clerk Kewley stated, "I handed out the Goals for 2016 and Accomplishments of 2015. I want to thank Sue (Administrative Assistant Stroh) for working with the Department Heads and getting the Goals & Accomplishments ready for distribution."

**OTHER BUSINESS - City/County Fund Reports for Parks & Recreation and Infrastructure**

Mayor Luke mentioned that the City/County Park & Recreation Fund Report and Infrastructure Fund Report were completed and sent along with letters to the Coffey County Commission. The letter listed how the 2015 funds were used and our plans for using the funds for this year.

**PERMITS: Permits issued by Zoning Clerk Hugunin:** None

**RESOLUTION 2016-01, Amendment 1 to the Second Amendment to the KPP Operating Agreement**

Mayor Luke, also President of the KPP Board of Directors, explained, "Approving Resolution 2016-01, Amendment 1 to the Second Amendment to the KPP Operating Agreement, would basically do two things:

1) The first issue is that it would eliminate the use of proxies; so when KPP has an operators meeting or a membership meeting, we cannot utilize proxies to obtain a quorum. They can use a telephone and call in because we (KPP) have that system set up and in place so they don't have to make an actual trip to the meeting because they can be available via phone on a continuous basis during the meetings. Normally, if we have people participate in meetings that way, it is a roll call vote. We don't vote verbatim because we don't know whether people are awake or asleep; but we do record that as a roll call vote.

2) The second issue is that the previous, as originally sent out, Article 13 basically identified the fact that the KPP Membership Committee would have the right to vote on amendments to the final agreements. Cities complained about that and the 'Joint Action Agency' (says) it is a legal device - we can do it if we choose to. They chose to argue with us on it; we said we will alter the verbiage so any amendments go to the member cities governing bodies first; and then, once all of the cities have submitted their acceptance or rejection, the Membership Committee will review and only two-thirds of the voting members have to approve. Right now, we have basically twenty-four member cities, so only sixteen of the twenty-four communities will have to approve any modifications to the contract before it will go into effect. Once it has been approved, the entire agreement including modifications goes to the Attorney General for final approval to make sure we're not violating any laws associated with that."

Council Member Griffith asked, "Do you like the....?" Mayor Luke replied, "Yes. We spent approximately a year making sure to get everybody's comments in from all the cities. We had the FERC (Federal Energy Regulatory Commission) attorney review it because there were some issues since we operate within the Southwest Power Pool. They looked at it and it agrees with everything that has to do with how we operate and function, so there are no issues with the Southwest Power Pool. We've had our attorneys look at it - meaning the city attorneys, plus the attorney for the Kansas Power Pool also has been involved with it; and our City Attorney, Tom Robrahn, has looked at it. It has been run up the flagpole a lot of times."

(continued)

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Council Member Griffith asked if a motion is needed. Mayor Luke said, "We have Resolution 2016-01 that we need to approve." Council Member Lenard asked, "Can we have dialog now, or should I make a motion first?" Mayor Luke, "We can have dialog now." Council Member Lenard, "In Exhibit B of the Resolution, it talks about the governing body and how the city can approve or disapprove or take no action. So on this - you looked at this Tom (City Attorney), if there is no action it talks about the amendment shall be denied. Is that denied on behalf of the city or the entire amendment?" Mayor Luke said, "Denied on by the city." Council Member Lenard, "I agree with that. Tom?" City Attorney Robrahn said, "Yes, that's how I interpreted it." Mayor Luke, "Some councils meet once a month, so you don't get an immediate response back; but once you have two-thirds of the Pool responding then the amendment is basically approved."

**Hearing no additional discussion, Mayor Luke called for a vote. Council Member Hall stated, "I move to adopt Resolution 2016-01, Approving Amendment 1 to the Second Amendment to the Kansas Power Pool Operating Agreement, as presented." Council Member Griffith, "I second it." Hearing no discussion, Mayor Luke called for a vote. Motion unanimously carried, 6:0. Resolution 2016-01 was adopted.**

**LEGAL DEPARTMENT: Update on Industrial Park #1 (Raymers' purchase in progress)**

City Attorney Robrahn stated, "I will continue from where Jimmy (Zoning Clerk Hugunin) left off on the Industrial Park property we're trying to sell to the Raymers. They've had an issue with the easement; and I've been talking on the phone with Fred Walrod (surveyor) for maybe three times over the last three or four months about this. I think Jimmy had him go out and look this over originally. It's Fred Walrod's opinion for us to try to identify the exact location of our utilities; and to make that defined in an easement would be very expensive. His concern is that he might miss something in trying to do that. So, his suggestion to make it less expensive for all parties involved is that we have a blanket easement. He didn't use that terminology, but I knew what he was getting at. He said the easement should be just on that entire tract; and so, in legal terminology, we call that a blanket easement. I'm usually not a big fan of blanket easements, but in this case we have to consider what we're looking at. We're looking at a piece of property that is basically not anything that anybody is going to build on or do anything with; so I think it's just to add to their adjoining property; and in that case, I think a blanket easement would be appropriate. That's my solution, so I've actually drafted a blanket easement that the City will assign to the City before we convey the property to the Raymers. That way it will be on public record that we are retaining a utility easement on that property." He added, "I didn't bring the easement with me Jimmy, but I did send it to you electronically, so will you print that off and give it to Stan (Mayor Luke) to sign?" Zoning Clerk Hugunin said he would.

Council Member Lenard inquired, "Is that going to satisfy the purchasers?" Attorney Robrahn replied, "Well, I hope so." Council Member Lenard stated, "My suggestion is that because we did make this property sale 'as is', if we don't get this closed in some timely fashion, that we just terminate it." Attorney Robrahn agreed, "Yes, because our other option is that we have Fred Walrod go out to do a survey; and we would spend a lot of money and I don't agree with doing that." Other Council Members agreed. Zoning Clerk Hugunin said, "And I think, Tom, we talked about visiting with Raymers and explaining that to them also." Attorney Robrahn, "Yes, but we probably want to get this easement signed first, and then I'll tell them that we've already executed that." Council Member Lenard stated, "Because it was 'as is'; and they should have done their homework beforehand, and if not, I say we move on." Attorney Robrahn, "We kind of need to do this because we didn't have anything recorded that we had an easement, and we didn't need to because we owned the property; but for conveyance to somebody else, we do need an easement recorded."

Council Member Lenard asked, "Can this be done by next Council?" Attorney Robrahn, "Actually, I have it prepared and it could be done tonight." Zoning Clerk Hugunin will get the easement printed for the Mayor to sign, so it can be recorded at the Register of Deeds Office.

**CITY CLERK: Update**

**General:** City Clerk Kewley reported City Hall personnel have been busy preparing meter readings for utility bills. They have been preparing work orders, vouchers for bill paying, payroll, and the meeting minutes for tonight, and have been handling normal calls and inquiries. She said, "We have also been finishing the year-end reports for the state, federal, social security, and KPERS."

**City/County Grant Funds - Reporting:** City Clerk Kewley reported, "We finished the City/County Street Infrastructure Funds and the Parks & Recreation Funds reporting for the Coffey County Commissioners."

**Annual Water Use Report:** City Clerk Kewley is currently working with Superintendent Hawkins on the Annual KDHE Municipal Water Use Report, which will be done before the March 1st deadline.

**Sales Tax Report:** City Clerk Kewley said, "I also handed out the Sales Tax Report for 2015. It is a snapshot of the last three years. Our revenue has significantly increased over last year."

**Financials:** City Clerk Kewley distributed the 2015 Financials, and will answer any questions on it.

**Goals & Accomplishments:** Goals for 2016 and Accomplishments in 2015 were completed and distributed.

**Finance Meeting Scheduled:** The Finance Committee meeting is scheduled for Thursday, February 25th at 3:00 p.m. in the City's meeting room at 303 Neosho.

**Telephone System:** City Clerk Kewley expressed appreciation to both Zoning Clerk Hugunin and Electric Superintendent Schneider for all the time they put into installing City Hall's new telephone system.

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**REPORTS BY CITY OFFICERS; none**

**FUTURE AGENDA ITEMS:**

<b>GENERAL</b> City Debt – How to fund projects City Code Recodification Service/Allied Waste Agreement Renewal Mayor’s Volunteer Program Downtown Revitalization (Committee) Independence Day Celebration/Fireworks Display 2016	Actuaries – GASB-45 Financial Program Software (CIC) MT Wireless - Fiberoptics to City Buildings GAAP – Infrastructure Capitalization
<b>ELECTRIC DEPARTMENT:</b> Emissions Standards Compliance/EPA KPP Operating Agreement/Contract Amendment (updates) Power Plant - Add Generator (Research)	Automatic Meter Infrastructure for Electric (AMI)-updates Conger Addition - Underground utility damages/MT Networks Ark Flash Study - Mapping Update
<b>PARKS DEPARTMENT:</b> Dog Park - Parking Improvements WildBlue BBQ and Taste of Fall Festival 2016 Taste of Fall Festival and UHCA (Horsemen’s Challenge) - Fall 2016 Cancer Support Group - 4-H Building 4-23-2016	RV Parking New Signage for Kelley Park and Drake Park CF County Fair Association - Raze and Replace Poultry Barn Bucket Truck - Bid/Purchase
<b>LEGAL DEPARTMENT:</b> Municipal Court Industrial Park #1 - Property Sale to Raymers (update)	KDOT Damages (4th & Neosho)
<b>PLANNING AND ZONING</b> MT Networks Fiberoptics - updates Comprehensive Development Plan – Extend in 2-2016 for three years Industrial Park Lots - for Sale, etc. Tree City USA - application Work with NexTech and City Departments to improve Cyber Security	Planning Commission Members (Advertise for 3) Inventories - prepare; send to auditor early January 2016 Work w/PD on Nuisance Structure regulations Arbor Day 2016 Celebration Nuisance - Hargreaves/Birk on Neosho (Windows, etc.)
<b>POLICE DEPARTMENT</b> Nuisance Updates Personnel – Vacancy and Training Updates Vehicle Purchase - Approved 2-3-2016 (Update)	Bike Patrol Program (update) Reserve Officer Schankie - Temporary compensation (update)
<b>STREET DEPARTMENT:</b> Heather Street - Concrete Panels Sidewalk Replacement Cost-Share Applications; Sidewalk Repairs on City Rights-of-Way Street Sweeper - Bids/Purchase in 2016 Asphalt Grinding Machine for 2016 Trackhoe Repairs - update	Rebuild/Repair Kennedy Street and 14 <sup>th</sup> Street Pavement Management System/Asset Management System 2015 Curb & Gutter Project (Yuba between 6th & 7th) Mohawk Street Improvements between 14th & 15th Elementary School - Resolve traffic issues
<b>WATER &amp; WASTEWATER DEPARTMENT:</b> Southwest Sewer Project Waterline Replacement Project Pump Repairs in 2016 (Clearwell/River Intake) Sewer Lagoons - Analysis (KRWA/funds for dredging) Water Plant 10 Year Evaluation of the Filters	Clean Sewers SCADA System-updates Fire Hydrant Testing Plumbing Violations KDHE L2 Monitoring Neosho Riverbank Stabilization Water Plant Improvements–Efficiency John Redmond Reservoir – Dredging Filters - Replace Media/Anthracite/Sand High Service Pump Repair

**Mayor Luke declared the meeting adjourned.**

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